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SPORT IRELAND
ANTI-DOPING

THE IRISH ANTI-DOPING RULES 2027



INDEX

INTRODUCTION		**4**
1.	**ARTICLE 1 APPLICATION OF RULES**	**7**
2	**ARTICLE 2 DEFINITION OF DOPING AND ANTI-DOPING RULE VIOLATIONS**	**13**
3	**ARTICLE 3 THE *PROHIBITED LIST***	**17**
4	**ARTICLE 4 THERAPEUTIC USE EXEMPTIONS**	**18**
5	**ARTICLE 5 *TESTING* AND INVESTIGATIONS**	**22**
6	**ARTICLE 6 ANALYSIS OF *SAMPLES***	**28**
7	**ARTICLE 7 *RESULTS MANAGEMENT***	**31**
8.	**ARTICLE 8 DISCIPLINARY PROCEEDINGS**	**37**
9	**ARTICLE 9 *DISQUALIFICATION* SANCTIONS ON INDIVIDUALS**	**42**
10	**ARTICLE 10 *INELIGIBILITY* SANCTIONS ON INDIVIDUALS**	**43**
11	**ARTICLE 11 *CONSEQUENCES* FOR TEAMS**	**59**
12	**ARTICLE 12 SANCTIONS ON *NATIONAL GOVERNING BODIES***	**60**
13	**ARTICLE 13 *RESULTS MANAGEMENT*: APPEALS**	**61**
14	**ARTICLE 14 REPORTING, CONFIDENTIALITY AND PRIVACY**	**65**
15	**ARTICLE 15 PUBLIC DISCLOSURE**	**67**
16	**ARTICLE 16 IMPLEMENTATION OF DECISIONS, GOVERNING LAW AND LIMITATIONS**	**68**
17	**ARTICLE 17 EDUCATION**	**70**
18	**ARTICLE 18 MODIFICATION AND INTERPRETATION**	**70**
19	**ARTICLE 19 COMMENCEMENT AND TRANSITION**	**72**

20 ARTICLE 20 MISCELLANEOUS **73**

APPENDIX I - DEFINITIONS **74**

INTRODUCTION

Anti-doping is primarily an ethical position based on a vision of the spirit of sport.

Doping is fundamentally contrary to the spirit of sport. 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 the ethical pursuit of athletic excellence through the dedicated perfection of each *Athlete's* natural talents. The spirit of sport is characterised, amongst other values, by health, ethics, fair play, honesty, team work, fun and joy, dedication and commitment, respect for rules and laws, respect for self and other *Participants*, courage, community and solidarity.

Equally, *Athlete Support Personnel* have a fundamental role to both demonstrate and promote these values, including the fun and joy of sport, to ensure positive sporting experiences for *Athletes*.

Anti-doping programmes seek both to protect the health of *Athletes* and to provide the opportunity for *Athletes* to develop and express their athletic abilities without the *Use* of *Prohibited Substances* and *Methods.*

The *Code* and the World Anti-Doping Programme

The purposes of the World Anti-Doping Programme are:

- To protect *Athletes'* fundamental right to participate in doping-free sport and thus promote health, fairness and equality for *Athletes* worldwide, and

- To ensure harmonised, co-ordinated and effective anti-doping programmes at the international and national level with regard to the prevention of doping, including:

    - *Education* — to protect clean sport by preventing unintentional and intentional anti-doping rule violations through raising awareness, providing information, instilling and reinforcing values and developing behaviours that support *Athletes, Athlete Support Personnel* and other *Persons* to act in accordance with the *Code;*

    - Deterrence — to divert potential dopers, through ensuring that robust rules and sanctions are in place and salient for all stakeholders.

    - Detection — an effective *Testing* and investigations system not only enhances a deterrent effect, but also is effective in protecting clean *Athletes* and the spirit of sport by catching those committing anti-doping rule violations, while also helping to disrupt anyone engaged in doping behaviour.

    - Enforcement — to adjudicate and sanction those found to have committed an anti-doping rule violation.

    - Compliance – to support, monitor and enforce compliance with the *Code* and *International Standards.*

    - Rule of law — to ensure that all relevant stakeholders have agreed to submit to the *Code* and the *International Standards*, and that all measures taken in application of their anti-doping programmes respect the *Code*, the *International Standards*, human rights and the principle of proportionality.

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 *Code* has been drafted giving consideration to human rights and the principle of proportionality.[1]

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*[2], *Technical Documents*[3] and *Technical Letters*[4]
(iii) Level 3: Guidelines and Templates.[5]

All provisions of the *Code* are mandatory in substance and must be followed as applicable by each *Anti-Doping Organisation* and *Athlete* or other *Person*. The *Code* does not, however, replace or eliminate the need for comprehensive anti-doping rules to be adopted by each *Anti-Doping Organisation*. While some provisions of the *Code* must be incorporated without substantive change by each *Anti-Doping Organisation* in its own anti-doping rules, other provisions of the *Code* establish mandatory guiding principles that allow flexibility in the formulation of rules by each *Anti-Doping Organisation* or establish requirements that must be followed by each *Anti-Doping Organisation* but need not be repeated in its own anti-doping rules.

The Irish Sport Anti-Doping Programme

Sport Ireland is established under section 7 of the *Act*. *Sport Ireland* is the designated *National Anti-Doping Organisation* in Ireland and performs the functions and obligations of a *National Anti-Doping Organisation* as referred to in the *Code*, the *UNESCO Convention* and these *Rules*. Under the *Act*, sport is defined as including recreational sport and competitive sport.

In accordance with Article 20.5.1 of the Code, Sport Ireland complies with the requirements of *National Anti-Doping Organisation Operational Independence*. Without limitation, this includes the prohibition of any involvement in its management or operational activities as an *Anti-Doping Organisation* by any *Person* who is at the same time involved in the management or operational activities of any *National Governing Body*, or national sports organisation or government department with responsibility for sport or anti-doping.

The functions of *Sport Ireland* are conferred on it by section 8 of the *Act* (as may be further described in sections 41 and 42 of the Act) and include:

(i) to facilitate, through the promulgation of guidelines and codes of practice, standards of good conduct, fair play and the elimination of doping in sport;

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[1] The Olympic Charter and the International Convention against Doping in Sport 2005 adopted in Paris on 19 October 2005, both recognise the prevention of and the fight against doping in sport as a critical part of the mission of the International Olympic Committee and UNESCO, and also recognise the fundamental role of the *Code*.

[2] The *International Standards* contain much of the technical detail necessary for implementing the *Code* and will be developed by subject matter experts and set forth in separate documents. It is important that the *WADA* Executive Committee be able to make timely changes to the *International Standards* without requiring any amendment of the *Code*.

[3] For example, where an additional analytical procedure is required before reporting a *Sample* as an *Adverse Analytical Finding*, that procedure would be mandated in a *Technical Document* issued immediately by the *WADA* Executive Committee.

[4] *Technical Letters* relating to mandatory technical requirements for the analysis, interpretation and reporting of specific *Prohibited Substance(s)* and/or *Prohibited Method(s)* or on the application of specific laboratory or *Athlete Biological Passport* laboratory procedures may be approved and published from time to time by the *WADA* Executive Committee. Adherence to *Technical Letters* is mandatory for compliance with the *Code*.

[5] These templates may provide alternatives from which stakeholders may select. Some stakeholders may choose to adopt the templates and other models of best practices verbatim. Others may decide to adopt the templates with modifications. Still other stakeholders may choose to develop their own rules consistent with the general principles and specific requirements set forth in the *Code*. Guidelines or templates for specific parts of anti-doping work have been developed and may continue to be developed based on generally recognised stakeholder needs and expectations.

(ii) to take such action as it considers appropriate, including *Testing*, to combat doping in sport;

(iii) to plan, implement, evaluate and monitor *Education* and information programmes for good conduct, fair play and the elimination of doping in sport;

(iv) in its capacity as the *National Anti-Doping Organisation* in the State, to direct the collection of *Samples*, to manage the *Testing* and test results of *Samples* and attend hearings (including the presentation and prosecution of cases), as required; and

(v) to perform the functions and obligations of a *National Anti-Doping Organisation* referred to in the *Code*, the *UNESCO Convention* and these *Rules.*

The Irish Anti-Doping Rules

These *Rules* are made by *Sport Ireland* under section 42(2) of the *Act*, having regard to its relevant purpose under the *Act* to preserve the integrity of sport through the detection, prevention and elimination of doping in sport, including the application of sanctions in connection with doping, on public interest grounds and for the benefit of sportspersons generally. Pursuant to Section 42(3) of the *Act*, these *Rules* may be amended at any time by *Sport Ireland*. Prior to formal adoption of such amendments, they shall be submitted to *WADA* for its approval. 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. *Athletes*, *Athlete Support Personnel* or other *Persons* (including board members, directors, officers and specified employees, and *Delegated Third Parties* and their employees) accept these *Rules* as a condition of participation or involvement in sport and shall be bound to these *Rules*. These sport-specific *Rules* and procedures, aimed at enforcing anti-doping rules in an international and harmonised way, are distinct in nature from criminal and civil proceedings. They are not intended to be subject to or limited by any national requirements and legal standards applicable to such proceedings, although they are intended to be applied in a manner which respects human rights and the principle of proportionality. When reviewing the facts and the law of a given case, all courts, arbitral hearing panels and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the *Code* and the *Rules* and the fact these *Rules* represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

1. ARTICLE 1 APPLICATION OF RULES

1.1 Application to *National Governing Bodies*[6]

1.1.1 As a condition of receiving financial and/or other assistance from *Sport Ireland* and/or the Government of Ireland, each *National Governing Body* shall (i) abide by the spirit and terms of the Irish Sport Anti-Doping Programme and these *Rules*, including the application of sanctions to *Athletes*, *Athlete Support Persons* or other *Persons*, (ii) shall respect the authority of, and co-operate with, *Sport Ireland*, the *Irish Sport Anti-Doping Disciplinary Panel*, *WADA* and *CAS* on all matters to which these *Rules* or *Code* relate (including investigations); (iii) shall respect the autonomy and independence of *Sport Ireland* and the requirements of *National Anti-Doping Organization Operational Independence*; and (iv) adopt and incorporate these *Rules* either directly or by reference into its governing documents, constitution and/or rules such that the *Rules* bind *Athletes,* other *Persons* and constituent and/or affiliate organisations in the sport of that *National Governing Body*.

1.1.2 Where a *National Governing Body* adopts and incorporates these *Rules*, it shall be deemed to have (i) incorporated these *Rules* into its rules as if it had set them out in full therein and (ii) specifically recognised the authority and responsibility of *Sport Ireland* for administering the Irish Sport Anti-Doping Programme (including conducting *Testing* of *Athletes*) in respect of all *Persons* to whom these *Rules* apply, (iii) authorised *Sport Ireland* to carry out *Doping Control*, (iv) agreed to be bound by and to comply strictly with these *Rules* and to recognise, abide by and give effect to the decisions made pursuant to these *Rules*, including the decisions of *Sport Ireland,* the *Irish Sport Anti-Doping Disciplinary Panel*, *WADA* and *CAS*, as applicable and (v) agreed to take all steps within its power to implement these *Rules* in its sport which shall include, without limitation, to assist *Sport Ireland* in establishing and maintaining its *Registered Testing Pool* and other *Testing Pools*.

1.1.3 These *Rules* shall apply to *National Governing Bodies*, including their board members, directors, officers, senior executives, employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control.*

1.1.4 *National Governing Bodies* shall not knowingly employ or permit participation by a *Person* in any position involving *Doping Control* (other than authorised anti-doping *Education* or rehabilitation programmes) who *is Provisionally Suspended* or is serving a period of *Ineligibility* under the *Code* or, in a capacity where such employment or participation would conflict with the prohibitions described in Article 10.10.1.

1.1.5 Each *National Governing Body* shall (i) report to *Sport Ireland* as required by Article 12.3, (ii) report any information suggesting or relating to an anti-doping rule violation or violation of Article 10.10.3 to *Sport Ireland* and (iii) co-operate with and provide all possible assistance and information to *Sport Ireland* in relation to investigations carried out by *Sport Ireland* and/or any other *Anti-Doping Organisation* with authority to conduct an investigation. If a *National Governing Body* fails to comply with these Rules, including a failure to co-operate fully with an investigation, it shall not be eligible for funding from *Sport Ireland*.

1.2 Roles and Responsibilities of *National Governing Bodies*

1.2.1 To ensure all *Athletes* and *Athlete Support Personnel* who participate in such a capacity in a *Competition*, *Event* or activity authorised or organised by the *National Governing Body* or by a member or affiliate organisation or licensee of the *National Governing Body* (which shall be

[6] *Sport Ireland* shall work co-operatively with the Government of Ireland and the Olympic Federation of Ireland to ensure that recognition of *Sport Ireland* and the acceptance and application of these *Rules* represents a pre-condition to a *National Governing Body's* receipt of any financial and/or other assistance from *Sport Ireland,* the Government and/or the Olympic Federation of Ireland.

deemed to include a club, team, association or league) understand that they are bound by these *Rules* and *Sport Ireland's* or other *Anti-Doping Organisation's Results Management* authority in conformity with these *Rules* as a condition of such participation.

1.2.2 As a condition of such position or involvement, to require all of its board members, directors, officers, senior executives and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, to agree to be bound by anti-doping rules as *Persons* in conformity with the *Code* for direct and intentional misconduct.

1.2.3 To support and co-operate with *Sport Ireland* in carrying out its functions under these *Rules*, the *Code* and the *Act* and to vigorously pursue all potential anti-doping rule violations within its jurisdiction in accordance with these *Rules* and co-operate with and provide all possible assistance to *Sport Ireland* in presenting cases before a *Hearing Panel* and *CAS*.

1.2.4 To ensure that an *Athlete*, *Athlete Support Person* or other *Person* who is subject to a period of *Ineligibility* or is *Provisionally Suspended* does not breach such *Ineligibility* or *Provisional Suspension*.

1.2.5 To have in place appropriate rules or codes of conduct requiring *Athletes*, *Athlete Support Personnel* and other *Persons* under its jurisdiction to co-operate with *Sport Ireland* in relation to any investigations under these *Rules*.

1.2.6 To recognise Sport Ireland's authority under the *Rules* and *Code* and to assist *Sport Ireland* if applicable in the implementation of a *Testing* programme in their sport.

1.2.7 To suspend and/or withhold all sport related financial support where applicable (as per Articles 5.8.2, 7.6 and 10.11).

1.2.8 To adopt and implement disciplinary rules / codes of conduct in support of the Irish Sport Anti-Doping Programme such that (i) *Use* or *Possession* by an *Athlete Support Person* or other *Person* of a *Prohibited Substance* or a *Prohibited Method* shall be a breach of such disciplinary rules / codes of conduct and (ii) any such *Use* or *Possession* or failure to comply with these *Rules* shall be a breach of the terms of any funding or other support provided by the *National Governing Body*.

1.2.9 To conduct anti-doping *Education* in co-ordination with *Sport Ireland*, including by promoting such *Education.*

1.3 Application to *Athletes*, *Athlete Support Personnel* and other *Persons*

1.3.1 These *Rules* apply to the following *Persons* (including *Recreational Athletes*, *Minors* and *Protected Persons*), in each case whether or not such *Person* is a national of or resident in Ireland:

1.3.1.1 All *Athletes* and *Athlete Support Personnel* who are members or licence holders of a *National Governing Body* and/or of any member or affiliate organisation or licensee of a *National Governing Body*, which shall be deemed to include a club, team, association or league;

1.3.1.2 All *Athletes* and *Athlete Support Personnel* who participate in such capacity in an *Event*, *Competition* or other activity organised, convened, authorised or recognised by a *National Governing Body* and/or by a member or affiliate organisation or licensee of a *National Governing Body*, which shall be deemed to include a club, team, association or league;

1.3.1.3 All *Athletes* or *Athlete Support Personnel* or other *Persons* who are subject to the authority and/or jurisdiction of a *National Governing Body* and/or of any member or affiliate organisation or licensee of a *National Governing Body*, which shall be deemed to include a club, team, association or league, for the purposes of anti-doping;

1.3.1.4 All *Athletes* and *Athlete Support Personnel* who participate in any capacity in any activity organised, held, convened or authorised by the organiser of a *National Event* or of a national league that is not affiliated with a *National Governing Body*;[7]

1.3.2 These *Rules* shall also apply to other *Persons* over whom the *Code* gives *Sport Ireland* jurisdiction, including:

1.3.2.1 all *Athletes* who are nationals of or resident in Ireland;

1.3.2.2 all *Athletes* who represent or have the potential to represent Ireland and/or the island of Ireland internationally or to become a member of a team representing Ireland or the island of Ireland internationally; and

1.3.2.3 all *Athletes* who are present in Ireland (or the island of Ireland, where applicable), whether to compete or train or otherwise.

1.3.3 These *Rules* apply to *Sport Ireland*, including its board members, directors, officers, senior executives, employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*.

Subject to applicable law, and in accordance with Article 20.5.10 of the *Code*, all *Sport Ireland* board members, directors, officers, senior executives and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, must sign a form provided by *Sport Ireland*, agreeing to be bound by these *Rules* as *Persons* in conformity with the *Code* for direct and intentional misconduct.

Subject to applicable law, and in accordance with Article 20.5.11 of the *Code*, *Sport Ireland* shall not knowingly employ or permit participation by a *Person* in a capacity where such employment or participation would conflict with the prohibitions described in Article 10.10.3. Further, the same prohibition on employment or permitted participation shall apply to a *Person* who was not bound by rules adopted pursuant to the *Code*, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to them.

1.3.4 *Persons* falling within the scope of Articles 1.3.1 and 1.3.2[8] shall be deemed, as a condition of their participation or involvement in sport, to have agreed:

[7] These organising bodies shall be incorporated into the national anti-doping programme.

[8] Where the *Code* requires a *Person* other than an *Athlete* or *Athlete Support Person* to be bound by the *Code*, such *Person* would of course not be subject to *Sample* collection or *Testing*, and would not be subject to an anti-doping rule violation under the *Code* for *Use* or *Possession* of a *Prohibited Substance* or *Prohibited Method*. Rather, such *Person* would only be subject to discipline for a violation of *Code* Articles 2.5 (*Tampering*), 2.7 (*Trafficking*), 2.8 (*Administration*), 2.9 (Complicity), 2.10 (*Prohibited Association*) and 2.11 (Retaliation). Furthermore, such *Person* would be subject to the additional roles and responsibilities according to Article 21.3 of the *Code*. Also, the obligation to require an employee to be bound by the *Code* is subject to applicable law.
Sport Ireland shall ensure that, as per Article 20.5 of the *Code*, any arrangements with its board members, directors, officers, and specified employees, as well as with *Delegated Third Parties* and their employees – either employment, contractual or otherwise – have explicit provisions incorporated according to which such *Persons* are bound by, agree to comply with these *Rules*, and agree on *Sport Ireland's* authority to resolve anti-doping cases.

1.3.4.1 To be bound by and to comply strictly with these *Rules*, without prejudice to any other anti-doping rules applicable to them;

1.3.4.2 To submit to the authority of *Sport Ireland*, the *Irish Sport Anti-Doping Disciplinary Panel*, *WADA* and *CAS*, as applicable, to apply and enforce these *Rules*; and

1.3.4.3 To submit to the exclusive jurisdiction of any *Hearing Panel* and/or *CAS* panel convened under these *Rules* to hear and determine alleged anti-doping rule violations, violations of Article 10.10.1 and related issues, and appeals (as applicable) arising under these *Rules*.

1.3.5 If any *Athlete*, *Athlete Support Person* or other *Person* is found to have committed an anti-doping rule violation, the *Consequences* shall apply. For the avoidance of doubt, in accordance with the *Consequences* and as provided for in the *Act* such *Athlete*, *Athlete Support Person* or other *Person* shall not be eligible for funding from *Sport Ireland* or to represent Ireland in sport. An *Athlete*, *Athlete Support Person* or other *Person* sanctioned under these *Rules* remains subject to the sanction throughout the duration of the sanction regardless of that *Athlete's*, *Athlete Support Person's* or other *Person's* membership status in any *National Governing Body* or member or affiliate organisation or licensee of any *National Governing Body*. Unless the *Athlete*, *Athlete Support Person* or other *Person* sanctioned retires during the period of the sanction, they shall remain subject to *Doping Control*.

1.3.6 Each *Athlete* or other *Person* shall continue to be bound by and required to comply with these *Rules* unless and until they are deemed under the rules of their *National Governing Body* or *International Federation* to have retired from the sport. Where an *Athlete* is in the *Sport Ireland Registered Testing Pool* at the time of such retirement, they must also send notice to *Sport Ireland* in accordance with Article 5.7.4. The *National Governing Body*, *Sport Ireland*, the *Irish Sport Anti-Doping Disciplinary Panel*, *WADA* and *CAS* shall continue to have jurisdiction over the *Athlete* or other *Person* under these *Rules* after retirement in respect of matters taking place prior to retirement.

1.3.7 Certain *Athlete*s, *Athlete Support Personnel* or other *Person*s 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 *Athlete*, or *Athlete Support Person* or other *Person* under such other rules.

1.3.8 If any *Athlete*, *Athlete Support Person* or other *Person* fails to comply with these *Rules*, including a failure to comply with Article 5.6, they shall not be eligible for funding from *Sport Ireland* or a *National Governing Body*.

1.4 Roles and Responsibilities of *Athletes*

1.4.1 To know what constitutes an anti-doping rule violation and violation of Article 10.10.1.

1.4.2 To know what substances and methods are on the *Prohibited List.*

1.4.3 To be knowledgeable of and to comply with these *Rules* and other anti-doping rules adopted pursuant to the *Code*.

1.4.4 To take full responsibility, in the context of anti-doping, for what they ingest and *Use*.

1.4.5 To carry out research regarding any product or substance which they intend to ingest or *Use*, prior to such ingestion or Use to ensure compliance with these *Rules*. This research shall, at a minimum, include a reasonable internet or artificial intelligence search of (1) the name of the

product or substance, (2) the ingredients/substances listed on the product or substance label, and (3) other related information revealed through research of points (1) and (2).[9]

1.4.6 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 infringe these *Rules*.

1.4.7 To make himself or herself available for *Sample* collection at all times.[10]

1.4.8 To provide complete, accurate and up to date *Whereabouts Filings* if they are included in a *Registered Testing Pool* or the required whereabouts information if they are included in a *Testing Pool*;

1.4.9 To co-operate fully with *Sport Ireland* and any other *Anti-Doping Organisation* conducting investigations into possible anti-doping rule violations or violations of Article 10.10.1.[11]

Failure by any *Athlete* to comply with Article 5.6 shall be a breach of these *Rules* and/or the terms and conditions of funding or other support received from the *National Governing Body* or from *Sport Ireland.*

1.4.10 To disclose to *Sport Ireland* and the applicable *International Federation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten years.

1.4.11 To disclose the identity of their *Athlete Support Personnel* upon request by *Sport Ireland* or any *Anti-Doping Organisation* with authority over the *Athlete*.

1.4.12 To make themselves available for *Education*.

1.4.13 Offensive conduct by any *Athlete* towards a *Doping Control* official or other *Person* involved in *Doping Control* by an *Athlete*, which does not otherwise constitute *Tampering*, shall be a breach of these *Rules* (and may result in the imposition of a sanction under Appendix II by the *Irish Sport Anti-Doping Disciplinary* Panel) and/or a breach of the terms and conditions of funding or other support received from the *National Governing Body* or from *Sport Ireland.*

1.5 Roles and Responsibilities of *Athlete Support Personnel*

1.5.1 To know what constitutes an anti-doping rule violation and violation of Article 10.10.1.

1.5.2 To know what substances and methods are on the *Prohibited List.*

1.5.3 To be knowledgeable of and comply with these *Rules* and other anti-doping rules adopted pursuant to the *Code* which are applicable to them or *Athletes* whom they support.

[9] For the avoidance of doubt, any reasonable internet or artificial intelligence search must be conducted using reliable, verifiable sources and must not consist of simply accepting search-engine rankings or an AI-generated response at face value. *Athletes* should cross-check information against authoritative materials (e.g., official manufacturer documentation, *Anti-Doping Organisation* resources and recognised third-party certification/batch-testing programmes), and should treat with caution - and not rely upon - information from unverified or anonymous websites, marketplace listings, forums, social media posts, or AI outputs that do not provide clear source attribution capable of independent verification. Where the accuracy, authenticity, or completeness of information cannot reasonably be verified, the *Athlete* should proceed on the basis that the risk of non-compliance has not been adequately addressed.

[10] With due regard to an *Athlete's* human rights and privacy, legitimate anti-doping considerations sometimes require *Sample* collection late at night or early in the morning. For example, it is known that some *Athletes Use* low doses of EPO during these hours so that it will be undetectable in the morning.

[11] Failure to cooperate is not an anti-doping rule violation under the *Code*, but it may be the basis for disciplinary action under a *Signatory's* rules.

1.5.4 To make themselves available for *Education* in order to support the provision of accurate anti-doping information to the *Athletes* who they support, particularly in the case of *Protected Persons* and *Minors*.

1.5.5 Not to *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.[12]

1.5.6 To co-operate fully with the *Testing* of *Athletes.*

1.5.7 To use their influence on *Athletes'* values and behaviour to foster anti-doping attitudes.

1.5.8 To exercise the highest duty of care in supporting *Athletes* to protect them from the risk of an unintentional anti-doping rule violation.

1.5.9 If subject to a period of *Ineligibility*, not to provide *Athlete Support Personnel* services to any *Athlete* or other *Person* who is bound by rules adopted pursuant to the *Code*.

1.5.10 To co-operate with *Sport Ireland* and any other *Anti-Doping Organisation* conducting investigations into possible anti-doping rule violations or violations of Article 10.10.1.[13]

Failure by any *Athlete Support Person* to co-operate fully with an investigation into possible anti-doping rule violations may be a breach of their *National Governing Body's* disciplinary rules / codes of conduct and may be a breach of the terms and conditions of funding or other support received from the *National Governing Body* or from *Sport Ireland*.

1.5.11 To disclose to *Sport Ireland* and the applicable *International Federation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation or violation of Article 10.10.1 within the previous ten years.

1.5.12 Offensive conduct by any *Athlete Support Person* towards a *Doping Control* official or other *Person* involved in *Doping Control* by an *Athlete*, which does not otherwise constitute *Tampering*, shall be a breach of these *Rules* (and may result in a sanction being imposed under Appendix II by the *Irish Sport Anti-Doping Disciplinary Panel*) and/or a breach of the terms and conditions of funding or other support received from the *National Governing Body* or from *Sport Ireland*.

1.5.13 *Use* or *Possession* by an *Athlete Support Person* of a *Prohibited Substance* or a *Prohibited Method* may be a breach of their *National Governing Body's* disciplinary rules / codes of conduct.

1.6 Roles and Responsibilities of other *Persons* subject to these *Rules*

1.6.1 To know what constitutes an anti-doping rule violation and violation of Article 10.10.1.

1.6.2 To be knowledgeable of and comply with these *Rules* and other anti-doping rules adopted pursuant to the *Code* which are applicable to them.

1.6.3 To disclose to *Sport Ireland* and the applicable *International Federation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation or violation of Article 10.10.1 within the previous ten years.

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[12] In those situations where *Use* or personal *Possession* of a *Prohibited Substance* or *Prohibited Method* by an *Athlete Support Person* without justification is not an anti-doping rule violation under the *Code*, it should be subject to other sport disciplinary rules. Coaches and other *Athlete Support Personnel* are often role models for *Athletes*. They should not be engaging in personal conduct which conflicts with their responsibility to encourage their *Athletes* not to dope

[13] Failure to cooperate is not an anti-doping rule violation under the *Code*, but it may be the basis for disciplinary action under a *Signatory's* rules.

1.6.4 To cooperate with *Sport Ireland* and any other *Anti-Doping Organisation* conducting investigations into possible anti-doping rule violations or violations of Article 10.10.1.

Failure by other *Persons* subject to these *Rules* to co-operate fully with an investigation into possible anti-doping rule violations may be a breach of their *National Governing Body's* disciplinary rules / codes of conduct and may be a breach of the terms and conditions of funding or other support received from the *National Governing Body* or from *Sport Ireland*.

1.6.5 Offensive conduct by other *Persons* subject to these *Rules* towards a *Doping Control* official or other *Person* involved in *Doping Control* by an *Athlete*, which does not otherwise constitute *Tampering*, shall be a breach of these *Rules* (and may result in a sanction being imposed by the *Irish Sport Anti-Doping Disciplinary Panel* under Appendix II) and/or be a breach of the terms and conditions of funding or other support received from the *National Governing Body* or from *Sport Ireland*.

1.6.6 Not to *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.[14]

2. ARTICLE 2 DEFINITION OF DOPING AND ANTI-DOPING RULE VIOLATIONS

Doping in sport is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11 of these *Rules*.

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

Athletes or other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*.

Each of the following acts or omissions 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 the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, *Fault*, *Negligence* or knowing *Use* on the *Athlete*'*s* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.[15]

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following[16]:

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[14] In those situations where *Use* or personal *Possession* of a *Prohibited Substance* or *Prohibited Method* by an *Athlete Support Person* without justification is not an anti-doping rule violation under the *Rules* or the *Code*, it should be subject to other sport disciplinary rules. Coaches and other *Athlete Support Personnel* are often role models for *Athletes*. They should not be engaging in personal conduct which conflicts with their responsibility to encourage their *Athletes* not to dope.

[15] An anti-doping rule violation is committed under this Article without regard to an *Athlete's Fault*. This rule has been referred to in various *CAS* decisions as "*Strict Liability*". An *Athlete's Fault* is taken into consideration in determining the *Consequences* of this anti-doping rule violation under Article 10 of these *Rules*. This principle has consistently been upheld by *CAS*. An anti-doping rule violation for *Presence* is established when *a Prohibited Substance* is detected in the *Sample* of an *Athlete* who was subject to rules adopted pursuant to the *Code* at the time of *Sample* collection, regardless of whether the *Athlete* was subject to the *Code* at the time the *Prohibited Substance* was *Used*.

[16] The *Anti-Doping Organisation* with *Results Management* authority may, at its discretion, choose to have the B *Sample* analysed even if the *Athlete* does not request the analysis of the B *Sample*.

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

2.1.2.2 Where the *Athlete's* B *Sample* is analysed and the analysis of the *Athlete's* B *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's* A *Sample*; or

2.1.2.3 Where the *Athlete's* A or B *Sample* is split into two parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.

2.1.3 Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported quantity of a *Prohibited Substance* or 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*, *International Standards or Technical Documents* may establish special criteria for reporting or the evaluation of certain *Prohibited Substances.*

2.2 *Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*[17]

2.2.1 It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies and that no *Prohibited Method is Used*. 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 for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

2.2.2 The success or failure of the *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an anti-doping rule violation to be committed[18].

2.3 Evading, Refusing or Failing to Submit to *Sample* Collection by an *Athlete*

[17] It has always been the case that *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* may be established by any reliable means. As noted in the comment to Article 8, unlike the proof required to establish an anti-doping rule violation under Article 2.1, *Use or Attempted Use* may also be established by other reliable means such as admissions by the *Athlete*, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the *Athlete Biological Passport*, or other analytical information which does not otherwise satisfy all the requirements to establish "Presence" of a *Prohibited Substance* under Article 2.1. For example, *Use* may be established based upon reliable analytical data from the analysis of an A *Sample* (without confirmation from an analysis of a B *Sample*) or from the analysis of a B *Sample* alone where the *Anti-Doping Organisation* provides a satisfactory explanation for the lack of confirmation in the other *Sample*.

[18] Demonstrating the "*Attempted Use*" of a *Prohibited Substance* or a *Prohibited Method* requires proof of intent on the *Athlete*'s part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the *Strict Liability* principle established for violations of Article 2.1 of these *Rules* and violations of Article 2.2 of these *Rules* in respect of *Use* of a *Prohibited Substance* or *Prohibited Method*.

An *Athlete*'*s Use* of a *Prohibited Substance* constitutes an anti-doping rule violation unless such *Prohibited Substance* is not prohibited *Out-of-Competition* and the *Athlete*'*s Use* takes place *Out-of-Competition*. However, the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Sample* collected *In-Competition* is a violation of Article 2.1 regardless of when that *Prohibited Substance* might have been administered.

To establish an anti-doping rule violation under this Article 2.2, the alleged *Use* or *Attempted Use* shall have occurred when the *Athlete* was bound by rules adopted pursuant to the *Code*. However, this does not preclude an *Anti-Doping Organisation* or other sport organisation from adopting and enforcing eligibility rules that allow the organisation to deny or revoke the membership of a *Person* who engaged in conduct, before being bound by rules adopted pursuant to the *Code*, where such conduct would have constituted an anti-doping rule violation had it occurred while the *Person* was bound by rules adopted pursuant to the *Code*.

Evading *Sample* collection, or refusing or failing to submit to *Sample* collection without compelling justification after notification by a duly authorised *Person*[19].

2.4 *Whereabouts Failures* by an *Athlete*

2.4.1 Any combination of three (3) *Filing Failures* and/or *Missed Tests* as defined in the *International Standard for Results Management*, committed within a twelve (12) month period by an *Athlete* in a *Registered Testing Pool* shall constitute an anti-doping rule violation.

2.5 *Tampering* or *Attempted Tampering* with any part of *Doping Control* by an *Athlete* or Other *Person*[20]

2.6 *Possession* of a *Prohibited Substance* or a *Prohibited Method* by an *Athlete* or *Athlete Support Person*

2.6.1 *Possession* by an *Athlete In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* unless the *Athlete* establishes that the *Possession* is consistent with a *Therapeutic Use Exemption* granted in accordance with Article 4 or other acceptable justification.[21]

2.6.2 *Possession* by an *Athlete Support Person In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Support Person Out-of-Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited *Out-of-Competition* in connection with an *Athlete*, competition or training, unless the *Athlete Support Person* establishes that the *Possession* is consistent with a *Therapeutic Use Exemption* granted to an *Athlete* in accordance with Article 4 or other acceptable justification.[22]

2.7 T*rafficking* or *Attempted Trafficking* by an *Athlete* or Other *Person*

2.8 *Administration* or *Attempted Administration* by an *Athlete* or Other *Person*

2.9 Complicity or Attempted Complicity by an *Athlete* or Other *Person*

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or *Attempted* complicity involving an anti-doping rule violation, *Attempted* anti-doping rule violation or violation of Article 10.10.1 by another *Person*. [23]

2.10 Prohibited Association by an *Athlete* or Other *Person*

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[19] For example, it would be an anti-doping rule violation of "evading *Sample* collection" if it were established that an *Athlete* was deliberately avoiding a *Doping Control* official to evade notification or *Testing*. A violation of "failing to submit to *Sample* collection" may be based on either intentional or negligent conduct of the *Athlete*, while “evading” or "refusing" *Sample* collection contemplates intentional conduct by the *Athlete*

[20] The mere failure by an *Athlete*, *Athlete Support Person* or other *Person* to cooperate with *Anti-Doping Organisations* investigating anti-doping rule violations or violations of Article 10.10.1 does not constitute *Tampering* under Article 2.5. Such failure to cooperate may, however, be the basis for disciplinary action under a *Signatory's* rules where such rules include appropriate procedural safeguards.

[21] Acceptable justification would not include, for example, buying or *Possessing* a *Prohibited Substance* for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that *Person* had a physician's prescription, e.g. buying Insulin for a diabetic child.

[22] Acceptable justification may include, for example, (a) an *Athlete* or a team doctor carrying *Prohibited Substances* or *Prohibited Methods* for dealing with acute and emergency situations (e.g. an epinephrine auto-injector), or (b) an *Athlete Possessing* a *Prohibited Substance* or *Prohibited Method* for therapeutic reasons shortly prior to applying for and receiving a determination on a *Therapeutic Use Exemption*.

[23] Complicity or *Attempted* Complicity may include either physical or psychological assistance.

2.10.1 Association by an *Athlete* or other *Person* subject to the authority of an *Anti-Doping Organisation* in a professional or sport-related capacity with any *Athlete Support Person* who:

2.10.1.1 If subject to the authority of an *Anti-Doping Organisation*, is serving a period of *Ineligibility*; or

2.10.1.2 If not subject to the authority of an *Anti-Doping Organisation*, and where *Ineligibility* has not been addressed in a *Results Management* process pursuant to the *Code*, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.1.3 Is serving as a front or intermediary for an individual described in Articles 2.10.1.1 or 2.10.1.2.

2.10.2 To establish a violation of Article 2.10, an *Anti-Doping Organisation* shall establish that the *Athlete* or other *Person* knew of the *Athlete Support Person's* disqualifying status.

2.10.3 The burden shall be on the *Athlete* or other *Person* to establish that any association with an *Athlete Support Person* described in Articles 2.10.1.1 or 2.10.1.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

2.10.4 *Anti-Doping Organisations* that are aware of *Athlete Support Personnel* who meet the criteria described in Articles 2.10.1.1, 2.10.1.2 or 2.10.1.3 shall submit that information to *WADA*.[24]

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

Where such conduct does not otherwise constitute a violation of Article 2.5:

2.11.1 Any act which threatens or seeks to intimidate another *Person* with the intent of discouraging the *Person* from the good-faith reporting of information that relates to an alleged anti-doping rule violation, an alleged violation of Article 10.10.1 or alleged non-compliance with the *Code* to *WADA*, an *Anti-Doping Organisation*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for *WADA* or an *Anti-Doping Organisation*.

2.11.2 Retaliation against a *Person* who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation, an alleged violation of Article 10.10.1, or alleged non-compliance with the *Code* to *WADA*, an *Anti-Doping Organisation*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an

[24] *Athletes* and other *Persons* shall not work with coaches, trainers, physicians or other *Athlete Support Personnel* who are Ineligible on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. This also prohibits association with any other *Athlete* who is acting as a coach or *Athlete Support Person* while serving a period of *Ineligibility*. Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the *Athlete Support Person* to serve as an agent or representative. Prohibited association need not involve any form of compensation.
While Article 2.10 does not require *Sport Ireland* to notify the *Athlete* or other *Person* about the *Athlete Support Person's* disqualifying status, such notice, if provided, would be important evidence to establish that the *Athlete* or other *Person* knew about the disqualifying status of the *Athlete Support Person*.

investigation for *WADA* or an *Anti-Doping Organisation*.[25]

For purposes of Article 2.11, retaliation, threatening and intimidation include an act taken against such *Person* either because the act lacks a good faith basis or is a disproportionate response.[26]

3 ARTICLE 3 THE *PROHIBITED LIST*

3.1 Incorporation of the *Prohibited List*

3.1.1 These *Rules* incorporate the *Prohibited List* which is published and revised by *WADA* as described in Article 4.1 of the *Code.*

3.1.2 The *Prohibited List* may be revised by *WADA* from time to time as described in Article 4.1 of the *Code* and unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions shall go into effect under these *Rules* three months after publication by *WADA* without requiring any further action by *Sport Ireland*. It is the responsibility of all *Athletes* and other *Persons* to familiarise themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

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

3.2.1 The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited as doping at all times (both *In-Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Competitions* or their masking potential, and those *Prohibited Substances* and *Prohibited Methods* which are prohibited *In-Competition* only. The *Prohibited List* may be expanded by *WADA* for a particular sport. *Prohibited Substances* and *Prohibited Methods* may be included in the *Prohibited List* by general category (e.g. anabolic agents) or by specific reference to a particular substance or method.[27]

3.3 *Specified Substances* or *Specified Methods*

3.3.1 For purposes of the application of Article 10, all *Prohibited Substances* shall be *Specified Substances* except as identified on the *Prohibited List*. No *Prohibited Method* shall be a *Specified Method* unless it is specifically identified as a *Specified Method* on the *Prohibited List*. *Specified Substances* and *Specified Methods* identified in this Article should not in any way be considered less important or less dangerous than other *Prohibited Substances* or *Prohibited Methods*. Rather, they are simply *Prohibited Substances* and *Prohibited Methods* which are more likely to have been consumed or used by an *Athlete* for a purpose other than the enhancement of sport performance.[28]

3.4 *Substances of Abuse*

3.4.1 For purposes of applying Article 10, *Substances of Abuse* are those *Prohibited Substances* which are specifically identified as *Substances of Abuse* on the *Prohibited List* because they

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[25] This Article is intended to protect *Persons* who make good faith reports, and does not protect *Persons* who knowingly make false reports.

[26] Retaliation would include, for example, actions that threaten the physical or mental well-being or economic interests of the reporting *Persons*, their families or associates. Retaliation would not include an *Anti-Doping Organisation* asserting in good faith an anti-doping rule violation against the reporting *Person*. For purposes of Article 2.11, a report is not made in good faith where the *Person* making the report knows the report to be false.

[27] *Out-of-Competition Use* of a substance which is only prohibited *In-Competition* is not an anti-doping rule violation unless an *Adverse Analytical Finding* for the substance or its *Metabolites* or *Markers* is reported for a *Sample* collected *In-Competition*.

[28] *Prohibited Substances* which are more likely to have been consumed or used by an *Athlete* for a purpose other than the enhancement of sport performance would include, for example, marijuana or prohibited stimulants found in cold medications.

are more frequently abused in society outside of the context of sport.

3.5 *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,* the classification of substances into categories on the *Prohibited List*, the classification of a substance as prohibited at all times or *In-Competition* only, the classification of a substance or method as a *Specified Substance, Specified Method* or *Substance of Abuse* is final and shall not be subject to any challenge by an *Athlete* or other *Person* including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

4 ARTICLE 4 *THERAPEUTIC USE EXEMPTIONS*

4.1 *Therapeutic Use Exemptions*

4.1.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use* or *Attempted Use*, *Possession* or *Administration* or *Attempted Administration* of a *Prohibited Substance* or a *Prohibited Method*, shall not be considered an anti-doping rule violation if it is consistent with the provisions of a *Therapeutic Use Exemption* granted in accordance with these *Rules* and the *International Standard* for *Therapeutic Use Exemptions.*

4.1.2 *Athletes* who are not *International-Level Athletes* shall apply to *Sport Ireland* for a *Therapeutic Use Exemption.* Such an application shall be made in accordance with Article 6 of the *International Standard* for *Therapeutic Use Exemptions* and the information posted on *Sport Ireland's* website.

4.1.3 If *Sport Ireland* denies the application, the *Athlete* may appeal exclusively to *CAS*, unless provided otherwise in the *International Standard for Therapeutic Use Exemptions*.

4.1.4 *Sport Ireland* has, in accordance with the *International Standard* for *Therapeutic Use Exemptions*, discretion to prioritise certain sports or disciplines over others in its test distribution planning and *Testing* and it may decline to consider advance applications for *Therapeutic Use Exemptions* from *National-Level Athletes* in some or all of the non-priority sports or disciplines, but it shall permit any such *Athlete* from whom a *Sample* is subsequently collected to apply for a retroactive *Therapeutic Use Exemption* in accordance with Article 4.3.

4.1.5 If *Sport Ireland* chooses to collect a *Sample* from an *Athlete* who is not an *International-Level* or a *National-Level Athlete*, and that *Athlete* is *Using* a *Prohibited Substance* or *Prohibited Method* for therapeutic reasons, *Sport Ireland* shall permit that *Athlete* to apply for a retroactive *Therapeutic Use Exemption* for any *Prohibited Substance* or *Prohibited Method* that they *Used* or *Possessed*.

4.1.6 *International-Level Athletes* shall apply to their *International Federation* for a *Therapeutic Use Exemption*.

A *Therapeutic Use Exemption* granted by *Sport Ireland* is valid at national level in any country and does not need to be formally recognised by any other *National Anti-Doping Organisation*. If the *Athlete* becomes subject to the *Therapeutic Use Exemption* requirements of an *International Federation*, they should not submit an application for a new *Therapeutic Use Exemption* to the *International Federation*. Instead, and unless *WADA* has granted an exemption under Article 7.2(b) of the *International Standard* for *Therapeutic Use Exemptions*, all *Therapeutic Use Exemption* decisions that are made pursuant to Article 4.4 of the *Code* and

are reported in accordance with Article 5.9 of the *International Standard* for *Therapeutic Use Exemptions* will be automatically recognised by the *International Federation*.

If *WADA* grants an exemption to an *International Federation* pursuant to Article 7.2(b) of the *International Standard* for *Therapeutic Use Exemptions*, the *Athlete* shall apply for recognition of their *Therapeutic Use Exemption* to the relevant *International Federation* in accordance with the *International Standard* for *Therapeutic Use Exemptions* as follows:

4.1.6.1 Where the *Athlete* already has a *Therapeutic Use Exemption* granted by *Sport Ireland* for the substance or method in question, unless the *Therapeutic Use Exemption* will be automatically recognised by the *International Federation*, the *Athlete* shall apply to their *International Federation* to recognise that *Therapeutic Use Exemption*. If that *Therapeutic Use Exemption* meets the criteria set out in the *International Standard* for *Therapeutic Use Exemptions*, then the *International Federation* shall recognise it.

4.1.6.2 If the *International Federation* considers that the *Therapeutic Use Exemption* granted by *Sport Ireland* does not meet those criteria and so refuses to recognise it, the *International Federation* shall promptly notify the *Athlete* and *Sport Ireland*, with reasons. The *Athlete* and/or *Sport Ireland* shall have twenty-one days from such notification to refer the matter to *WADA* for review in accordance with Article 4.1.6.4.

If the matter is referred to WADA for review in accordance with Article 4.1.6.4, the *Therapeutic Use Exemption* granted by *Sport Ireland* remains valid for national-level *Competition* and *Out-of-Competition Testing* (but is not valid for international-level *Competition*) pending *WADA's* decision.

If the matter is not referred to *WADA* for review within the twenty-one day deadline, *Sport Ireland* shall determine whether the original *Therapeutic Use Exemption* granted by it should nevertheless remain valid for national-level *Competition* and for *Out-of-Competition Testing* (provided that the *Athlete* ceases to be an *International-Level Athlete* and does not participate in international-level *Competition*). Pending *Sport Ireland's* decision, the *Therapeutic Use Exemption* remains valid for national-level *Competition* and for *Out-of-Competition Testing* (but it is not valid for international-level *Competition*).[29]

4.1.6.3 If the *Athlete* does not already have a *Therapeutic Use Exemption* granted by *Sport Ireland* for the substance or method in question, the *Athlete* shall apply directly to the *Athlete's International Federation* for a *Therapeutic Use Exemption* in accordance with the process set out in the *International Standard* for *Therapeutic Use Exemptions* and should do so as soon as possible. If the *International Federation* denies the *Athlete's* application, it shall notify the *Athlete* promptly, with reasons.

If the *International Federation* grants the *Athlete*'s application, it shall notify the *Athlete* and *Sport Ireland*. If *Sport Ireland* considers that the *Therapeutic Use Exemption* granted by the *International Federation* does not meet the criteria set out in the *International Standard* for *Therapeutic Use Exemptions*, it has twenty-one days from such notification to refer the matter to *WADA* for review. If *Sport Ireland*

[29] In accordance with the requirements of the *International Standard* for *Therapeutic Use Exemptions*, *Sport Ireland* may help *Athletes* determine when they need to submit *Therapeutic Use Exemptions* granted by *Sport Ireland* to an *International Federation* or *Major Event Organisation* for recognition and may guide and support those *Athletes* through the recognition process.

refers the matter to *WADA* for review, the *Therapeutic Use Exemption* granted by the *International Federation* remains valid for international-level *Competition* and for *Out-of-Competition Testing* (but is not valid for national-level *Competition*) pending *WADA*'s decision. If *Sport Ireland* does not refer the matter to *WADA* for review, the *Therapeutic Use Exemption* granted by the *International Federation* becomes valid for national-level *Competition* as well when the twenty-one day review deadline expires.

4.1.6.4 *WADA* shall review any decision by an *International Federation* not to recognise a *Therapeutic Use Exemption* granted by *Sport Ireland* that is referred to *WADA* by the *Athlete* or *Sport Ireland*. In addition, *WADA* shall review any decision by an *International Federation* to grant a *Therapeutic Use Exemption* that is referred to *WADA* by *Sport Ireland*. *WADA* may review any other *Therapeutic Use Exemption* decisions at any time, whether upon request by those affected or on its own initiative. If the *Therapeutic Use Exemption* decision being reviewed meets the criteria set out in the *International Standard* for *Therapeutic Use Exemptions*, *WADA* will not interfere with it. If the *Therapeutic Use Exemption* decision does not meet those criteria, *WADA* will reverse it.[30]

4.1.6.5 Unless provided otherwise in the *International Standard* for *Therapeutic Use Exemptions*, any *Therapeutic Use Exemption* decision by an *International Federation* that is not reviewed by *WADA*, or that is reviewed by *WADA* but is not reversed upon review, may be appealed by the *Athlete* and/or *Sport Ireland*, exclusively to *CAS*.[31]

4.1.6.6 A decision by *WADA* to reverse a *Therapeutic Use Exemption* decision may be appealed by the *Athlete*, *Sport Ireland* and/or the *International Federation* affected, exclusively to *CAS*.

4.1.6.7 A failure to render a decision within a reasonable time on a properly submitted application for grant/recognition of a *Therapeutic Use Exemption* or for review of a *Therapeutic Use Exemption* decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

4.1.6.8 The *Therapeutic Use Exemption* requirements for *Athletes* participating in *Events* organised by *Major Event Organisations* shall be as set out in Article 4.4.4 of the *Code*, the anti-doping rules of the *Major Event Organisation* and the *International Standard* for *Therapeutic Use Exemptions*.

4.2 Sport Ireland TUE Committee

4.2.1 *Sport Ireland* shall appoint a committee of not less than three members, including a chair, to consider and determine applications for the grant of *Therapeutic Use Exemptions* ("the TUE Committee") in accordance with the criteria set out in the *International Standard* for *Therapeutic Use Exemptions*.

4.2.2 The TUE Committee should include at least three physicians with experience in the care and

[30] *WADA* shall be entitled to charge a fee to cover the costs of: (a) any review it is required to conduct in accordance with Article 4.4.6 of the *Code*; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.

[31] In such cases, the decision being appealed is the *International Federation's Therapeutic Use Exemption* decision, not *WADA's* decision not to review the *Therapeutic Use Exemption* decision or (having reviewed it) not to reverse the *Therapeutic Use Exemption* decision. However, the time to appeal the *Therapeutic Use Exemption* decision does not begin to run until the date that *WADA* communicates its decision. In any event, whether the decision has been reviewed by *WADA* or not, *WADA* shall be given notice of the appeal so that it may participate if it sees fit.

treatment of *Athlete*s and a sound knowledge of clinical, sports and exercise medicine. Before serving as a member of the TUE Committee, each member shall sign a conflict of interest and confidentiality declaration. The appointed members shall not be employees of *Sport Ireland*.

4.2.3 In cases where specific expertise is required (for example, for *Athletes* with impairments, where the substance or method pertains to the *Athlete's* impairment), at least one TUE Committee member or expert should possess such expertise. The TUE Committee may seek the assistance of such other medical or scientific experts as it deems appropriate.

4.2.4 The TUE Committee shall evaluate and decide upon the application in accordance with the relevant provisions of the *International Standard* for *Therapeutic Use Exemptions* as soon as possible, and usually (unless exceptional circumstances apply) within no more than twenty-one days of receipt of a complete application. Where the application is made in a reasonable time prior to an *Event*, the TUE Committee shall use its best endeavours to issue its decision before the start of the *Event.*

4.2.5 The TUE Committee decision shall be the final decision of *Sport Ireland* and may be appealed in accordance with Article 4.1.3. Such decision shall be notified in writing to the *Athlete*, and to *WADA* and other *Anti-Doping Organisations* in accordance with the *International Standard* for *Therapeutic Use Exemptions*. *Sport Ireland* shall ensure that all decisions are promptly entered into *ADAMS* and, in any event, no later than twenty-one days from the date of receipt of the decision.[32]

4.3 Retroactive *Therapeutic Use Exemptions*

4.3.1 An application[33] for a retroactive *Therapeutic Use Exemption* may be made (and must still meet the conditions in Article 4.2 of the *International Standard* for *Therapeutic Use Exemptions*) where:

4.3.1.1 emergency or urgent treatment of a medical condition was necessary; or

4.3.1.2 there was insufficient time, opportunity or exceptional circumstances that resulted in the *Athlete* not being able to obtain a *Therapeutic Use Exemption* prior to *Using* or *Possessing* the *Prohibited Substance* or *Prohibited Method*; or

4.3.1.3 due to *Sport Ireland's* prioritisation of certain sports or disciplines in accordance with Article 4.1.4, *Sport Ireland* did not permit or require the *Athlete* to apply for a prospective *Therapeutic Use Exemption*; or

4.3.1.4 *Sport Ireland* chooses to collect a *Sample* from an *Athlete who is not an International-Level Athlete or National-Level Athlete*, and that *Athlete* is *Using* a *Prohibited Substance* or *Prohibited Method* for therapeutic reasons; or

4.3.1.5 the *Athlete Used Out-of-Competition*, for therapeutic reasons, a *Prohibited Substance* that is prohibited only *In-Competition*.

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[32] The submission of falsified documents to the TUE Committee or *Sport Ireland*, offering a bribe to or accepting a bribe by a *Person* to perform or fail to perform an act, procuring false testimony from any witness, or committing any other fraudulent act or any other similar intentional interference or attempted interference with any aspect of the *Therapeutic Use Exemption* process shall result in a charge of *Tampering* or *Attempted Tampering* under Article 2.5.
An *Athlete* should not assume that their application for the grant of a *Therapeutic Use Exemption* (or for renewal of a *Therapeutic Use Exemption*) will be granted. Any *Use*, *Possession* or *Administration* of a *Prohibited Substance* or *Prohibited Method* before an application has been granted is entirely at the *Athlete's* own risk.

[33] If an *Athlete* is not granted a retroactive *Therapeutic Use Exemption* in the context of proceedings for an anti-doping rule violation, Article 10.1.4 should also be considered in relation to any period of *Ineligibility* to be imposed.

4.3.2 In exceptional circumstances and notwithstanding any other provision in the *International Standard* for *Therapeutic Use Exemptions*, an *Athlete* may apply for and be granted a retroactive *Therapeutic Use Exemption* for their therapeutic *Use* of a *Prohibited Substance* or *Prohibited Method* if, considering the purpose of the *Code*, it would be manifestly unfair not to grant a retroactive *TUE*. For *National-Level Athletes*, *Sport Ireland* may grant an *Athlete's* application for a retroactive *TUE* pursuant to this Article 4.3.2 only with the prior approval of *WADA* (and *WADA* may in its absolute discretion agree with or reject *Sport Ireland's* decision).

4.3.2.1 For *Athletes* who are not *International-Level Athletes* or *National-Level Athletes*, *Sport Ireland* may grant an *Athlete's* application for a retroactive *TUE* pursuant to this Article 4.3.2 without first consulting *WADA*; however, *WADA* may at any time review *Sport Ireland's* decision to grant a retroactive *TUE* and may, in its absolute discretion, agree with or reverse the decision.

4.3.2.2 Any decision made by *WADA* and/or *Sport Ireland* under this Article 4.3.3 may not be challenged either as a defence to proceedings for an anti-doping rule violation, or by way of appeal, or otherwise.

4.4 Expiration, Withdrawal or Reversal of a *TUE*

4.4.1 A *Therapeutic Use Exemption* granted pursuant to these *Rules* and the *International Standard* for *Therapeutic Use Exemptions*:

4.4.1.1 shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality;

4.4.1.2 will be withdrawn by the TUE Committee if the *Athlete* does not promptly comply with any requirements or conditions imposed by the TUE Committee upon grant of the *Therapeutic Use Exemption* and/or due to a change in circumstances the *Therapeutic Use Exemption* criteria are no longer met;

4.4.1.3 may be reversed on review by *WADA* or on appeal.

4.4.2 In such event, the *Athlete* shall not be subject to any *Consequences* based on their *Use* or *Possession* or *Administration* of the *Prohibited Substance* or *Prohibited Method* in question in accordance with the *Therapeutic Use Exemption* at any time prior to the effective date of expiry, withdrawal or reversal of the *Therapeutic Use Exemption*. The review pursuant to Article 5.1.1.1 of the *International Standard* for *Results Management* of an *Adverse Analytical Finding*, reported shortly after the *Therapeutic Use Exemption* expiry, withdrawal, or reversal, shall include consideration of whether such finding is consistent with *Use* of the *Prohibited Substance* or *Prohibited Method* prior to that date, in which event no anti-doping rule violation shall be asserted.

5 ARTICLE 5 *TESTING* AND INVESTIGATIONS

5.1 Purpose of *Testing*

Testing conducted by, or on behalf of, *Sport Ireland* may be for any anti-doping purpose and shall be conducted in conformity with the *International Standard* for *Testing* applicable at the time of *Testing* and *Sport Ireland's* protocols supplementing that *International Standard* (if any).

Testing shall be undertaken to obtain analytical evidence as to whether an *Athlete* has violated Article 2.1 or Article 2.2 and for the purposes described in Article 6.2.

5.2 *Testing* Authority and Jurisdiction

Persons so authorised by *Sport Ireland* may conduct *Testing* on behalf of *Sport Ireland.*

5.2.1 Subject to the limitations for *Event Testing* set out in Article 5.3 of the *Code*, *Sport Ireland* shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* to whom these *Rules* apply, as provided in Article 1.[34]

5.2.2 *Sport Ireland* may test any *Athlete* over whom they have *Testing* authority who has not retired, including *Athletes* serving a period of *Ineligibility*.[35]

5.2.3 *WADA* shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.8.11 of the *Code.*

5.2.4 If an *International Federation* or *Major Event Organisation* delegates or contracts any part of *Testing* to *Sport Ireland*, *Sport Ireland* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at *Sport Ireland's* expense. If additional *Samples* are collected or additional types of analysis are performed, *Sport Ireland* shall notify the *International Federation* or *Major Event Organisation*.

5.2.5 Except where expressly allowed by the *Code* or an *International Standard,* no *Signatory* shall take any action that unduly impedes or interferes with the ability of any other *Anti-Doping Organisation* to conduct *Testing,* whether performed directly or through delegation, that is authorised by this Article 5 or any other *Code* Article or the *International Standard* for *Testing.*

5.3 *In-Competition Testing*

5.3.1 At *National Events* and other *Events* or *Competitions* in Ireland (or on the island of Ireland if applicable) which are not *International Events*, *Sport Ireland* shall have authority to conduct *Testing.*

5.3.2 At *International Event*s, 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 *Sport Ireland* to seek to initiate and conduct such *Testing* in accordance with Article 5.3.2 of the *Code.*

5.4 Liability for *Testing*

Although reasonable efforts will be made to avoid inconvenience to the *Athlete* being tested, no liability shall arise on the part of *Sport Ireland* 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*.

5.5 *Testing of Minors*

5.5.1 *Testing* of an *Athlete* who is a *Minor* shall be conducted in accordance with Annex B of the

[34] Some ruling bodies for *International Events* may be doing their own *Testing* outside of the *Event Venues* during the *Event Period* and thus want to co-ordinate that *Testing* with *Sport Ireland Testing*.

[35] *Sport Ireland may obtain* additional authority to conduct *Testing* by means of bilateral or multilateral agreements among *Signatories*. Unless the *Athlete* has identified a 60-minute time-slot for *Testing* between the hours of 11pm and 6am, or has otherwise consented to *Testing* during that period, *Sport Ireland* will not test an *Athlete* during that period unless it has serious and specific suspicions that the *Athlete* may be engaged in doping. A challenge to whether *Sport Ireland* had sufficient suspicion for *Testing* in that period shall not be a defence to an anti-doping rule violation based on such test or attempted test.

International Standard for *Testing*

5.5.2 A *Minor* may not participate in sport unless a parent or guardian of that *Minor* has consented to the *Testing* of the *Minor*. For the purposes of these *Rules*, such consent shall be deemed from the fact that the *Minor* has been permitted by their parent or guardian to participate in the sport in question.

5.6 Investigations and Intelligence

5.6.1 *Sport Ireland* shall have the power to gather anti-doping intelligence and conduct investigations in accordance with the requirements of the *Code* and the *International Standard* for Intelligence and Investigations into matters that may evidence or lead to the discovery of evidence of an anti-doping rule violation or violation of Article 10.10.1.

5.6.2 Investigations may be conducted in conjunction with other *Anti-Doping Organisations*, law enforcement authorities and other regulatory or disciplinary authorities.

5.6.3 *Sport Ireland* can also in accordance with the *Act* and applicable data protection legislation, provide information to and obtain information from other *Anti-Doping Organisations*, law enforcement authorities and other regulatory or disciplinary authorities.

5.6.4 Where an *Athlete* or other *Person* knows or suspects that any other *Athlete* or other *Person* has committed an anti-doping rule violation, violation of Article 10.10.1 or other breach of these *Rules*, it shall be the obligation of the first *Athlete* or other *Person* to report such knowledge or suspicion to *Sport Ireland* as soon as possible. The first *Athlete* or other *Person* shall have a continuing obligation to report any new knowledge or suspicion regarding any anti-doping rule violation, violation of Article 10.10.1 or other breach of these *Rules* to *Sport Ireland*, even if their prior knowledge or suspicion has already been reported. In cases of refusal or failure to comply with any of the foregoing without compelling justification, the provisions in Appendix II shall apply.

5.6.5 *Athletes* and other *Persons* must co-operate fully with investigations conducted pursuant to these Rules and in cases of refusal or failure to do so without compelling justification, the Rules in Appendix II shall apply.

5.6.6 *Sport Ireland* may at any time make a written demand ("Demand") to an *Athlete* or other *Person* to provide *Sport Ireland* with any information, record, article or thing in their possession or control that *Sport Ireland* reasonably believes may evidence or lead to the discovery of evidence of an anti-doping rule violation, violation of Article 10.10.1 or other breach of these *Rules*. Without limitation, this may include requiring an *Athlete* or other *Person* to:

5.6.6.1 Attend an interview conducted by *Sport Ireland*, or to answer any question, or to provide a written statement setting out their knowledge of any relevant facts and circumstances;

5.6.6.2 Provide (or procure to the best of their ability the provision by any third party) for inspection, copying and/or downloading, any records or files in hardcopy or electronic format, that Sport Ireland reasonably believes may contain relevant information including (including, without limitation, telephone bills, bank statements, ledgers, notes, files, correspondence, emails, messages, servers);

5.6.6.3 Provide (or procure to the best of their ability the provision by any third party) for inspection, copying and/or downloading any electronic storage device in which *Sport Ireland* reasonably believes relevant information may be stored (such as cloud-

based servers, computers, hard drives, tapes, disks, mobile telephones, laptop computers, tablets and other mobile storage devices);

5.6.6.4 Provide (or procure to the best of their ability the provision by any third party) such article or thing that is the subject of a Demand;

5.6.6.5 Provide full and unlimited access to their premises for the purpose of securing information, records, articles or things that are the subject of a Demand; and/or

5.6.6.6 Provide passwords, login credentials and other identifying information required to access electronically stored records that are the subject of a Demand.

5.6.7 Subject to Rule 5.6.8, an *Athlete* or other *Person* must comply with a Demand in such reasonable period of time as may be determined by *Sport Ireland* and set out in the Demand.

5.6.8 Where a Demand relates to any information, record or thing that *Sport Ireland* reasonably believes is capable of being damaged, altered, destroyed or hidden (any electronic storage device or electronically stored information shall be deemed to meet this criterion), then for the purposes of preserving the evidence, *Sport Ireland* may require an *Athlete* or other *Person* to comply immediately with the Demand. In such a case:

5.6.8.1 the *Athlete* or other *Person* must immediately comply with the *Demand* and permit *Sport Ireland* to take immediate possession of, copy and/or download the information, record, article or thing. However, *Sport Ireland* may take no steps to inspect or use the same other than as provided in Rule 5.6.8.4;

5.6.8.2 in case of a refusal or failure by an *Athlete* or other *Person* to comply immediately with the Demand, the sanctions in Appendix II shall apply and any attempted or intentional damage, alteration, destruction or hiding of such information, record, article or thing upon receipt of or after the Demand may be alleged as an independent violation of Article 2.5;

5.6.8.3 the *Athlete* or other *Person* is entitled, within 7 days of receipt of the Demand, to file an objection to the Demand by requesting a review pursuant to Article 7.9;

5.6.8.4 if the Athlete or other Person does not file an objection within 7 days of receipt of the Demand (or files an objection and the Chair of the Irish Sport Anti-Doping Disciplinary Panel (or a Vice-Chair if they are conflicted or unavailable) finds there was a reasonable basis for the belief for the Demand), or notifies Sport Ireland that they do not object to the Demand, Sport Ireland may forthwith inspect the information, record, article or thing and otherwise make use of it in accordance with these Rules.

5.6.9 Any information, record, article or thing provided to *Sport Ireland* pursuant to this Article 5.6 will be kept confidential, except when it becomes necessary to disclose such information, record, article or thing to further the investigation of and/or to bring, or as part of, proceedings relating to an anti-doping rule violation, violation of Article 10.10.1 or other breach of these *Rules*, or when such information, record, article or thing is reported to administrative, professional, regulatory or criminal authorities pursuant to an investigation or prosecution of non-sporting laws or regulations, or is otherwise required by law.

5.6.10 If an *Athlete* or other *Person* obstructs or delays an investigation (e.g. by intentionally providing false, misleading or incomplete information or documentation and/or by *Tampering* or

destroying any documentation or other information that may be relevant to the investigation), an anti-doping rule violation may be alleged against them pursuant to Article 2.5.

5.6.11 The *Irish Sport Anti-Doping Disciplinary Panel* in a hearing relating to an alleged anti-doping rule violation or other breach of these *Rules* may draw an inference adverse to the *Athlete* or other *Person* charged with an anti-doping rule violation or other breach of these *Rules* based on the *Athlete* or other *Person's* refusal or failure to respond to a Demand or other questions put to them as part of an investigation pursuant to these *Rules*.

5.6.12 For the avoidance of doubt, in its investigation as to whether there is a case to answer under Articles 2 or 10.10.1 of these *Rules*, *Sport Ireland* may seek to obtain additional information from any source.

5.7 *Athlete* Whereabouts Information

5.7.1 *Sport Ireland* has established the *Sport Ireland Registered Testing Pool* of those *Athletes* who are required to provide whereabouts information in the manner specified in the *International Standard* for *Testing*.

5.7.2 An *Athlete* included in the *Sport Ireland Registered Testing Pool* shall be subject to the whereabouts requirements set out in these *Rules* and the *International Standard* for *Testing*, including, without limitation: (a) advising *Sport Ireland* of their whereabouts on a quarterly basis; (b) updating that information as necessary so that it remains accurate and complete at all times; and (c) making themselves available for *Testing* at such whereabouts. *Athletes* who have been included in the *Sport Ireland Registered Testing Pool* shall be subject to *Consequences* for Article 2.4 violations as provided in Article 10.2.2.

5.7.3 Sport Ireland shall make available through *ADAMS* a list which identifies those *Athletes* included in the *Sport Ireland Registered Testing Pool* by name. *Sport Ireland* shall regularly review and update as necessary its criteria for including *Athletes* in the *Sport Ireland Registered Testing Pool*, and shall periodically review the list of *Athletes* in its *Registered Testing Pool* to ensure that each listed *Athlete* continues to meet the relevant criteria. *Athletes* shall be notified before they are included in the *Registered Testing Pool* and when they are removed from that pool. The notification shall contain the information set out in the *International Standard* for *Testing*.

5.7.4 An Athlete who is included by *Sport Ireland* in the *Sport Ireland Registered Testing Pool* shall continue to be subject to the whereabouts requirements set out in these *Rules* and the *International Standard* for *Testing* unless and until the *Athlete* retires from the sport in question and gives written notice to *Sport Ireland* and, if applicable, to their *International Federation* to that effect or, in the alternative, they have been given written notice by *Sport Ireland* that they are no longer designated for inclusion in the *Sport Ireland Registered Testing Pool*.

5.7.5 If an *International-Level Athlete* or *National-Level Athlete* in the *Sport Ireland Registered Testing Pool* retires in accordance with these *Rules* and then wishes to return to active participation in sport, the *Athlete* shall not compete in *International Events* or *National Events* until they have agreed to be bound by the *Rules* and has made themselves available for *Testing*, by giving *Sport Ireland* and their *International Federation* written notice of no less than six months. *WADA*, in consultation with *Sport Ireland* and the *Athlete's International Federation,* may grant an exemption to the six-month written notice requirement where its strict application would be unfair to an *Athlete*. The exemption may be subject to one or more conditions that *WADA* and the relevant *Anti-Doping Organisations* may impose at their discretion including, without limitation, a minimum number of tests before participation in *International Events* or *National Events* or a restriction of the participation (during the

exemption period) to specific *International Events* or *National* Events. A decision by *WADA* not to grant an exemption may be appealed under Article 13.[36]

5.7.6 Any competitive results obtained in violation of Articles 5.7.5 shall be *Disqualified* unless the *Athlete* can establish that they could not have reasonably known that this was an *International Event* or a *National Event*.

5.7.7 If an *Athlete* retires from sport while subject to a period of *Ineligibility* imposed by *Sport Ireland*, the *Athlete* shall notify *Sport Ireland* in writing of such retirement. If the *Athlete* then wishes to return to active competition in sport, the *Athlete* shall not compete in *International Events* or *National Events* until the *Athlete* has agreed to be bound by the *Rules* and has made themselves available for *Testing* by giving prior written notice to the *Athlete*'*s International Federation* and *National Anti-Doping Organisation* for a period of time equal to the greater of (i) the period of *Ineligibility* not yet served as of the date of retirement or (ii) six months.[37]

5.7.8 Where an *Athlete* is included in an international *Registered Testing Pool* by their *International Federation* and in the *Sport Ireland Registered Testing Pool*, *Sport Ireland* and the *International Federation* shall agree between themselves which of them shall be the whereabouts custodian; in no case shall an *Athlete* be required to make *Whereabouts Filings* to more than one of them.

5.7.9 Whereabouts information provided by *Athletes* in the *Sport Ireland Registered Testing Pool* will be available and accessible through *ADAMS* to *WADA* and to other *Anti-Doping Organisations* having authority to test that *Athlete*. Whereabouts information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting *Doping Control*, providing information relevant to the *Athlete Biological Passport* or other analytical results, to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with applicable data protection law and the *International Standard* for the Data Protection.

5.7.10 *Sport Ireland* may establish one or more further *Testing Pool(s)* for other *Athletes* subject to these *Rules* who are not in the *Sport Ireland Registered Testing Pool* (including in relation to *Team Sports*) and may apply different whereabouts requirements to such *Testing Pool(s)*.

5.7.11 *Sport Ireland* shall notify *Athletes* before they are included in a *Testing Pool* and when they are removed. Such notification shall include the whereabouts requirements and the consequences that apply in case of non-compliance, as indicated in Article 5.7.13.

5.7.12 *Athletes* or teams included in a *Testing Pool* shall provide *Sport Ireland* with the following whereabouts information so that they may be located and subjected to *Testing*:

5.7.12.1 For *Athletes* from individual sports / disciplines in an individual *Testing Pool*:

(a) an overnight address;

(b) Primary training location (if such an *Athlete* does not have a fixed

[36] Guidance for determining whether an exemption is warranted will be provided by *WADA*.

[37] Nothing in the *Code* precludes an *Anti-Doping Organisation* or other sport organisation from adopting and enforcing eligibility rules that allow the organisation to deny or revoke the membership of an *Athlete* who engaged in conduct, during a period of retirement when the *Athlete* was not subject to the *Code*, where such conduct would have constituted an anti-doping rule violation had it occurred while the *Person* was bound by rules adopted pursuant to the *Code*.

training location, they shall provide the address of the location where they will start and/or finish their training activity);

(c) *Competition* / *Event* schedule; and

(d) An accurate passport style photograph in accordance with the requirements in *ADAMS* to assist with validating the *Athlete's* identity when selected for a test.

5.7.12.2 For *Athletes in a Team Sport Testing Pool:*

(a) List of *Athletes* who are part of the team squad / roster and who may be selected for a *Competition*;

(b) Team activities;

(c) *Competition* / *Event* schedule.

Such whereabouts information shall be filed in the manner referred to in Article 4.10.13.5 of the *International Standard* for *Testing*.

5.7.13 An *Athlete's* failure (or a failure on their behalf) to provide whereabouts information on or before the date required by *Sport Ireland* or the *Athlete's* failure to provide accurate whereabouts information on three occasions within a twelve-month period may result in *Sport Ireland* elevating the *Athlete* to the *Sport Ireland Registered Testing Pool*.

5.8 *Whereabouts Failures* Results Management

5.8.1 *Results Management* in respect of a potential *Whereabouts Failure* shall be conducted in accordance with the *International Standard* for *Results Management*.

5.8.2 *Sport Ireland* or the applicable *National Governing Body* may withhold from an *Athlete* one quarterly instalment (or equivalent) 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*.

6 ARTICLE 6 ANALYSIS OF *SAMPLES*

6.1 Analysis in Accredited, Approved and Other Laboratories

6.1.1 For the purposes of directly establishing an *Adverse Analytical Finding* under Article 2.1, *Samples* shall be analysed only in *WADA*-accredited laboratories chosen by *Sport Ireland* or laboratories otherwise approved by *WADA* and chosen by *Sport Ireland*.[38]

[38] For cost and geographic access reasons, *WADA* may approve laboratories which are not *WADA*-accredited to perform particular analyses, for example, analysis of blood which should be delivered from the collection site to the laboratory within a set deadline.

6.1.2 As provided in Article 8.6.4, facts related to anti-doping rule violations, or violations of Article 10.10.1, may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of *WADA*-accredited or approved laboratories.

6.2 Analysis of *Samples* and Assessment of Analytical Data for Anti–Doping Purposes

Samples and related analytical data and *Doping Control* information 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 Article 4.5 of the *Code* or to assist *Sport Ireland* and/or another *Anti-Doping Organisation* in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including for DNA or genomic profiling, or for any other anti-doping purpose.[39]

In principle, all *Samples* collected shall be promptly analysed. However, the *International Standards* for Laboratories or the *International Standard* for *Testing* may identify specific conditions under which *Samples* may be collected and stored for possible future analysis.

6.3 Standard for *Sample* Analysis and Reporting[40]

6.3.1 Laboratories shall analyse *Samples* and report results in conformity with the *International Standard* for Laboratories in force at the time of analysis.

6.3.2 Laboratories at their own initiative and expense may analyse *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu, or as requested by *Sport Ireland* if it initiated and directed *Sample* collection. Results from any such analysis shall be reported to *Sport Ireland* and have the same validity and *Consequences* as any other analytical result.

6.4 Additional Analysis of *Samples* Prior to or During *Results Management*

6.4.1 There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a *Sample* prior to the time *Sport Ireland* notifies an *Athlete* that the *Sample* is the basis for an Article 2.1 anti-doping rule violation charge or after that case has been finally resolved. If after such notification and before the case is finally resolved, *Sport Ireland* wishes

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Before approving any such laboratory, *WADA* will ensure it meets the high analytical and custodial standards required by *WADA*. Violations of Article 2.1 may be established only by *Sample* analysis performed by a laboratory accredited or otherwise approved by *WADA*. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.

[39] Other anti-doping purposes would also include, and *Athlete* consent would not be required for, the following, without limitation, a) using *Testing* information to support an anti-doping rule violation proceeding under Article 2.2; b) *Testing* for non-*Prohibited Substances* or *Methods* that are included in the *WADA Monitoring Programme* (see *Code* Article 4.5); c) *Testing* for non-*Prohibited Substances* for results interpretation purposes (e.g. confounding factors of the "steroid profile", non-*Prohibited Substances* that share *Metabolite(s)* or degradation products with *Prohibited Substances*); d) *Testing* for non-*Prohibited Substances* or *Methods* (including analysing *Samples* collected *Out-of-Competition* for substances prohibited *In-Competition* only) requested as part of a *Results Management* process by an *Anti-Doping Organisation* with *Results Management* authority, a hearing body or *WADA*; e) the use of information to direct *Target Testing*; f) the use of analytical data; and g) additional analysis for research for *Quality Assurance* processes as permitted by the *International Standard* for Laboratories, including without limitation: i) improvement of existing analytical methods; ii) development of new analytical methods for detection of presence or *Use* of substances or methods already prohibited at the time of *Sample* collection, or for substances including in the *WADA Monitoring Programme* or targeted for results interpretation purposes; iii) application of methods for detection of presence or *Use* of substances or methods already prohibited at all time of *Sample* collection to new biological matrices (e.g., blood, DBS, hair, saliva); iv) use of *Samples* as reference collections/quality control samples; v) establishing reference population ranges or new/revised thresholds/*Decision Limits* for substances or methods already prohibited at the time of *Sample* collection or for other statistical purposes.

[40] The objective of this Article is to extend the principle of "intelligent *Testing*" to the *Sample* analysis menu so as to most effectively and efficiently detect doping. It is recognised that the resources available to fight doping are limited and that increasing the *Sample* analysis menu may, in some sports and countries, reduce the number of *Samples* which can be analysed.

to conduct additional analysis on that *Sample*, it may do so with the consent of the *Athlete* or approval from a hearing body.

6.4.2 After a laboratory has reported a *Sample* as negative, or the *Sample* has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of *Sport Ireland* or *WADA*. Any other *Anti-Doping Organisation* with authority to test the *Athlete* that wishes to conduct further analysis on a stored *Sample* may do so with the permission of *Sport Ireland* or *WADA*, and such other *Anti-Doping Organisation* shall be responsible for any follow-up *Results Management*. Any *Sample* storage or further analysis initiated by *WADA* or another *Anti-Doping Organisation* shall be at *WADA's* or that organisation's expense. Further analysis of *Samples* shall conform with the requirements of the *International Standard* for Laboratories in force at the time of analysis.

6.5 Research on *Samples* and Data

6.5.1 All *Samples* provided by an *Athlete* for the purposes of *Doping Control* under these *Rules* shall be the property of *Sport Ireland*.

Samples, related analytical data and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used without the *Athlete's* written consent where the research involves re-analysis of the *Athlete's Sample(s)* for a purpose beyond Article 6.2. *Samples*, related analytical data or *Doping Control* information used for research purposes shall first be processed in such a manner as to prevent *Samples*, related analytical data or other *Doping Control* information being traced back to a particular *Athlete*. Any research involving *Samples*, related analytical data and *Doping Control* information shall adhere to the principles set out in Article 19 of the *Code.*[41]

6.6 Split of A or B *Sample*

Where *WADA*, *Sport Ireland*, and/or a *WADA*-accredited laboratory (with approval from *WADA* or *Sport Ireland*) wishes to split an A or B *Sample* for the purpose of using the first part of the split *Sample* for an A *Sample* analysis and the second part of the split *Sample* for confirmation, then the procedures set forth in the *International Standard* for Laboratories shall be followed.

6.7 *WADA's* Right to Take Possession of *Samples* and Data

Notwithstanding Article 6.4*, WADA* may, in its sole discretion at any time, with or without prior notice, take physical possession of any *Sample* and related analytical data or information in the possession of a laboratory or *Anti-Doping Organisation*. Upon request by *WADA*, the laboratory or *Anti-Doping Organisation* in possession of the *Sample* or data shall immediately grant access to and enable *WADA* to take physical possession of the *Sample* or data. If *WADA* has not provided prior notice to the laboratory or *Anti-Doping Organisation* before taking possession of a *Sample* or data, it shall provide such notice to the laboratory and each *Anti-Doping Organisation* whose *Samples* or data have been taken by *WADA* within a reasonable time after taking possession. After analysis and any investigation of a seized *Sample* or data, *WADA* may direct another *Anti-Doping Organisation* with authority to test the *Athlete* to assume

[41] As is the case in most medical or scientific contexts, use of *Samples* and related information for *Quality Assurance*, quality improvement, method improvement and development or to establish reference populations is not considered research. *Samples* and related information used for such permitted non-research purposes shall also first be processed in such a manner as to prevent them from being traced back to the particular *Athlete*, having due regard to the principles set out in Article 19 of the *Code*, as well as the requirements of the *International Standard* for Laboratories and *International Standard* for Data Protection.

Results Management authority for the *Sample* or data if a potential anti-doping rule violation is discovered.[42]

7 ARTICLE 7 *RESULTS MANAGEMENT*

Results Management under these *Rules* establishes a process designed to resolve alleged anti-doping rule violations or violations of Article 10.10.1 matters in a fair, expeditious and efficient manner.

7.1 Authority to Conduct for *Results Management*

Except as otherwise provided in Articles 6.4.2, and 6.7 of these *Rules* and Article 7.1.3 through 7.1.5 of the *Code*, *Results Management* shall be under the authority of *Sport Ireland* and shall proceed pursuant to these *Rules* where *Sport Ireland* initiated and directed *Sample* collection or, if no *Sample* collection is involved, where *Sport Ireland* first provides notice to an *Athlete* or other *Person* of the alleged anti-doping rule violation and then diligently pursues that violation. *Sport Ireland* will conduct *Results Management* in accordance with these *Rules*, the *Code* and the *International Standard* for *Results Management*.

7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations or Violations of Article 10.10.1

Sport Ireland shall carry out the review and notification with respect to any potential anti-doping rule violation or violation of Article 10.10.1 in accordance with the *International Standard* for *Results Management*.

7.3 Identification of Prior Anti-Doping Rule Violations

Before giving an *Athlete* or other *Person* notice of a potential anti-doping rule violation as provided in Article 7.2, *Sport Ireland* shall refer to *ADAMS* and contact *WADA* and other relevant *Anti-Doping Organisations* to determine whether any prior anti-doping rule violation exists.

7.4 Results Management Decisions and Notification of Results Management Decisions

7.4.1 *Results Management* decisions or adjudications by *Sport Ireland* shall not purport to be limited to a particular geographic area or sport and shall address and determine without limitation the following issues: (i) whether an anti-doping rule violation or violation of Article 10.10.1 was committed or a *Provisional Suspension* should be imposed, the factual basis for such determination, and the specific Articles of these *Rules* that have been violated, and (ii) all *Consequences* flowing from the anti-doping rule violation(s) or violation(s) of Article 10.10.1, including applicable *Disqualifications* under Article 9, any forfeiture of medals or prizes, any period of *Ineligibility* (and the date it begins to run) and any *Financial Consequences*.[43]

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[42] Resistance or refusal to *WADA* taking physical possession of *Samples* or data could constitute *Tampering*, *Complicity* or an act of non-compliance as provided in the *International Standard* for *Code* Compliance by *Signatories*, and could also constitute a violation of the *International Standard* for Laboratories. Where necessary, the laboratory and/or the *Anti-Doping Organisation* shall assist *WADA* in ensuring that the seized *Sample* and related data are not delayed in exiting the applicable country. *WADA* would not, of course, unilaterally take possession of *Samples* or analytical data without good cause related to a potential anti-doping rule violation, non-compliance by a *Signatory* or doping activities by another *Person*. However, the decision as to whether good cause exists is for *WADA* to make in its discretion and shall not be subject to challenge. In particular, whether there is good cause or not shall not be a defence against an anti-doping rule violation or its *Consequences*.

[43] Each decision by *Sport Ireland* should address whether an anti-doping rule violation was committed and all *Consequences* flowing from the violation, including any *Disqualifications* other than *Disqualification* under Article 9 (which is left to the ruling body for an *Event*). Pursuant to Article 16, such decision and its imposition of *Consequences* shall have automatic effect in every sport in every country. For example, for a determination that an *Athlete* committed an anti-doping rule violation based on an *Adverse Analytical Finding* for a *Sample* taken *In-Competition*, the *Athlete's* results obtained in the *Competition* would be *Disqualified* under Article 9 and all other competitive results obtained by the *Athlete* from the date the *Sample* was collected through the duration of the period of *Ineligibility* are also *Disqualified* under Article 9; if the *Adverse Analytical Finding* resulted from *Testing* at an *Event*, it would be

7.4.2 *Sport Ireland* shall notify *Athletes*, other *Persons*, *Signatories* and *WADA* of *Results Management* decisions as provided in Article 14 of the *Code* and in the *International Standard* for *Results Management*.[44]

7.5 Provisional Suspensions[45]

7.5.1 Mandatory *Provisional Suspension* after *Adverse Analytical Finding* or *Adverse Passport Finding*

If *Sport Ireland receives* an *Adverse Analytical Finding* or an *Adverse Passport Finding* (upon completion of the *Adverse Passport Finding* process)[46] for a *Prohibited Substance* or a *Prohibited Method* that is not a *Specified Substance*, *Specified Method or a Substance of Abuse*, it shall impose a *Provisional Suspension* on the *Athlete* (i) with respect to an *Adverse Analytical Finding*, upon sending the notification to the *Athlete* under Article 7.2 and (ii) with respect to an *Adverse Passport Finding*, upon sending the notification of charge (after completion of the *Adverse Passport Finding* review process).

A mandatory *Provisional Suspension* may only be lifted if it is demonstrated to *Sport Ireland* or on appeal that adjudication of the alleged violation is likely[47] to result in a finding of:

7.5.1.1 no anti-doping rule violation;
7.5.1.2 *No Fault or Negligence*;
7.5.1.3 a reprimand with no period of *Ineligibility* under Article 10.5.1.2 (*Contaminated Source*); or
7.5.1.4 the time already served by the *Athlete* under the *Provisional Suspension* would exceed the period of *Ineligibility* asserted in the charging letter for the anti-doping rule violation.

7.5.2 Optional *Provisional Suspension* Based on *Adverse Analytical Finding* for *Specified Substances, Specified Methods*, Other Anti-Doping Rule Violations or Violations of Article 10.10.1

Sport Ireland may impose a *Provisional Suspension* for alleged anti-doping rule violations prior to the analysis of the *Athlete's* B *Sample* or final hearing as described in Article 8, for violations of Article 10.10.1 or anti-doping rule violations where a mandatory *Provisional Suspension* is not required by Article 7.5.1.

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the *Major Event Organisation's* responsibility to decide whether the *Athlete's* other individual results in the *Event* prior to *Sample* collection are also *Disqualified* under Article 9.2.

[44] *Results Management* decisions include *Provisional Suspensions*.

[45] Before a *Provisional Suspension* can be unilaterally imposed by *Sport Ireland*, the internal review specified in these *Rules and the International Standard for Results Management* must first be completed.
In the rare circumstance where the B *Sample* analysis does not confirm the A *Sample* finding, the *Athlete* who had been *Provisionally Suspended* will be allowed, where circumstances permit, to participate in subsequent *Competitions* during the *Event*. Similarly, depending upon the relevant rules of the *International Federation* in a *Team Sport*, if the team is still in *Competition*, the *Athlete* may be able to take part in future *Competitions*.
Athletes and other *Persons* shall receive credit for a *Provisional Suspension* against any period of *Ineligibility* which is ultimately imposed, as provided in Article 10.9.2 of the *Rules*.

[46] For the avoidance of doubt, nothing prevents *Sport Ireland* or any other *Results Management* Authority from imposing, an optional *Provisional Suspension* before the completion of the review process of the *Adverse Passport Finding*.

[47] As used in this Article "likely" means a well-founded assertion. This standard is somewhat less than balance of probability but substantially more than mere possibility or plausibility; the assertion shall be supported by a good evidentiary foundation, including concrete evidentiary elements.

An optional *Provisional Suspension* may be lifted at the discretion of *Sport Ireland* at any time prior to the *Hearing Panel's* decision under Article 8, unless provided otherwise in the *International Standard* for *Results Management*.

7.5.3 Lifting of *Provisional Suspensions*

7.5.3.1 As a prerequisite to filing an appeal to *CAS* against a mandatory *Provisional Suspension*[48] or an optional *Provisional Suspension* imposed by *Sport Ireland*, an *Athlete* must follow the procedures detailed in this Article 7.5.3.

Appeals challenging *Provisional Suspension* decisions under this Article shall not justify any delay in the underlying case on the merits.

7.5.3.2 Hearings by the *Irish Sport Anti-Doping Disciplinary Panel* in relation to the lifting of a Provisional Suspension under this Article 7.5.3 shall be heard by a single arbitrator who shall be the Chair or a Vice-Chair of the *Irish Sport Anti-Doping Disciplinary Panel*.

7.5.3.3 An *Athlete* who is *Provisionally Suspended* by *Sport Ireland* may apply to *Sport Ireland* to lift the *Provisional Suspension* in writing within fourteen days of receipt of the decision to impose it. Such application will be decided in accordance with an internal review process established by *Sport Ireland* by one or more *Persons* not previously involved in the decision to impose the *Provisional Suspension*. *Sport Ireland* shall render a decision on the *Athlete's* application promptly, and no later than seven days after receipt of the application.

If *Sport Ireland* denies the *Athlete* or other *Person's* application, its decision may be appealed by the *Athlete* to *CAS* pursuant to Article 7.5.3.4 or challenged before a *Hearing Panel* in accordance with the process set out at Article 8, *mutatis mutandis*. Challenges before the *Irish Sport Anti-Doping Disciplinary Panel* shall be conducted under an expedited procedure and a decision shall be rendered promptly. If the *Irish Sport Anti-Doping Disciplinary Panel* denies the *Athlete's* application, that decision may be appealed by the *Athlete* to *CAS* pursuant to Article 7.5.3.4. If the *Irish Sport Anti-Doping Disciplinary Panel* lifts the *Athlete's Provisional Suspension*, that decision may be appealed by *Sport Ireland* to *CAS* in accordance with Article 7.5.3.4.

7.5.3.4 Any appeal taken by any *Person* entitled to appeal under Article 13.2.3 of the *Code* from a decision under Articles 7.5.3.3 not to impose a *Provisional Suspension*, or to lift or not lift a *Provisional Suspension*, shall be made exclusively to *CAS* to be decided by a sole arbitrator. *WADA* shall receive notice of the appeal from all parties to the appeal and *CAS*.[49] *WADA* shall have the right to file an intervention request in any appeal filed by an *Athlete* or other *Person* under this Article within ten days after it has received notification of the answer as further provided in the *International Standard* for *Results Management*.

7.5.4 Voluntary Acceptance of *Provisional Suspension*

7.5.4.1 *Athletes* on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of ten days from the report of the B *Sample* (or waiver of the B

[48] For the avoidance of doubt, the *Athlete* or other *Person's* challenge of a *Provisional Suspension* before an Article 8 *Hearing Panel*, where contemplated by these *Rules*, is not considered an "appeal" for purposes of Articles 7.5.3.3 or 13, and any party with the right to appeal a decision to lift a mandatory *Provisional Suspension* under Article 13.2.3 of the *Code* shall not be required to exhaust internal remedies, including without limitation requesting relief from the Article 8 *Hearing Panel*, before filing an appeal with *CAS* under Article 7.5.3.3.

[49] As provided in Article 13.2.3.3 of the *Code*, notice of the appeal to *WADA* is a condition to the admissibility of the appeal.

Sample) or ten days from the notice of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notice.

7.5.4.2 Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension* if done so within ten days from the notice of the anti-doping rule violation.

7.5.4.3 Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Articles 7.5.1 or 7.5.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

7.5.4.4 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 *Sport Ireland*) does not confirm the A *Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a 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 *Major Event Organisation* or *International Federation*) has been removed from an *Event* based on a violation of Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, if, without otherwise affecting the *Event*, it is still possible for the *Athlete* or team to be reinserted, the *Athlete* or team may continue to take part in the *Event*.

7.6 Suspension of Financial Support

All sport-related financial support to an *Athlete* shall stand suspended from the notification of that *Athlete* under Article 7.2 of an alleged anti-doping rule violation, other than an anti-doping rule violation involving a *Specified Substance* or *Specified Method*. 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:

7.6.1 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.

7.6.2 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.

7.6.3 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 10.11 shall apply.

7.7 Retirement from Sport[50]

If an *Athlete* or other *Person* retires while a *Results Management* process under these *Rules* is underway, *Sport Ireland* retains authority and jurisdiction to complete its *Results Management* process. If an *Athlete* or other *Person* retires before any *Results Management* process under these *Rules* has begun, and *Sport Ireland* would have had *Results Management* authority over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation or violation of Article 10.10.1, *Sport Ireland* has authority to

[50] Conduct by an *Athlete* or other *Person* before the *Athlete* or other *Person* was subject to the jurisdiction of any *Anti-Doping Organisation* would not constitute an anti-doping rule violation but could be a legitimate basis for denying the *Athlete* or other *Person* membership in a sports organisation.

conduct *Results Management*. Any retired *Athlete* or other *Person* who during retirement tampers with the ongoing *Results Management* of an anti-doping rule violation or violation of Article 10.10.1 for which they have been charged, shall remain subject to the authority of all relevant *Signatories* for the violation of *Tampering* under Article 2.5.

7.8 Cases Subject to Review by *Independent Review Expert*

7.8.1 This Article 7.8 applies to rare cases where *Sport Ireland* is considering closing a case or not proceeding with normal *Results Management* processes after *Sport Ireland* has received notice of an *Adverse Analytical Finding* and has completed the initial review required under Article 7.2 (i.e. *Sport Ireland* has determined no *Therapeutic Use Exemption* has been granted, there is no apparent departure from the *International Standard* for *Testing* or *International Standard* for Laboratories, and it is not apparent that the *Adverse Analytical Finding* was caused by ingestion of a *Prohibited Substance* through a permitted route). In such cases, *Sport Ireland* shall:

7.8.1.1 provide notice of the *Adverse Analytical Finding* to the *Athlete* in accordance with Articles 7.2[51]; and

7.8.1.2 promptly submit a request for an opinion from *the Independent Review Expert* as to whether public policy or other compelling reasons, taking into account the rights of and impact on clean *Athletes,* justify the departure from the normal *Results Management* process for addressing *Adverse Analytical Findings*[52]*.* A copy of the request shall be provided simultaneously to *WADA* and to each other party entitled to appeal the decision under Article 13. *Sport Ireland* shall provide its full file to, and fully cooperate with, the *Independent Review Expert.*

7.8.2 After reviewing the file, and obtaining any other information deemed necessary from *Sport Ireland*, *WADA* or third parties, the *Independent Review Expert* shall issue a written opinion and recommendation to *Sport Ireland*, with a copy to *WADA*, advising whether a departure from the normal *Results Management* process is justified in the particular circumstances of the case.

7.8.3 Upon receiving the *Independent Review Expert's* opinion and recommendation, *Sport Ireland* shall issue a written decision on whether it will proceed with normal *Results Management* processes or not move forward with the *Adverse Analytical Finding(s)*. This decision shall be provided to *WADA*, and the decision along with the *Independent Review Expert's* opinion and recommendation shall be provided to each other party entitled to appeal the decision under Article 13. The decision is subject to appeal directly to *CAS* in accordance with the applicable provisions in Article 13. If a decision by *Sport Ireland* to not move forward with the *Adverse Analytical Finding(s)* is set aside or reversed on appeal, *CAS* may maintain jurisdiction to rule on the merits of any alleged anti-doping rule violation related to the *Adverse Analytical Findings* or may direct *Sport Ireland* to proceed with the normal *Results Management* process.

7.8.4 Where *Sport Ireland* fails to go forward with the normal *Results Management* processes without seeking and obtaining an opinion and recommendation from the *Independent Review Expert*

[51] For the avoidance of doubt, the notice shall include the imposition of a mandatory *Provisional Suspension* where required by Article 7.5.1 or an optional *Provisional Suspension* if *Sport Ireland* determines an optional *Provisional Suspension* is merited.

[52] For the avoidance of doubt, *the Independent Review Expert* process is intended to be reserved for exceptional cases where proceeding with the normal *Results Management* processes would be considered an unjustified and unconscionable result by most stakeholders. One example of such a case would be where an *Anti-Doping Organisation* determines it is likely that *Adverse Analytical Findings* for multiple *Athletes* resulted from a *Contaminated Source* and that the *Athletes* have a reasonable likelihood of establishing *No Fault or Negligence.* For the avoidance of doubt, Article 7.8 does not apply to cases concluded by the *Anti-Doping Organisation* in accordance with Article 10.7.

or fails to go forward with the normal *Results Management* processes in contravention of the *Independent Review Expert's* opinion and recommendation, and it is ultimately determined on appeal that an anti-doping rule violation occurred, *Sport Ireland* may be subject to non-compliance proceedings under the *International Standard* for *Code* Compliance by *Signatories* and shall be required to reimburse the appealing part(y)(ies) for costs and reasonable legal fees incurred in connection with each level of the appellate process.

7.8.5 The process to be followed for cases under this Article 7.8 is described in greater detail in the *International Standard* for *Results Management.*

7.9 Review of Demands

7.9.1 An *Athlete* or other *Person* may object to a Demand made under Article 5.6.6 by filing an application with the Chair of the *Irish Sport Anti-Doping Disciplinary Panel* within 7 days of receipt of the Demand specifying the grounds for such objection. Where such an application is made, subject always to Article 5.6.8, the time for complying with a Demand shall be stayed pending the outcome of the review of the objection.

7.9.2 The Chair of the *Irish Sport Anti-Doping Disciplinary Panel* or a Vice-Chair if they are conflicted or unavailable shall consider the objection to the Demand with as much expediency as the justice of the matter permits and, unless exceptional circumstances apply, the review shall be conducted by way of written evidence and submissions only.

7.9.3 Where the Chair of the *Irish Sport Anti-Doping Disciplinary Panel* (or a Vice-Chair if they are conflicted or unavailable) determines that there is no reasonable basis for the belief underlying the Demand, then *Sport Ireland* shall not pursue the Demand with the *Athlete* or other *Person* and the information, record, article or thing and any copy or download of the same shall either be immediately returned to the *Athlete* or other *Person* or destroyed, as the case requires.

7.9.4 Where the Chair of the *Irish Sport Anti-Doping Disciplinary Panel* (or a Vice-Chair if they are conflicted or unavailable) determines that there is a reasonable basis for the belief underlying the Demand, then if the *Athlete* or other *Person* fails to produce the information, record, article or thing and any copy or download of the same, the sanctions in Appendix II apply.

7.9.5 The decision of the Chair of the *Irish Sport Anti-Doping Disciplinary Panel* or a Vice-Chair in this regard shall not be subject to appeal.

7.9.6 If a Demand is set aside, it shall not preclude *Sport Ireland* from making any other Demand in relation to the same or another investigation.

8. ARTICLE 8 DISCIPLINARY PROCEEDINGS

8.1 Fair Hearings

Sport Ireland shall, for any *Person* who is asserted to have committed an anti-doping rule violation or a violation of Article 10.10.1, provide a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent Hearing Panel* in compliance with the *Code* and the *International Standard* for *Results Management*. A timely reasoned decision specifically including an explanation of the reason(s) for any period of *Ineligibility* and *Disqualification* of results under Article 9 shall be *Publicly Disclosed* as provided in Article 14.3. [53]

8.2 Appointment of the *Irish Sport Anti-Doping Disciplinary Panel*

8.2.1 Members of the *Irish Sport Anti-Doping Disciplinary Panel* shall be appointed in accordance with the *Disciplinary Procedures.*

8.2.2 *Sport Ireland* shall ensure that the composition, term of office, professional experience, *Operational Independence* and financing of *Irish Sport Anti-Doping Disciplinary Panel* comply with the requirements of the *International Standard* for *Results Management*. The *Irish Sport Anti-Doping Disciplinary Panel* shall be in a position to conduct the hearing and decision-making process without interference from *Sport Ireland* or any third party.

8.2.3 Each member shall be appointed for a term of four years. A member may be re-appointed in accordance with the *Disciplinary Procedures*. If a member dies or resigns, a new member may be appointed, in accordance with the *Disciplinary Procedures*, 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.

8.2.4 Each member shall be appointed on the basis that they are in a position to hear cases under Article 8 of the *Rules* fairly and impartially and that they are *Operationally Independent*.

8.2.5 *Sport Ireland* shall also appoint a Registrar in accordance with the *Disciplinary Procedures* to assist the *Irish Sport Anti-Doping Disciplinary Panel*.

8.3 Jurisdiction of the *Irish Sport Anti-Doping Disciplinary Panel*

8.3.1 When Sport Ireland sends a notice to an *Athlete* or other *Person* notifying them of a potential anti-doping rule violation or violation of Article 10.10.1, and the *Athlete* or other *Person* does not waive a hearing in accordance with Article 8.4.1 or Article 8.4.2, then the case shall be referred to the *Irish Sport Anti-Doping Disciplinary Panel* for hearing and adjudication, which shall be conducted in accordance with the principles described in Articles 8 and 9 of the *International Standard* for *Results Management*.

8.3.2 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 arising under these *Rules* and to determine whether an anti-doping rule violation or violation of Article 10.10.1 has been committed and/or the *Consequences* to be imposed pursuant to these *Rules* for an anti-doping rule violation or violation of Article 10.10.1 found to have been committed.

[53] This Article requires that at some point in the *Results Management* process, the *Athlete* or other *Person* shall be provided the opportunity for a timely, fair and impartial hearing. These principles are also found in Article 6.1 of the Convention for the Protection of Human Rights and Fundamental Freedoms and are principles generally accepted in international law.

8.3.3 The *Irish Sport Anti-Doping Disciplinary Panel* has all powers necessary for, and incidental to, the exercise of its functions under the *Act,* the *Code,* these *Rules*, the Arbitration Act 2010, the *International Standard* for *Results Management* and otherwise.

8.3.4 The *Irish Sport Anti-Doping Disciplinary Panel* shall not have the power to award costs save as provided in these *Rules*, in particular in Article 10.12 and as set out below in Articles 8.3.5 and 8.3.6.

8.3.5 Where the *Irish Sport Anti-Doping Disciplinary Panel* (or a Chair or Vice-Chair as applicable) finds:

(a) as applicable that (i) there has been no anti-doping rule violation, (ii) there has been no violation of Article 10.10.1, (iii) there is no reasonable basis for the belief underlying the Demand as per Article 7.9.3 or (iv) that the *Athlete* or other *Person* has not refused or failed without compelling justification to comply with any provision of these *Rules* or not engaged in offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control;* and

(b) where so finding, the *Irish Sport Anti-Doping Disciplinary Panel* also considers it appropriate in the particular circumstances of the case to award some or all of their costs to the *Athlete* or other *Person*.

it may award costs to the *Athlete* or other *Person*.

8.3.6 Where the *Irish Sport Anti-Doping Disciplinary Panel* finds that an argument advanced by a party was frivolous or otherwise without merit, it may award costs as it deems appropriate against that party.

8.4 Waiver of Hearing

8.4.1 An *Athlete* or other *Person* against whom an anti-doping violation or violation of Article 10.10.1 is asserted may waive a hearing expressly and agree with the *Consequences* proposed by *Sport Ireland* and may, if applicable, benefit from a case resolution agreement under the conditions set out in Article 10.7.

8.4.2 However, if the *Athlete* or other *Person* against whom an anti-doping rule violation or violation of Article 10.10.1 is asserted fails to dispute that assertion within fifteen (15) days or the deadline otherwise specified in the notice sent by *Sport Ireland* asserting the violation, then they shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the proposed *Consequences*.

8.4.3 In cases where Article 8.4.1 or 8.4.2 applies, a hearing before the *Irish Sport Anti-Doping Disciplinary Panel* shall not be required. Instead, *Sport Ireland* shall promptly issue a written decision that conforms with Article 9 of the *International Standard* for *Results Management* and which includes the full reasons for the decision, the period of Ineligibility imposed, the *Disqualification* of results under Article 9 and, if applicable, a justification for why the greatest potential *Consequences* were not imposed.

8.4.4 *Sport Ireland* shall notify that decision to the *Athlete* or other *Person* and to other *Anti-Doping*

Organisations with a right to appeal under Article 13.2.2, and shall promptly report it into *ADAMS*. *Sport Ireland* shall *Publicly Disclose* that decision in accordance with Article 15.3.

8.5 Hearing Process

8.5.1 Each member of a *Hearing Panel* must, upon appointment, sign a declaration that there are no facts or circumstances known to them which might call into question their impartiality in the eyes of any of the parties, other than those circumstances disclosed in the declaration. If such facts or circumstances arise at a later stage of the *Hearing Process*, the relevant *Hearing Panel* member shall promptly disclose them to the parties.

8.5.2 Sport Ireland shall present the case against the *Athlete* or other *Person*, and the *Athlete* or other *Person* shall present their case in reply.

8.5.3 The relevant *International Federation*, *National Governing Body* and *WADA* shall each have the right to attend hearings of the *Hearing Panel* as an observer. In any event, *Sport Ireland* shall keep them fully apprised as to the status of pending cases and the result of all hearings.

8.5.4 Proceedings held in connection with *Event*s in respect of *Athletes* and other *Persons* may be conducted on an expedited basis where permitted by the *Irish Sport Anti-Doping Disciplinary Panel*.[54]

8.5.5 Anti-doping rule violations or violations of Article 10.10.1 asserted against *International-Level Athletes* or *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other *Person*, *Sport Ireland* (where it has *Results Management* responsibility in accordance with Article 7) and *WADA*, be heard in a single hearing at *CAS*, with no requirement for a prior hearing.[55]

8.6 Burdens and Standards of Proof and Methods of Establishing Facts and Presumptions

8.6.1 *Sport Ireland* shall have the burden of establishing that an anti-doping rule violation(s), or violation of Article 10.10.1, has occurred. The standard of proof shall be whether *Sport Ireland* has established an anti-doping rule violation(s), or a violation of Article 10.10.1 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.[56]

8.6.2 Where these *Rules* place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation, or violation of Article 10.10.1 to rebut a presumption or establish specified facts or circumstances, except as provided in Articles 8.6.6, 8.6.7 and 10.1.1.3, the standard of proof shall be by a balance of probability.

8.6.3 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.

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[54] For example, a hearing could be expedited on the eve of a major *Event* where the resolution of the anti-doping violation is necessary to determine the *Athlete*'*s* eligibility to participate in the *Event*, or during an *Event* where the resolution of the case will affect the validity of the *Athlete*'*s* results or continued participation in the *Event*.

[55] In some cases, the combined cost of holding a hearing in the first instance at the international or national level, then rehearing the case de novo before *CAS* can be substantial. Where all of the parties identified in this Article are satisfied that their interests will be adequately protected in a single hearing, there is no need for the *Athlete* or *Anti-Doping Organisations* to incur the extra expense of two hearings. An *Anti-Doping Organisation* may participate in the *CAS* hearing as an observer.

[56] This standard of proof required to be met by the *Anti-Doping Organisation* is comparable to the standard which is applied in most countries to cases involving professional misconduct. This is not the case in Ireland where the standard of proof in cases involving professional misconduct is the higher threshold of beyond a reasonable doubt.

8.6.4 Facts related to anti-doping rule violations or violations of Article 10.10.1 may be established by any reliable means, including admissions. [57]

8.6.5 Analytical methods or *Decision Limits* approved by *WADA* after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify *WADA* of the challenge and the basis of the challenge. The *Hearing Panel* or *CAS*, on its own initiative, may also inform *WADA* of any such challenge. Within ten days of *WADA*'s receipt of such notice and the case file related to such challenge, *WADA* shall also have the right to intervene as a party, appear as amicus curiae, or otherwise provide evidence in such proceedings. In cases before *CAS*, at *WADA's* request, the *CAS* panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge[58].

8.6.6 *WADA*-accredited laboratories, and other laboratories approved by *WADA*, are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratories. The *Athlete* or other *Person* 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 *Athlete* or other *Person* 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 *Sport Ireland* shall have the burden of establishing that such departure did not cause the *Adverse Analytical Finding*.[59]

8.6.7 Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or these *Rules* shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defence to an anti-doping rule violation;[60] provided however that if the *Athlete* or other *Person* establishes that a departure from one of the specific *International Standard* provisions listed below could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or *Whereabouts Failure*, then *Sport Ireland* shall have the burden of establishing that such departure did not cause the

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[57] For example, an *Anti-Doping Organisation* may establish an anti-doping rule violation under Article 2.2 based on the *Athlete's* admissions, the credible testimony of third *Persons*, reliable documentary evidence, reliable analytical data from either an A or B *Sample* as provided in the comments to Article 2.2, or conclusions drawn from the profile of a series of the *Athlete's* blood or urine *Samples*, such as data from the *Athlete Biological Passport*. The results of lie detector tests shall not be considered reliable analytical or scientific evidence.

[58] For certain *Prohibited Substances*, *WADA* may instruct *WADA*-accredited laboratories not to report *Samples* as an *Adverse Analytical Finding* if the estimated concentration of the *Prohibited Substance* or its *Metabolites* or *Markers* is below a *Minimum Reporting Level*. *WADA's* decision in determining that *Minimum Reporting Level* or in determining which *Prohibited Substances* should be subject to *Minimum Reporting Levels* shall not be subject to challenge. Further, the laboratory's estimated concentration of such *Prohibited Substance* in a *Sample* may only be an estimate. In no event shall the possibility that the exact concentration of the *Prohibited Substance* in the *Sample* may be below the *Minimum Reporting Level* constitute a defence to an anti-doping rule violation based on the presence of that *Prohibited Substance* in the *Sample*.

[59] The burden is on the *Athlete* or other *Person* to establish, by a balance of probability, a departure from the *International Standard* for Laboratories that could reasonably have caused the *Adverse Analytical Finding*. Thus, once the *Athlete* or other *Person* establishes the departure by a balance of probability, the *Athlete's* or other *Person's* burden on causation is the somewhat lower standard of proof - "could reasonably have caused". If the *Athlete* or other *Person* satisfies these standards, the burden shifts to *Sport Ireland* to prove to the comfortable satisfaction of the *Hearing Panel* that the departure did not cause the *Adverse Analytical Finding*.

[60] Departures from an *International Standard* or other rule unrelated to *Sample* collection or handling, *Adverse Passport Finding*, or *Athlete* notification relating to *Whereabouts Failure* or *B Sample* opening – e.g., the *International Standard* for *Education*, *International Standard* for Data Protection, *International Standard* for Intelligence and Investigations *or International Standard* for *Therapeutic Use Exemptions*– may result in compliance proceedings by *WADA* but are not a defence in an anti-doping rule violation proceeding and are not relevant on the issue of whether the *Athlete* committed an anti-doping rule violation. Similarly, a *Signatory's* violation of its anti-doping *Education* responsibilities under Article 20 of the *Code* shall not constitute a defence to an anti-doping rule violation.

Adverse Analytical Finding or *Whereabouts Failure*:[61]

8.6.7.1 a departure from the *International Standard* for *Testing* related to *Sample* collection or *Sample* handling which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case *Sport Ireland* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;

8.6.7.2 a departure from the *International Standard* for *Results Management* or *International Standard* for *Testing* related to an *Adverse Passport Finding* which could reasonably have caused an anti-doping rule violation, in which case *Sport Ireland* shall have the burden to establish that such departure did not cause the anti-doping rule violation;

8.6.7.3 a departure from the *International Standard* for *Results Management* related to the requirement to provide notice to the *Athlete* of the B *Sample* opening which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case *Sport Ireland* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;[62]

8.6.7.4 a departure from the *International Standard* for *Results Management* related to *Athlete* notification or attempts to locate the *Athlete* which could reasonably have caused an anti-doping rule violation based on a *Whereabouts Failure*, in which case *Sport Ireland* shall have the burden to establish that such departure did not cause the *Whereabouts Failure*.

8.6.8 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 *Athlete* or other *Person* to whom the decision pertained (and who has been charged with an anti-doping rule violation or violation of Article 10.10.1) of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.[63]

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

8.6.9.1 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

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

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

8.6.10 The *Hearing Panel* in a hearing on an anti-doping rule violation, or a violation of Article 10.10.1, may draw an inference that is adverse to the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation or a violation of Article 10.10.1 based on the *Athlete*'s or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically or by other electronic means as

[61] For the avoidance of doubt, an *Athlete's* assertion of an alleged "fundamental" breach of any *International Standard* or other anti-doping rule or policy set forth in the *Code* or in an *Anti-Doping Organisation's* rules cannot invalidate an *Adverse Analytical Finding* or anti-doping rule violation unless the *Athlete* can also establish that the breach could reasonably have caused the *Adverse Analytical Finding* or anti-doping rule violation.

[62] *Sport Ireland* would meet its burden to establish that such departure did not cause the *Adverse Analytical Finding* by showing that, for example, the B *Sample* opening and analysis were observed by an independent witness and no irregularities were observed.

[63] For the avoidance of doubt, this provision shall not apply to decisions on *Provisional Suspensions*.

directed by the *Hearing Panel*) and to answer questions from the *Hearing Panel* and/or *Sport Ireland*.

8.7 Disciplinary Decisions

8.7.1 The written decision of the *Hearing Panel* shall conform with Article 9 of the *International Standard* for *Results Management* and shall be advised to the parties to the proceedings, *WADA* and to *Sport Ireland* if not a party to the proceedings as soon as practicable after the conclusion of the hearing.

8.7.2 *Sport Ireland* shall notify that decision to other *Anti-Doping Organisations* with a right to appeal under Article 13.2.2, and shall promptly report it into *ADAMS*.

8.7.3 The decision of the *Hearing Panel* shall be final and binding on all of the *Persons* identified in Article 13.2.2 and may only be appealed in accordance with Article 13.

8 ARTICLE 9 *DISQUALIFICATION* SANCTIONS ON INDIVIDUALS

9.1 Automatic *Disqualification* of Individual Results

An anti-doping rule violation in *Individual Sports* in connection with an *In-Competition* test or violation of Article 10.10.1 by participation in a *Competition* automatically leads to *Disqualification* of the result obtained in that *Competition* with all resulting *Consequences*, including forfeiture of any medals, points and prizes.[64]

9.2 *Disqualification* of Results in the *Event* during which an Anti-Doping Rule Violation Occurs[65]

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 any benefits awarded or advantages offered based on those results to be vacated, including forfeiture of all medals, points and prizes awarded to the *Athlete* (whether individually or to a team of which the *Athlete* was a part) based on those results except as provided in Article 9.2.2. Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.

9.2.2 If the *Athlete* establishes that they bear *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified*, unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

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

In addition to the automatic *Disqualification* of the results in the *Competition* which produced

[64] For *Team Sports*, any awards received by individual players will be *Disqualified*. However, *Disqualification* of the team will be as provided in Article 11. In sports which are not *Team Sports* but where awards are given to teams, *Disqualification* or lower placement of the Team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the *International Federation*. In cases where team points earned by an *Athlete* who committed an anti-doping rule violation during the team *Competition* are taken away, resulting in a lower placement for the team, shall not be considered a sanction or other disciplinary action against either the team or the other *Athletes* participating in the team *Competition* who have not committed an anti-doping rule violation.

[65] Whereas Article 9.1 *Disqualifies* the result in a single *Competition* in which the *Athlete* tested positive (e.g., the 100 metre backstroke), this Article may lead to *Disqualification* of all results in all races during the *Event* (e.g., the swimming World Championships).

the positive *Sample*, all other competitive results of the *Athlete* obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.[66]

10 ARTICLE 10 *INELIGIBILITY* SANCTIONS ON INDIVIDUALS[67]

10.1 *Ineligibility* for the Presence, *Use* or *Attempted Use*, or *Possession* of a *Prohibited Substance* or *Prohibited Method*

Article 10.1 provides the framework for determining the period of *Ineligibility* for violations of Articles 2.1 (Presence), 2.2 (*Use* or *Attempted Use*) or 2.6 (*Possession*). This determination is based on several variables, such as: the substance or method involved (i.e. non-*Specified Substances*/non-*Specified Methods*, *Specified Substances*/*Specified Methods*, or *Substances of Abuse*); whether the *Athlete* or other *Person* committed the anti-doping rule violation intentionally; whether the context of the ingestion, *Use* or *Possession* was unrelated to sport performance; and whether the *Athlete* can establish how the *Prohibited Substance* entered their system.

Article 10.1.1 addresses the period of *Ineligibility* for violations of Articles 2.1 or 2.2 involving non-*Specified Substances* and non-*Specified Methods*. Article 10.1.2 addresses the period of *Ineligibility* for violations of Articles 2.1 or 2.2 involving *Specified Substances* or *Specified Methods*. Article 10.1.3 addresses the period of *Ineligibility* for violations of Articles 2.1 or 2.2 involving *Substances of Abuse*. Article 10.1.4 addresses the period of *Ineligibility* in special circumstances involving criteria for *Therapeutic Use Exemptions*. Article 10.1.5 addresses the period of *Ineligibility* for violations of Article 2.6. Article 10.1.6 provides the definition of "intentional" for purposes of Article 10.1.[68]

10.1.1 Non-*Specified Substances* or Non-*Specified Methods*

For violations of Articles 2.1 or 2.2 that involve a non-*Specified Substance* or a non-*Specified Method*, the period of *Ineligibility* shall, subject to Articles 10.1.3 and 10.1.4, be four years. The four-year period of *Ineligibility* may be reduced as follows:

10.1.1.1 Where the *Athlete* can establish how the *Prohibited Substance* entered their system or the *Prohibited Method* was *Used* and that the violation was not intentional, the period of *Ineligibility* shall be two years. This period of *Ineligibility* is subject to potential elimination or reduction under Articles 10.4, 10.5 or 10.6.1.

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[66] Nothing in these *Rules* precludes clean *Athletes* or other *Persons* who have been damaged by the actions of a *Person* who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such *Person*.

[67] Harmonisation of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonisation means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonisation of sanctions are based on differences between sports including, for example, the following: in some sports the *Athletes* are professionals making a sizable income from the sport and in others the *Athletes* are true amateurs; in those sports where an *Athlete*'*s* career is short, a standard period of *Ineligibility* has a much more significant effect on the *Athlete* than in sports where careers are traditionally much longer. A primary argument in favour of harmonisation is that it is simply not right that two *Athletes* from the same country who test positive for the same *Prohibited Substance* under similar circumstances should receive different sanctions only because they participate in different sports. In addition, too much flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting organisations to be more lenient with dopers. The lack of harmonisation of sanctions has also frequently been the source of conflicts between *International Federations* and *National Anti-Doping Organisations*.

[68] Before considering whether Article 10.4 or Article 10.5 apply, *Sport Ireland* (or the *Hearing Panel*) shall first determine whether the *Athlete* has satisfied their burden of establishing that the violation was not intentional. To do that, the *Athlete* shall, except for the narrowest of corridors described in Article 10.1.1.3, show how the *Prohibited Substance* entered their system and also that the timing of such ingestion or *Use* is consistent with the analytical results from their *Sample*.

10.1.1.2 Where the *Athlete* cannot establish that the violation was not intentional, but can establish how the *Prohibited Substance* entered their system or the *Prohibited Method* was *Used* and that the context of the ingestion or *Use* was unrelated to sport performance, the period of *Ineligibility* shall be three (3) years. This period of *Ineligibility* is not subject to elimination or reduction under Articles 10.4 or 10.5.

10.1.1.3 Where the *Athlete* cannot establish how the *Prohibited Substance* entered their system or the *Prohibited Method* was *Used*, but in exceptional cases can establish to the comfortable satisfaction of the decision making body that, based on reliable scientific evidence, the anti-doping rule violation was not compatible with intentional *Use* of a *Prohibited Substance*, then the period of *Ineligibility* may be reduced to two years.[69] This period of *Ineligibility* is not subject to elimination or reduction under Articles 10.4 or 10.5.

10.1.1.4 For violations resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* and the *Athlete* can establish that the *Prohibited Substance* was ingested or *Used Out-of-Competition* in a context unrelated to sport performance, the period of *Ineligibility* shall be two years. This period of *Ineligibility* is subject to potential elimination or reduction under Articles 10.4, 10.5 or 10.6.1.

10.1.2 *Specified Substances* or *Specified Methods*

For violations of Article 2.1 or 2.2 that involve a *Specified Substance* or a *Specified Method*, the period of *Ineligibility*, subject to Articles 10.1.3 and 10.1.4, shall be two years. This period of *Ineligibility* is subject to elimination or reduction under Articles 10.4, 10.5 or 10.6.1 and is subject to increase as follows:

10.1.2.1 Subject to Article 10.1.2.2, where *Sport Ireland* can establish that the violation was intentional, the period of *Ineligibility* shall be four years; provided, however, if the *Athlete* can establish that the context of the ingestion or *Use* was unrelated to sport performance, the period of *Ineligibility* shall be three years. The period of *Ineligibility* imposed under this Article 10.1.2.1 is not subject to elimination or reduction under Articles 10.4 or 10.5.

10.1.2.2 Where an anti-doping rule violation results from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* and the *Athlete* can establish that the *Prohibited Substance* was used *Out-of-Competition*, the period of *Ineligibility* shall be two years. This period of *Ineligibility* is subject to elimination or reduction under Articles 10.4, 10.5 or 10.6.1.

10.1.3 *Substances of Abuse*

[69] While it is theoretically possible for an *Athlete* to establish entitlement to a reduction under this Article without showing how the *Prohibited Substance* entered their system, this has been described in cases as the "narrowest of corridors." In order to access this exceptionally narrow corridor, an *Athlete* shall present reliable scientific evidence establishing that the anti-doping rule violation was not compatible with intentional *Use* of a *Prohibited Substance*. For example, reliable scientific evidence could include the detection of a non-therapeutic amount of the *Prohibited Substance* in the *Athlete's Sample* coupled with a metabolic profile indicating very recent *Administration* or prior or subsequent *Samples* from the *Athlete* which confirm that the *Prohibited Substance* detected was not the tail end of the excretion curve from a therapeutic dose or other doping regimen. Hair tests are unlikely to serve as reliable evidence to disprove intentional doping. With respect to results of lie-detector tests, see Comment to Article 8.6.4. Further, evidence in the form of negative *Testing* history, change, or lack of change, in body mass or competitive results, lack of motivation to dope and testimony of the *Athlete* and the *Athlete* supporters, shall not be sufficient to justify a reduction in the period of *Ineligibility*. For the avoidance of doubt, the *Athlete* may submit and the hearing body may consider non-scientific evidence as well, but reliable scientific evidence is a necessary element to establish entitlement to a reduction under this Article. As used in this Article, "exceptional case" is not intended to create an independent element that must be established by the *Athlete*, but rather indicates the rarity and uniqueness of cases where the required elements of proof will be met.

Notwithstanding any other provision in Article 10.1, where the anti-doping rule violation involves only a *Substance of Abuse:*

10.1.3.1 If the *Athlete* can establish that any ingestion or *Use* occurred *Out-of-Competition* and was unrelated to sport performance, then the period of *Ineligibility* shall be two months.

For any subsequent violation involving any *Substance of Abuse*, the period of *Ineligibility* calculated under this Article 10.1.3.1 shall be four months which may be reduced to two months if the *Athlete* enters a *Substance of Abuse* treatment programme approved by Sport Ireland.[70]

The period of *Ineligibility* established in this Article 10.1.3.1 is not subject to any reduction based on any provision in Articles 10.5, 10.6.1 or 10.6.2.

10.1.3.2 If the ingestion, *Use* or *Possession* occurred *In-Competition*, and the *Athlete* can establish that the context of the ingestion, *Use* or *Possession* was unrelated to sport performance, then the period of *Ineligibility* shall be between six months and two years depending on the circumstances of the case[71]. This is without prejudice to the potential application of Articles 10.4, 10.5 or 10.6.1.[72]

10.1.3.3 Where neither Article 10.1.3.1 nor Article 10.1.3.2 applies, then the period of *Ineligibility* shall be determined under the applicable provision in Articles 10.1.1 or 10.1.2.

10.1.4 *Therapeutic Use Exemption* Criteria

Notwithstanding any other provision in Article 10.1, where the *Athlete* can establish that the presence, *Use* or *Attempted Use* or *Possession* met each of the criteria in Article 4.2 of the *International Standard* for *Therapeutic Use Exemptions* (except for the need to show there was no reasonable permitted Therapeutic[73] alternative) at the time the presence, *Use* or *Attempted Use* or *Possession* occurred, then the period of *Ineligibility* shall be two months. The period of *Ineligibility* established in this Article 10.1.4 is not subject to any reduction based on any provision in Articles 10.5, 10.6.1 or 10.6.2.

10.1.5 *Possession*

For violations of Article 2.6, the period of *Ineligibility* shall, subject to Article 10.1.3.2, be as follows:

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[70] The determinations as to whether the treatment programme is approved and whether the *Athlete* or other *Person* has satisfactorily completed the programme shall be made in the sole discretion of *Sport Ireland*. This Article is intended to give *Sport Ireland* the leeway to apply its own judgment to identify and approve legitimate and reputable, as opposed to "sham", treatment programmes. It is anticipated, however, that the characteristics of legitimate treatment programmes may vary widely and change over time such that it would not be practical for *WADA* to develop mandatory criteria for acceptable treatment programmes.

[71] The "circumstances of the case" may include, for example, the specific nature of the *Use* or *Possession*, the type and quantity of the *Prohibited Substance* detected, the proximity in time between the ingestion and the *Athlete's* actually competing, the potential benefit (actual or perceived) to the *Athlete* of the ingestion in relation to the *Athlete's* performance in the *Competition*, the *Athlete* or other *Person's* level of anti-doping experience and education, and other fault-related considerations that might not otherwise satisfy the requirements for application of Article 10.4.

[72] While it is theoretically possible for the *Athlete* to establish *No Fault or Negligence* or *No Significant Fault or Negligence* with respect to the *In-Competition* ingestion, *Use* or *Possession* of a *Substance of Abuse*, this would occur only in rare, exceptional cases.

[73] For purposes of this Article, the term "Therapeutic" shall be defined in accordance with the definition contained in the *International Standard* for *Therapeutic Use Exemptions*.

10.1.5.1 Where the violation involves a non-*Specified Substance* or non-*Specified Method*, the period of *Ineligibility* shall be two years if the *Athlete* or other *Person* can establish the violation was not intentional; three years if the *Athlete* or other *Person* cannot establish that the violation was not intentional, but can establish the *Possession* was unrelated to sport performance; and four years if the *Athlete* or other *Person* cannot establish the violation was not intentional and cannot establish the *Possession* was unrelated to sport performance.

10.1.5.2 Where the violation involves a *Specified Substance* or *Specified Method*, the period of *Ineligibility* shall be four years if *Sport Ireland* can establish the violation was intentional, subject to a reduction to three years if the *Athlete* or other *Person* can establish that the context of the *Possession* was unrelated to sport performance; and two years if *Sport Ireland* cannot establish the violation was intentional.

10.1.5.3 If the period of *Ineligibility* imposed under Articles 10.1.5.1 or 10.1.5.2 is two years, the period of *Ineligibility* is subject to potential elimination or reduction under Articles 10.4, 10.5 or 10.6.1.

10.1.6 As used in Articles 10.1, the term "intentional" is meant to identify those *Athletes* or other *Persons* who engage in conduct they knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk.

10.2 *Ineligibility* for Other Anti-Doping Rule Violations

The period of *Ineligibility* for anti-doping rule violations other than as provided in Article 10.1 shall be as follows, unless Articles 10.5 or 10.6 are applicable:

10.2.1 For violations of Articles 2.3 or 2.5, the period of *Ineligibility* shall be four years except (i) in a case of failing to submit to *Sample* collection, if the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional the period of *Ineligibility* shall be two years; (ii) in all other cases, if the *Athlete* or other *Person* can establish exceptional circumstances that justify a reduction of the period of *Ineligibility*, the period of *Ineligibility* shall be in a range from two years to four years depending on the *Athlete's* or other *Person's* degree of *Fault*; or (iii) in a case of failing to submit to *Sample* collection involving a *Protected Person* or *Recreational Athlete*, the period of *Ineligibility* shall be in a range between a maximum of two years and, at a minimum, a reprimand and no period of *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.

10.2.2 For violations of Article 2.4, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of one year, depending on if the *Athlete* can establish circumstances mitigating the *Athlete's* degree of *Fault*. *Fault* shall be assessed equally against all three whereabouts failures with the expectation that the *Athlete* should be on heightened alert after the first and second failures. The flexibility between two years and one year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*. [74]

[74] The whereabouts requirements in the *Code* and *International Standard for Testing* are a fundamental part of any effective effort to combat doping in sport. In order to deter and detect cheating, *Anti-Doping Organisations* shall be able to conduct no advance notice, *Out-of-Competition Testing* based upon reliable whereabouts information. The whereabouts requirements in the *Code* also allow clean *Athletes* to credibly claim that they are subject to *Testing* at any time so that the public can have confidence that they

10.2.3 For violations of Articles 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a *Protected Person* or *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. 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.[75]

10.2.4 For violations of Article 2.9, the period of *Ineligibility* imposed shall be a minimum of two years, up to lifetime *Ineligibility*, depending on the seriousness of the violation; where the violation involves a *Protected Person* or *Minor*, the period of *Ineligibility* imposed shall be a minimum of four years, up to a lifetime *Ineligibility*, depending on the seriousness of the violation

10.2.5 For violations of Article 2.10, the period of *Ineligibility* imposed shall be two years, subject to reduction down to a minimum of one year, depending on the *Athlete's* or other *Person's* degree of *Fault* and other circumstances of the case. [76]

10.2.6 For violations of Article 2.11, the period of *Ineligibility* shall be a minimum of two years, up to lifetime *Ineligibility*, depending on the seriousness of the violation.[77]

10.3 *Aggravating Circumstances* which may Increase the Period of *Ineligibility*

If *Sport Ireland* establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (*Trafficking* or *Attempted Trafficking*), 2.8 (*Administration* or *Attempted Administration*), 2.9 (Complicity or *Attempted* Complicity) or 2.11 (Acts by an *Athlete* or Other *Person* to Discourage or Retaliate Against Reporting) that *Aggravating Circumstances* are present which justify the imposition of a period of *Ineligibility* greater than the otherwise applicable sanction, then the period of *Ineligibility* otherwise applicable shall be increased by an additional period of *Ineligibility* of up to two years depending on the seriousness of the violation and the nature of the *Aggravating Circumstances*, unless the *Athlete* or other *Person* can establish they did not knowingly commit the anti-doping rule violation.[78]

10.4 *Elimination of the Period of Ineligibility* where there is *No Fault or Negligence*

If an *Athlete* or other *Person* establishes in an individual case that they bear *No Fault or Negligence*, then the otherwise applicable period of *Ineligibility* shall be eliminated.[79]

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are clean. Whereabouts failures are not just "paperwork violations," they directly undermine the ability of *Anti-Doping Organisations* to catch doped *Athletes* and the public's confidence in the accountability of clean *Athletes*.

[75] Those who are involved in doping *Athletes* or covering up doping should be subject to sanctions which are more severe than the *Athletes* who test positive. Since the authority of sport organisations is generally limited to *Ineligibility* for accreditation, membership and other sport benefits, reporting *Athlete Support Personnel* to competent authorities is an important step in the deterrence of doping.

[76] Where the "other *Person*" referenced in Article 2.10 (Prohibited Association by an *Athlete* or Other *Person*) is an entity and not an individual, that entity may be disciplined as provided in Article 12.

[77] Conduct that is found to violate both Article 2.5 (*Tampering*) and Article 2.11 (Acts by an *Athlete* or Other *Person* to Discourage or Retaliate Against Reporting to Authorities) shall be sanctioned based on the violation that carries the more severe sanction.

[78] Violations under Articles 2.7 (*Trafficking* or *Attempted Trafficking*), 2.8 (*Administration* or *Attempted Administration*), 2.9 (Complicity or *Attempted* Complicity) and 2.11 (Acts by an *Athlete* or Other *Person* to Discourage or Retaliate Against Reporting to Authorities) are not included in the application of Article 10.3 because the sanctions for these violations already build in sufficient discretion up to a lifetime ban to allow consideration of any aggravating circumstance.

[79] This Article and Article 10.5.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example where an *Athlete* could prove that, despite all due care, they were sabotaged by a competitor. Conversely, *No Fault or Negligence* would not apply in the following circumstances: (a) a positive test resulting from a mislabelled or contaminated vitamin or nutritional supplement (*Athlete*s

10.5 Reduction of the Period of *Ineligibility* based on *No Significant Fault or Negligence*

10.5.1. Reduction of Sanctions in Particular Circumstances for Violations of Articles 2.1, 2.2 or 2.6

All reductions under Article 10.5.1 are mutually exclusive and not cumulative.

10.5.1.1. *Specified Substances* or *Specified Methods*

Where the anti-doping rule violation involves a *Specified Substance* (other than a *Substance of Abuse*) or *Specified Method*, and the *Athlete* or other *Person* can establish *No Significant Fault or Negligence* then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two years *Ineligibility*, depending on the *Athlete's* or other *Person's* degree of *Fault*.

10.5.1.2. *Contaminated Source*

In cases where the *Athlete* or other *Person* can establish both *No Significant Fault or Negligence* and that the detected *Prohibited Substance* came from a *Contaminated Source*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two years *Ineligibility*, depending on the *Athlete's* or other *Person's* degree of *Fault*.[80]

10.5.1.3. *Protected Persons or Recreational Athletes*

Where the anti-doping rule violation not involving a *Substance of Abuse* is committed by a *Protected Person* or *Recreational Athlete*, and the *Protected Person* or *Recreational Athlete* can establish *No Significant Fault* or *Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two years *Ineligibility*, depending on the *Protected Person's* or *Recreational Athlete's* degree of *Fault*.

10.5.2 Application of *No Significant Fault or Negligence* beyond the application of Article 10.5.1

If an *Athlete* or other *Person* establishes in an individual case where Article 10.5.1 is not applicable, that they bear *No Significant Fault or Negligence*, then, subject to further reduction or elimination as provided in Article 10.6, the otherwise applicable period of *Ineligibility* may be reduced based on the *Athlete's* or other *Person's*

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are responsible for what they ingest (Article 2.1.1) and have been warned against the possibility of supplement contamination); (b) the *Administration* of a *Prohibited Substance* by the *Athlete*'*s* personal physician or trainer without disclosure to the *Athlete* (*Athletes* are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any *Prohibited Substance*); and (c) sabotage of the *Athlete*'*s* food or drink by a spouse, coach or other *Person* within the *Athlete*'*s* circle of associates (*Athletes* are responsible for what they ingest and for the conduct of those *Persons* to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Article 10.5 based on *No Significant Fault or Negligence*.

[80] In order to receive the benefit of this Article, the *Athlete* or other *Person* shall establish not only that the detected *Prohibited Substance* came from a *Contaminated Source* that the *Athlete* ingested, *Used* or was exposed to, and that the analytical results are consistent with that *Use,* the *Athlete* shall also separately establish *No Significant Fault or Negligence.* It should be further noted that *Athletes* are on notice that they take nutritional supplements at their own risk. The sanction reduction based on *No Significant Fault or Negligence* has rarely been applied in *nutritional supplement* cases unless the *Athlete* has exercised a high level of caution before taking the contaminated product. In assessing whether the *Athlete* can establish the source of the *Prohibited Substance,* it would, for example, be significant for purposes of establishing whether the *Athlete* actually *Used* the contaminated product, whether the *Athlete* had declared the product which was subsequently determined to be contaminated on the *Doping Control* form. Where the *Athlete* establishes that an *Adverse Analytical Finding* results from a *Contaminated Source* in circumstances where no reasonable person would expect any risk of an anti-doping rule violation, *No Fault or Negligence* under Article 10.4 may be applicable.

degree of *Fault*, 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 years.[81]

10.6 Elimination, Reduction, or Suspension of Period of *Ineligibility* or other *Consequences* for Reasons other than *Fault*

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

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than 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.[82] For purposes of this Article 10.6.1, the "otherwise applicable" period of *Ineligibility* shall mean the period of *Ineligibility* determined after application of Articles 10.1, 10.2, 10.3, and 10.5.

10.6.2 Period of *Ineligibility* Reduction for Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction

No later than twenty days after receiving notice of an anti-doping rule violation charge, an *Athlete* or other *Person* who accepts that the violation is established and accepts all asserted *Consequences* (including, for the avoidance of doubt, the start date of any period of *Ineligibility*) will receive a 25% reduction from the period of *Ineligibility* asserted in the notice of anti-doping rule violation charge.[83] Where the asserted period of *Ineligibility* is more than four years but less than lifetime, the reduction shall be one year[84]. Where the asserted period of *Ineligibility* is lifetime, there shall be no reduction under this Article 10.6.2. This Article 10.6.2 shall not be applicable to charged violations under Articles 10.1.3.1 or 10.1.4.

Where the *Athlete* or other *Person* receives a reduction in the period of *Ineligibility* under this Article 10.6.2, no further reduction in the asserted period of *Ineligibility* shall be allowed under any other Article[85]. If the *Athlete* or other *Person* does not accept the reduction in the period of *Ineligibility* within the time period established in

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[81] Article 10.5.2 may be applied to any anti-doping rule violation except those Articles where intent is an element of the anti-doping rule violation (e.g. Article 2.5, 2.7, 2.8, 2.9 or 2.11) or an element of a particular sanction (e.g. Article 10.1) or a range of *Ineligibility* is already provided in an Article based on the *Athlete's* or other *Person's* degree of *Fault*.

[82] This Article is intended to apply when an *Athlete* or other *Person* comes forward and admits to an anti-doping rule violation in circumstances where no *Anti-Doping Organisation* is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the *Athlete* or other *Person* believes they are about to be caught. (e.g. where the *Athlete* discloses the *Use* of a *Prohibited Substance* while knowing or having reason to believe that a pending test will result in an *Adverse Analytical Finding*). The amount by which *Ineligibility* is reduced should be based on the likelihood that the *Athlete* or other *Person* would have been caught had they not come forward voluntarily.

[83] For the avoidance of doubt, the reduction is calculated from the period of *Ineligibility* asserted in the charging letter rather than the period of *Ineligibility* stated in the initial notice of potential anti-doping rule violation. However, an *Athlete* or other *Person* does not need to wait for the charging letter before accepting the violation in accordance with this Article; where the *Athlete* or other *Person* accepts the violation in accordance with this Article prior to issuance of the charging letter, the reduction would be calculated from the period of *Ineligibility* asserted in the initial notice of potential anti-doping rule violation. In some countries, the imposition of a period of *Ineligibility* is left entirely to a hearing body.

[84] For example, if *Sport Ireland* alleges that an *Athlete* has violated Article 2.2 for *Use* of an anabolic steroid and asserts the applicable period of *Ineligibility* is four years in the charging letter, then the *Athlete* may unilaterally reduce the period of *Ineligibility* to three years by admitting the violation and accepting the three-year period of *Ineligibility* within the time specified in this Article, with no further reduction allowed. This resolves the case without any need for a hearing.

[85] For the avoidance of doubt, this Article does not preclude a suspension of the period of *Ineligibility* under Article 10.6.3 or 10.6.4.

this Article, then this Article, including but not limited to, what the reduction under this Article would or should have been, may not be raised in any hearing or appeal.

10.6.3 *Substantial Assistance* in Discovering or Establishing *Code* Violations[86]

10.6.3.1 *Sport Ireland* may, prior to an appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the *Consequences* (other than *Disqualification* and mandatory *Public Disclosure*) imposed in an individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to *Sport Ireland* or another *Anti-Doping Organisation*, a criminal authority, professional disciplinary body or sport integrity authority which results in:

i. *Sport Ireland* or other *Anti-Doping Organisation* discovering facts constituting, or bringing forward a case involving, an anti-doping rule violation or violation of Article 10.10.1 by another *Person*; or

ii. a criminal or disciplinary body discovering facts constituting, or bringing forward a case involving, a criminal offence or breach of professional rules committed by another *Person* providing *Substantial Assistance* is made available to *Sport Ireland* or another *Anti-Doping Organisation* with *Results Management* authority; or

iii. *WADA* discovering facts constituting, or bringing forward a case involving non-compliance with the *Code*, *International Standard*, *Technical Document* or *Technical Letter* against a *Signatory*, *WADA*-accredited laboratory or *Athlete* passport management unit (as defined in the *International Standard* for Laboratories); or

iv. with the approval of *WADA*, a criminal or disciplinary body discovering facts constituting, or bringing forward a case involving, a criminal offence or the breach of professional or sport rules arising out of a sport integrity violation other than doping.

v. After an appellate decision under Article 13 or the expiration of time to appeal, *Sport Ireland* may only suspend a part of the otherwise applicable *Consequences* with the approval of *WADA* and the applicable *International Federation*. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the value of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport, non-compliance with the *Code* and/or sport integrity violations. Information involving the potential doping of *Protected Persons* or *Minors* shall be considered particularly valuable. In determining the length of the period for which the period of *Ineligibility* is suspended, the value of the *Substantial Assistance* shall be evaluated in terms of months or years rather than as a percentage of the original period of Ineligibility[87]. However, no more than three-quarters of the otherwise

[86] The cooperation of *Athletes*, *Athlete Support Personnel* and other *Persons* who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport.

[87] In evaluating the value of the *Substantial Assistance* provided, priority shall be given to assistance which is important to anti-doping efforts and enforcement of the *Code*. Most important are situations where*: Protected Persons* or *Minors* have been doped by *Athlete Support Personnel* or other *Persons*; where a doping scheme involves a public authority, *Anti-Doping Organisation*, *WADA* accredited or approved laboratory, or other *Code Signatories* or their members; where the doping scheme involves the *Use*

applicable period of *Ineligibility* may be suspended. For the purposes of this Article 10.6.3, the "otherwise applicable" period of *Ineligibility* shall mean the period of Ineligibility determined after application of Articles 10.1, 10.2, 10.3, 10.5, 10.6.1, 10.6.2, 10.8 and 10.10.1. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article shall be no less than eight years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 10.8.3.2.

vi. *Sport Ireland* may suspend a smaller portion of the *Consequences* in an initial decision and, based on reconsideration of the value of the information received, increase the amount of *Consequences* suspended.

vii. If so requested by an *Athlete* or other *Person* who seeks to provide *Substantial Assistance*, *Sport Ireland* shall allow the *Athlete* or other *Person* to provide the information to *Sport Ireland* subject to a *Without Prejudice Agreement*.

If the *Athlete* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of *Consequences* was based, *Sport Ireland* shall reinstate the original *Consequences*. If *Sport Ireland* decides to reinstate suspended *Consequences* or decides not to reinstate suspended *Consequences*, that decision may be appealed by any *Person* entitled to appeal under Article 13.

WADA shall be notified of any appeal to *CAS* involving Article 10.6. If *WADA* is not already a party, *WADA* shall have the right to intervene as a party in that proceeding.

10.6.3.2 To further encourage *Athletes* and other *Persons* to provide *Substantial Assistance* to *Anti-Doping Organisations*, at the request of *Sport Ireland* or at the request of the *Athlete* or other *Person* who has, or has been asserted to have, committed an anti-doping rule violation or violation of Article 10.10.1, *WADA* may agree at any stage of the *Results Management* process, including after an appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of *Ineligibility* and other *Consequences*. In exceptional circumstances, *WADA* may agree to suspensions of the period of *Ineligibility* and other *Consequences* for *Substantial Assistance* greater than those otherwise provided in this Article, or even no period of *Ineligibility*, no mandatory *Public Disclosure* and/or no return of prize money or payment of fines or costs. *WADA's* approval shall be subject to reinstatement of *Consequences*, as otherwise provided in this Article.

10.6.3.3 If *Sport Ireland* suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organisations* with a right to appeal the decision under Articles 13.2.2, as provided in Article 14 of the *Code*.

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of a *Prohibited Substance or Prohibited Method* which is particularly difficult to detect, or where the doping scheme involves multiple *Athletes.*

10.6.3.4 In unique circumstances where *WADA* determines that it would be in the best interest of anti-doping, *WADA* may authorise an *Anti-Doping Organisation* to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

10.6.4 Other Valuable Information and Assistance in the Effort to Eliminate Doping in Sport

Where it has *Results Management* authority for an anti-doping rule violation or violation of Article 10.10.1, *Sport Ireland* may, prior to an appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the *Consequences* (other than *Disqualification* and mandatory *Public Disclosure*) imposed in an individual case where the *Athlete* or other *Person* has provided other valuable information and assistance which does not meet all of the requirements for *Substantial Assistance* but is still very valuable to the effort to eliminate doping in sport.[88] Information involving the potential doping of *Protected Persons* or *Minors* shall be considered particularly valuable.

After an appellate decision relating to an anti-doping rule violation or a violation of Article 10.10.1 under Article 13 or the expiration of time to appeal that decision, *Sport Ireland* may only suspend a part of the otherwise applicable *Consequences* with the approval of *WADA* and the applicable *International Federation*.

The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the value of the information and assistance provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. In determining the length of the period for which the period of *Ineligibility* is suspended, the value of the information and assistance shall be evaluated in terms of months or years rather than as a percentage of the original period of *Ineligibility*. However, no more than 15% of the otherwise applicable period of *Ineligibility* may be suspended. For purposes of this Article 10.6.4, the "otherwise applicable" period of *Ineligibility* shall mean the period of *Ineligibility* determined after application of Articles 10.1, 10.2, 10.3, 10.5, 10.6.1, 10.6.2, 10.8 and 10.10.1. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article shall be no less than sixteen years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 10.8.3.2.

Sport Ireland may suspend a smaller portion of the *Consequences* in an initial decision and, based on reconsideration of the value of the information and assistance received, increase the amount suspended.

If so requested by an *Athlete* or other *Person* who seeks to provide other valuable information and assistance, *Sport Ireland* shall allow the *Athlete* or other *Person* to provide the information to *Sport Ireland* subject to a *Without Prejudice Agreement*.

[88] *Substantial Assistance* under Article 10.6.3 requires the disclosure of misconduct by another *Person*. This Article 10.6.4 does not. The *Athlete* or other *Person* is still required to provide full and credible information without holding anything back, including the identity of other involved parties. However, it may simply be the case that they don't have any information regarding the conduct of another *Person*. For example, if an *Athlete* discloses their use of an effective doping regimen or new substance in a prohibited class which they learned about from the internet that has allowed their doping to avoid being detected, this type of information and assistance would be highly valuable to the effort to eliminate doping even if the *Athlete* is not able to provide evidence regarding the involvement of another *Person*.

If the *Athlete* or other *Person* fails to continue to cooperate and to provide the other valuable information and assistance upon which the suspension of *Consequences* was based, the *Anti-Doping Organisation* that suspended *Consequences* shall reinstate the original *Consequences*. If an *Anti-Doping Organisation* decides to reinstate suspended *Consequences* or decides not to reinstate suspended *Consequences*, that decision may be appealed by any *Person* entitled to appeal under Article 13.

WADA shall be notified of any appeal to *CAS* involving Article 10.6. If *WADA* is not already a party, *WADA* shall have a right to intervene as a party in that proceeding.

10.7 Case Resolution Agreements

Where the *Athlete* or other *Person* admits an anti-doping rule violation after being confronted with the anti-doping rule violation by *Sport Ireland* and agrees to *Consequences* acceptable to *Sport Ireland* and *WADA*, at their sole discretion, then:

(a) the *Athlete* or other *Person* may receive a reduction in the period of *Ineligibility* based on an assessment by *Sport Ireland* and *WADA* of the application of Article 9.2 and Articles 10.1 through 10.6 to the asserted anti-doping rule violation, the seriousness of the violation, the *Athlete's* or other *Person's* degree of *Fault* and how promptly the *Athlete* or other *Person* admitted the violation; and

(b) without prejudice to the Athlete or other *Person's* right under Article 10.9.1, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the agreed-upon period of *Ineligibility* going forward from the earlier of the date the *Athlete* or other *Person* accepted the imposition of a sanction or the effective date of a *Provisional Suspension* which was subsequently respected by the *Athlete* or other *Person*.[89] The decision by *WADA* and *Sport Ireland* to enter or not enter into a case resolution agreement, and the *Consequences* agreed to by *WADA*, *Sport Ireland* and the *Athlete* or other *Person,* including the starting date of the period of *Ineligibility*, are not matters for determination or review by a hearing body and are not subject to appeal under Article 13.

If so requested by an *Athlete* or other *Person* who seeks to enter into a case resolution agreement under this Article, *Sport Ireland* shall allow the *Athlete* or other *Person* to discuss an admission of the anti-doping rule violation with *Sport Ireland* subject to a *Without Prejudice Agreement*.[90]

10.8 Multiple Violations

10.8.1 Second or Third Anti-Doping Rule Violation

10.8.1.1 For an *Athlete's* or other *Person's* second anti-doping rule violation, the period of *Ineligibility* shall be the greater of:

(a) A six-month period of *Ineligibility*; or

[89] For purposes of calculating the "one half of the period of *Ineligibility* going forward", the agreed upon period of *Ineligibility* shall first be reduced before any period by which the period of *Ineligibility* has been backdated

[90] Any mitigating or aggravating factors set forth in this Article 10 shall be considered in arriving at the *Consequences* set forth in the case resolution agreement, and shall not be applicable beyond the terms of that agreement.

(b) A period of *Ineligibility* in the range between:

(i) the sum of the period of *Ineligibility* imposed for the first anti-doping rule violation, plus the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, and

(ii) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

The period of *Ineligibility* within this range shall be determined based on the entirety of the circumstances and the *Athlete's* or other *Person's* degree of *Fault* with respect to the second violation.

10.8.1.2 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 Articles 10.4 or 10.5 or involves a violation of Article 2.4. In these particular cases, the period of *Ineligibility* shall be from eight years to lifetime *Ineligibility*.

10.8.1.3 The period of Ineligibility established in Articles 10.8.1.1 and 10.8.1.2 may then be further suspended by the application of Articles 10.6.3 or 10.6.4.

10.8.1.4 An anti-doping rule violation for which an *Athlete* or other *Person* has established *No Fault* or *Negligence* shall not be considered a violation for purposes of Article 10.8. In addition, an anti-doping rule violation sanctioned under Articles 10.1.3.1 or 10.1.4 shall not be considered a violation for purposes of Article 10.8.

10.8.3 Additional Rules for Certain Potential Multiple Violations[91]

10.8.3.1 For purposes of imposing sanctions under Article 10.8, except as provided in Articles 10.8.3.2 and 10.8.3.3, an anti-doping rule violation will only be considered a second violation if *Sport Ireland* can establish that the *Athlete* or other *Person* committed the additional anti-doping rule violation after the *Athlete* or other *Person* received initial notification pursuant to Article 7 in accordance with the *International Standard* for *Results Management*, of the first potential anti-doping rule violation, or after the relevant *Anti-Doping Organisation* made reasonable efforts to give such notice. If *Sport Ireland* 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, including the application of *Aggravating Circumstances*. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 9.3.[92]

10.8.3.2 If *Sport Ireland* establishes that an *Athlete* or other *Person* committed an additional anti-doping rule violation prior to receiving the first notice of violation, and that the additional violation occurred 12 months or more before or after the first-notified

[91] This Article does not address violations of Article 10.10.3, as the *Consequences* for violations of Article 10.14.1 are addressed separately in Article 10.10.3.

[92] The same rule applies where, after the imposition of a sanction, the *Anti-Doping Organisation* discovers facts involving an anti-doping rule violation that occurred prior to notification for a first anti-doping rule violation - e.g. the *Anti-Doping Organisation* shall impose a sanction based on the sanction that could have been imposed if the two violations had been adjudicated at the same time, including the application of *Aggravating Circumstances*.

violation, then the period of *Ineligibility* for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of *Ineligibility* will be served consecutively, rather than concurrently, with the period of *Ineligibility* imposed for the first-notified violation. Where this Article 10.8.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.8.1.

10.8.3.3 If *Sport Ireland* establishes that an *Athlete* or other *Person* committed a violation of Article 2.5 in connection with the *Doping Control* process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated as a stand-alone first violation and the period of *Ineligibility* for such violation shall be served consecutively, rather than concurrently, with the period of *Ineligibility*, if any, imposed for the underlying anti-doping rule violation. Where this Article 10.8.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.8.1.

10.8.3.4 Where an *Athlete* is charged with a second anti-doping rule violation under Article 2.1, and the *Athlete* can establish that the *Adverse Analytical Finding* for the second anti-doping rule violation resulted solely from the residual presence of the *Prohibited Substance* in their system from the same ingestion or *Use* that resulted in the first anti-doping rule violation, the *Athlete* shall be deemed to have established they bear *No Fault or Negligence* for the second violation, and the second violation shall not be considered a violation for purposes of Article 10.8.[93]

10.8.3.5 If *Sport Ireland* establishes that an *Athlete* or other *Person* has committed a second or third anti-doping rule violation during a period of *Ineligibility*, the periods of *Ineligibility* for the multiple violations shall run consecutively, rather than concurrently.

10.8.4 Multiple Anti-Doping Rule Violations During Ten-Year Period

For the purpose of Article 10.8, each anti-doping rule violation shall take place within the same ten year period in order to be considered multiple violations.

10.9 Commencement of *Ineligibility* Period

Where an *Athlete* is already serving a period of *Ineligibility* for an anti-doping rule violation, any new period of *Ineligibility* shall commence on the first day after the current period of *Ineligibility* has been served. Otherwise, except as provided below, the period of Ineligibility shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed.

10.9.1 Delays Not Attributable to the *Athlete* or other *Person*[94]

[93] For the avoidance of doubt, the second violation would still subject the *Athlete* to other *Consequences* including, without limitation, under Articles 7.5, 9 and 15 where applicable.

[94] In *Athlete Biological Passport* cases or cases of anti-doping rule violations other than under Article 2.1 of these *Rules*, the time required for an *Anti-Doping Organisation* to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the *Athlete* or other *Person* has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Article to start the sanction at an earlier date should not be used. Where the body determines that substantial delays attributable to parties other than the *Athlete* or other *Person* justifies commencing the period of *Ineligibility* at an earlier date, the backdated period of time should not exceed the amount of delay attributable to the parties and should not include any period of delay attributable to the *Athlete* or other *Person*. For the avoidance of doubt, the period of time between the original analysis of a *Sample* and the further analysis under Article 6.4 shall not be considered a delay under Article 10.9.1.

Where there have been substantial delays in the hearing process or other aspects of *Doping Control*, and the *Athlete* or other *Person* can establish that such delays are not attributable to the *Athlete* or other *Person*, the body imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of *Ineligibility*, including retroactive Ineligibility, shall be *Disqualified*.

10.9.2 Credit for *Provisional Suspension* or *Period of Ineligibility* Served

10.9.2.1 If a *Provisional Suspension* is respected by the *Athlete* or other *Person*, then the *Athlete* or other *Person* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. If the *Athlete* or other *Person* does not respect a *Provisional Suspension*, then the *Athlete* or other *Person* shall receive no credit for any period of *Provisional Suspension* served. If a period of *Ineligibility* is served pursuant to a decision that is subsequently appealed, then the *Athlete* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal.

10.9.2.2 If an *Athlete* or other *Person* voluntarily accepts a *Provisional Suspension* in writing from *Sport Ireland* and thereafter respects the *Provisional Suspension*, the *Athlete* or other *Person* 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* or other *Person's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14[95].

10.9.2.3 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* regardless of whether the *Athlete* elected not to compete or was suspended by a team.

10.10. Status during *Ineligibility* or *Provisional Suspension*

10.10.1 Prohibition Against Participation During *Ineligibility* or *Provisional Suspension*

10.10.1.1 No *Athlete* or other *Person* who has been declared Ineligible or is subject to a *Provisional Suspension* may, during a period of *Ineligibility* or *Provisional Suspension*:

10.10.1.1.1 compete or participate in any capacity in a *Competition* or activity (other than authorised anti-doping *Education* or rehabilitation programmes) authorised, organised or funded by any *Signatory*, *Signatory's* member organisation, or a club or other member organisation of a *Signatory's* member organisation, or by any *National Governing Body* or by a member or affiliate organisation or licensee of a *National Governing Body*;

10.10.1.1.2 compete or participate in any capacity in *Competitions* or training activities authorised or organised by any professional league, any

[95] An *Athlete*'s voluntary acceptance of a *Provisional Suspension* is not an admission by the *Athlete* and shall not be used in any way as to draw an adverse inference against the *Athlete*.

professional *Event* [96]organisation or any international or national-level *Event* organisation where not already covered by Article 10.10.1.1;

10.10.1.1.3 compete or participate in any capacity in *Competitions* or training activities funded by a governmental agency;

10.10.1.1.4 provide any sport-related services, including without limitation serving as a coach or other *Athlete Support Personnel,* to any *Athlete* or other *Person* bound by rules adopted pursuant to the *Code* (and doing so could also result in a violation of Article 2.10 by such *Athlete(s)*;

10.10.1.1.5 serve as a board member, officer, director, official or senior executive, or in any position involving *Doping Control* or involving direct contact with *Athletes* or *Athlete Support Personnel*, of any *Signatory, Signatory's* member organisation, or a club or other member organisation of a *Signatory's* member organisation; or

10.10.1.1.6 receive compensation from any *Signatory, Signatory's* member organisation, or a club or other member organisation of a *Signatory's* member organisation, except for compensation for employment for services not prohibited as described in Articles 10.10.1.1.5 above[97].

10.10.1.2 An *Athlete* or other *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate as an *Athlete* in local sport events not sanctioned or otherwise under the authority of a *Signatory* or member of a *Signatory*, but only so long as the local sport event is not at a level that could otherwise qualify such *Athlete* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event* and does not involve the *Athlete* or other *Person* working in any capacity with *Protected Persons or Minors*.

10.10.1.3 An *Athlete* or other *Person* subject to a period of *Ineligibility* who has not retired shall remain subject to *Testing* and any requirement by *Sport Ireland* to provide

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[96] With respect to the terms "professional league" and "professional *Event*", further guidance may be provided in the *International Standard* for *Results Management* or guidelines.

[97] The term "activity" as used in this Article includes all competitive, training and administrative functions, as well as social functions where the *Person* has a formal or official role or receives recognition, authorised or organised by the referenced organisations. By way of example, this Article does not prohibit an *Ineligible Person* from engaging in the following activities so long as the *Ineligible Person* is not acting as an *Athlete Support Personnel*, the activity is not funded by a government and is not authorised, organised or funded by any *Signatory*, *Signatory's* member organisation, or a club or other member organisation of a *Signatory's* member organisation:

(1) An *Ineligible* basketball player could participate in a pick-up basketball game with former teammates;
(2) An *Ineligible* distance runner could go for a run with friends or other elite *Athletes*;
(3) An *Ineligible* swimmer could swim in a separate lane in the same pool where a national team trains as long as the swimmer has no involvement with the team training;
(4) An *Ineligible* figure skater could receive coaching or athletic training services from *Athlete Support Personnel* who also work for a referenced organisation as long as the services provided to the figure skater are not performed as part of the *Athlete Support Personnel's* job duties for the referenced organisation; and
(5) An *Ineligible* gymnast could receive payments from an individual sponsor as long as the payments are not connected to or arranged by a referenced organisation.

Ineligibility imposed in one sport shall be recognised by other sports (see Article 16.1, Automatic Binding Effect of Decisions). Any performance standard accomplished during a period of *Ineligibility* shall not be recognised by a *Signatory* or its *National Governing Bodies* for any purpose.

Without prejudice to Article 5.6.2 of the *Code* and for the avoidance of doubt, the prohibition against participating in any capacity in the activities identified in this Article shall continue to apply to retired *Persons* through the duration of their period of *Ineligibility*.

For the avoidance of doubt, where the *Ineligible Person* is an *Athlete* under a club contract of employment for athletic services, Article 10.10.1.6 does not prohibit the club from continuing to make contractual payments to the *Athlete* during the period of *Ineligibility* or *Provisional Suspension* so long as the *Athlete* does not engage in any activities prohibited in Article 10.10.1.1.5.

whereabouts information[98].

10.10.2 Return to Training

As an exception to Article 10.10.1, an *Athlete* may return to train with a team or to use the facilities of a club or other member organisation of a *Signatory's* member organisation or a *National Governing Body* or a member or affiliate organisation or licensee of a *National Governing Body*, during the shorter of: (1) the last two months of the *Athlete's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed[99]. The permitted training window for *Athletes* that *were Protected Persons* at the time of the anti-doping rule violation shall be the last one-half of the period of *Ineligibility* imposed.

10.10.3 Violation of the Prohibition of Participation during *Ineligibility* or *Provisional Suspension*

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.10.1, the results of such participation shall be *Disqualified* and a new period of *Ineligibility* equal in length to the original period of *Ineligibility* shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility* may be adjusted down to a reprimand and no period of *Ineligibility*, based on the *Athlete's* or other *Person's* degree of *Fault* and other circumstances of the case. Subject to Article 7.1.4 of the *Code*, the determination of whether the *Athlete* or other *Person* has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the *Anti-Doping Organisation* whose *Results Management* led to the imposition of the initial period of *Ineligibility*. This decision may be appealed under Article 13.

An *Athlete* or other *Person* who violates the prohibition against participation during a *Provisional Suspension* described in Article 10.10.1 shall receive no credit for any period of *Provisional Suspension* served and the results of such participation shall be *Disqualified*.

Where an *Athlete Support Person* or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility* or a *Provisional Suspension*, *Sport Ireland* shall impose sanctions for a violation of Article 2.9 for such assistance.

10.11 Withholding of Financial Support during *Ineligibility*

For any anti-doping rule violation not involving a reduced sanction as described in Articles 10.4 or 10.5, all sport-related financial support or other sport-related benefits received by such *Person* shall be withheld by *Sport Ireland*, *Sport Ireland* Institute, *Sport Ireland* Coaching, the Government of Ireland, the Olympic Federation of Ireland, Paralympics Ireland and *National Governing Bodies* and their affiliates, members and/or licensees.

10.12 *Financial Consequences* and Forfeited Prize Money

The *Irish Sport Anti-Doping Disciplinary Panel* has discretion to make a proportionate award of costs in respect of the hearing or hearings against the *Athlete* or other *Person*[100]. However,

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[98] For the avoidance of doubt, the prohibition against participation in any capacity in the activities identified in this Article shall continue to apply to retired *Persons* through the duration of their period of *Ineligibility*.

[99] In many *Team Sports* and some individual sports, an *Athlete* cannot effectively train on their own so as to be ready to compete at the end of the *Athlete's* period of *Ineligibility*. During the training period described in this Article, an *Ineligible Athlete* may not compete or engage in any activity described in Article 10.10.1 other than training.

[100] This Article 10.12 applies to (i) alleged anti-doping rule violation cases, (ii) alleged violations of Article 10.10.1, (iii) cases where *Sport Ireland* has issued a Demand to an *Athlete* or other *Person* under Article 5.6.6 and such *Athlete* or other *Person* has filed an objection to the Demand pursuant to Article 7.9 and (iv) cases where *Sport Ireland* alleges an *Athlete* or other *Person* has (a) refused or failed without compelling justification to comply with any provision of these *Rules* but such refusal or failure does not fall within

this shall only apply in cases where the maximum period of *Ineligibility* otherwise applicable has already been imposed. Examples of circumstances which may justify the imposition of costs on an *Athlete* or other *Person* include (but are not limited to) the following: as set out in Article 8.3.6 (insofar as it relates to an *Athlete* or other *Person*); if the *Athlete* or other *Person* committed the anti-doping rule violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit anti-doping rule violations; the *Athlete* or other *Person Used* or *Possessed* multiple *Prohibited Substances* or *Prohibited Methods* or *Used* or *Possessed* a *Prohibited Substance* or *Prohibited Method* on multiple occasions; the *Athlete* or *Person* engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an anti-doping rule violation.

An *Anti-Doping Organisation* or other *Signatory* that has recovered prize money forfeited as a result of an anti-doping rule violation shall take reasonable measures to allocate and distribute this prize money to the *Athletes* who would have been entitled to it had the forfeiting *Athlete* not competed. An *International Federation* shall provide in its rules whether or not the redistributed prize money shall be considered for purposes of its ranking of *Athletes*.[101]

No recovery of costs may be considered as a basis for reducing the period of *Ineligibility* or other sanction applicable under these *Rules*.

10.13 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Article 15.

11 ARTICLE 11 *CONSEQUENCES* 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 anti-doping rule violation under Article 7 in connection with an *Event*, the ruling body for the *Event* shall conduct appropriate *Target Testing* of the team during the *Event Period*.

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 violation of Article 10.10.1 during an *Event Period,* the ruling body of the *Event* shall impose an appropriate sanction on the team (e.g., loss of points, *Disqualification* from a *Competition* or *Event,* or other sanction) in addition to any *Consequences* imposed upon the individual *Athletes* committing the anti-doping rule violation or violation of Article 10.10.1[102]. In *Team Sports*, where a period of *Ineligibility* is imposed upon a team, unless fairness requires otherwise, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of team *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served.

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any of the anti-doping rule violations defined in Article 2 or (b) engaged in offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* that does not otherwise constitute *Tampering* or *Attempted Tampering* under Article 2.5.

[101] This Article is not intended to impose an affirmative duty on the *Anti-Doping Organisation* or other *Signatory* to take any action to collect forfeited prize money. If the *Anti-Doping Organisation* elects not to take any action to collect forfeited prize money, it may assign its right to recover such money to the *Athlete(s)* who should have otherwise received the money. "Reasonable measures to allocate and distribute this prize money" could include using collected forfeited prize money as agreed upon by an *International Federation* and its *Athletes*.

[102] See Comment to Article 9 regarding team *Competition* in *Individual Sports*.

11.3 *Event* Ruling Body or *International Federation* may Establish Stricter *Consequences* for *Team Sports*

The ruling body for an *Event* may elect to establish rules for the *Event* which impose *Consequences* for *Team Sports* stricter than those in Article 11.2 for purposes of the *Event*.[103] Similarly, an *International Federation* may elect to establish rules imposing stricter *Consequences* for *Team Sports* within its authority than those in Article 11.2.

12 ARTICLE 12 SANCTIONS ON *NATIONAL GOVERNING BODIES*

12.1 Financial and/or other non-financial support from *Sport Ireland* (including grant funding) 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*, the *Code* or any *International Standard*.[104]

12.2 Recognition of a *National Governing Body* by *Sport Ireland* may be withdrawn or withheld from a *National Governing Body* that is not in compliance with, or fails in the implementation of, these *Rules,* the *Code* or any *International Standard.*

12.3 Each *National Governing Body* shall report to *Sport Ireland* upon request on its compliance with, and/or implementation of, these *Rules* and shall provide to *Sport Ireland* all relevant documentation and information with such report. Failure by a *National Governing Body* to provide a report, documentation or information requested by *Sport Ireland* may be considered by *Sport Ireland* to be non-compliance by that *National Governing Body* with these *Rules*.

12.4 When *Sport Ireland* becomes aware that a *National Governing Body* or any other sporting body in Ireland over which it has authority has failed to comply with, implement, uphold, and enforce these *Rules* within that organisation's or body's area of competence, *Sport Ireland* may elect to request the Olympic Federation of Ireland, the Government of Ireland or *International Federations* to take the following additional disciplinary actions, or, where it has the authority, may itself take the following additional disciplinary actions:

12.4.1 Exclude all, or some group of, members of that organisation or body from specified future *Competitions, Events* or all *Events* or *Competitions* conducted within a specified period of time;

12.4.2 Take additional disciplinary actions with respect to that organisation's or body's recognition, the eligibility of its members to participate in *Sport Ireland's* activities, and/or withhold in whole or in part financial and non-financial support (including grant funding) to that organisation or body based on the following:

12.4.2.1 Four or more violations of these *Rules* (other than violations involving Article 2.4) are committed by *Athletes* or other *Persons* affiliated with that organisation or body during a twelve-month period. In such event: (a) all or some group of members of that organisation or body may be banned from participation in any *Sport Ireland* activities for a period of up to two years and/or (b) withhold in whole or in part financial and non-financial support (including grant funding) to that organisation or body;

[103] For example, the International Olympic Committee could establish rules which would require *Disqualification* of a team from the Olympic Games based on a lesser number of anti-doping rule violations during the period of the Games.

[104] This Article is not intended to impose an affirmative duty on *Sport Ireland* to actively monitor each *National Governing Body* for acts of non-compliance, but rather only requires *Sport Ireland* to take action when it becomes aware of such acts.

12.4.2.2 Four or more violations of these *Rules* (other than violations involving Article 2.4) are committed in addition to the violations described in Article 12.2.1 by *Athletes* or other *Persons* affiliated with that organisation or body during a twelve-month period. In such event, financial and non-financial support (including grant funding) to that organisation or body may be suspended or withheld in whole or in part for a period of up to four years;

12.4.2.3 More than one *Athlete* or other *Person* affiliated with that organisation or body commits an anti-doping rule violation during an *International Event.* In such event, financial and non-financial support (including grant funding) to that organisation or body may be suspended or withheld in whole or in part;

12.4.2.4 That organisation or body has failed to make diligent efforts to keep *Sport Ireland* informed about an *Athlete's* whereabouts after receiving a request for that information from *Sport Ireland*. In such event, financial and non-financial support (including grant funding) to that organisation or body may be suspended or withheld in whole or in part, in addition to reimbursement of all of *Sport Ireland's* costs incurred in *Testing* that organisation's or body's *Athletes*.

12.4.3 Withhold some or all funding or other financial and non-financial support to that organisation or body.

12.4.4 Oblige that organisation or body to reimburse *Sport Ireland* for all costs (including but not limited to laboratory fees, hearing expenses, and travel) related to a violation of these *Rules* committed by an *Athlete* or other *Person* affiliated with that organisation or body.

13 ARTICLE 13 *RESULTS MANAGEMENT*: APPEALS[105]

13.1 Decisions Subject to Appeal and Scope of Appeal Not Limited

Decisions made under the *Code* or these *Rules* may be appealed as set forth in this Article or as otherwise provided in these *Rules*, the *Code* or the *International Standards*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.[106]

13.1.2 *WADA* Not Required to Exhaust Internal Remedies

[105] The object of the *Code* is to have anti-doping matters resolved through fair and transparent internal processes with a final appeal. Anti-doping decisions by *Anti-Doping Organisations* are made transparent in Article 14. Specified *Persons* and organisations, including *WADA*, are then given the opportunity to appeal those decisions. Note that the definition of interested *Persons* and organisations with a right to appeal under Article 13 does not include other *Athletes*, or their national federations, who might benefit from having another competitor *Disqualified*.

[106] The revised language is not intended to make a substantive change to the 2015 *Code*, but rather for clarification. For example, where an *Athlete* was charged in the first instance hearing only with *Tampering* but the same conduct could also constitute *Complicity*, an appealing party could pursue both *Tampering* and *Complicity* charges against the *Athlete* in the appeal.

Where *WADA* has a right to appeal under Article 13 and no other party has appealed a final decision within Sport Ireland's process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in *Sport Ireland's* process.[107]

Where the *Code* or *International Standards* provide a right of appeal against a decision made by *WADA*, such appeal shall be made exclusively to *CAS*. Notwithstanding any other provision of Article 13.1, the appellate standard of review for such appealable decisions made by *WADA* under the *Code* or *International Standards*, or made with *WADA's* approval under *Code* Articles 5.3.2, 5.6.1, 7.1.1, 10.7 and 14.1.1, shall be whether *WADA's* decision was arbitrary.

13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Violations of Article 10.10.1, *Consequences*, *Provisional Suspensions,* Implementation of Decisions and Authority

13.2.1 Each of the following decisions may be appealed exclusively as provided in Article 13.2:

13.2.1.1 a decision that an anti-doping rule violation or violation of Article 10.10.1 was committed or a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation or a violation of Article 10.10.1, or a decision that no anti-doping rule violation or violation of Article 10.10.1 was committed;

13.2.1.2 a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription);

13.2.1.3 a decision by *WADA* not to grant an exemption to the six months' notice requirement for a retired *Athlete* to return to competition under Article 5.7.5;

13.2.1.4 a decision by *Sport Ireland* to disqualify, or not to disqualify results under Article 5.7.6;

13.2.1.5 a decision by *WADA* assigning *Results Management* under Article 7.1 of the *Code*;

13.2.1.6 a decision that *Sport Ireland* or the *Irish Sport Anti-Doping Disciplinary Panel* lacks authority to rule on an alleged anti-doping rule violation or violation of Article 10.10.1 or its *Consequences*;

13.2.1.7 a decision by *Sport Ireland* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, an *Adverse Passport Finding* or an *Atypical Passport Finding* after review, or a decision not to go forward with an anti-doping rule violation or violation of Article 10.10.1 or *Whereabouts Failure* after an investigation in accordance with the *International Standard* for *Results Management* or *International Standard* for Intelligence and Investigations;

[107] Where a decision has been rendered before the final stage of *Sport Ireland's* process (for example, a first hearing) and no party elects to appeal that decision, then *WADA* may appeal directly to *CAS*.

13.2.1.8 a decision not to impose, or a decision to lift or not to lift, a *Provisional Suspension* (with all such appeals made exclusively to *CAS* as provided in Article 7.5.3.4);

13.2.1.9 a decision under Article 10.10.1;

13.2.1.10 failure to comply with Articles 7.1.4 and 7.1.5 of the *Code*;

13.2.1.11 failure to comply with Article 10.7;

13.2.1.12 a decision by Sport Ireland not to implement another *Anti-Doping Organisation's* decision under Article 15 of the *Code*;

13.2.1.13 a decision to suspend, or not suspend, *Consequences* or to reinstate, or not reinstate, *Consequences* under Articles 10.6.3 and 10.6.4;

13.2.1.14 a decision by *Sport Ireland* that the requirements for recording a *Whereabouts Failure* are not met; and

13.2.1.15 a decision under Article 27.3 of the *Code*.

13.2.2 Decisions may be appealed exclusively to *CAS*[108]. In such cases the following parties shall have the right to appeal:

13.2.2.1 the *Athlete* or other *Person* who is the subject of the decision being appealed;

13.2.2.2 the other party to the case in which the decision was rendered;

13.2.2.3 *Sport Ireland*,

13.2.2.4 the relevant *International Federation*;

13.2.2.5 the *National Anti-Doping Organisation* of the *Athlete's* or other *Person's* country of residence, or countries where the *Athlete* or other *Person* is a national or licence holder, if different from *Sport Ireland*;

13.2.2.6 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 or Paralympic Games; and

13.2.2.7 *WADA*.

13.2.3 Notwithstanding any other provision in these *Rules* or the *Code*, a decision to impose a *Provisional Suspension* may only be appealed by the *Athlete* or other *Person* upon whom the *Provisional Suspension* was imposed.

13.2.4 Decisions by *Sport Ireland* pursuant to Article 12 may be appealed exclusively to

[108] *CAS* decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.

CAS by the *National Governing Body* concerned.

13.2.5 As a condition to the admissibility of an appeal to *CAS* authorised in this Article 13, an appealing party shall have provided notice of the appeal to *WADA* and all other parties with a right to appeal. For other appeals authorised in this Article 13, all parties to an appeal shall ensure that *WADA* and all other parties with a right to appeal have been given notice of the appeal.

13.2.6 The time to file an appeal to *CAS* shall be the later of (a) twenty-one days from the date of receipt of the decision[109] by the appealing party or (b) where the appealing party makes a timely request for the complete file under Article 14.2.2 of the *Code*, twenty-one days after receipt of the complete file relating to the decision.

13.2.6.1 The filing deadline for an appeal filed by *WADA* shall be the later of:

(a) Twenty-one days after the last day on which any other party having a right to appeal could have appealed, or

(b) Where *WADA* makes a timely request for the complete file under Article 14.2.2 of the *Code*, twenty-one days after *WADA's* receipt of the complete file relating to the decision.[110]

13.2.6.2 An *Anti-Doping Organisation* having a right to appeal a decision received pursuant to Article 14.2 may, within fifteen days of receipt, request a copy of the complete case file pertaining to the decision from *Sport Ireland* or, if applicable, the other *Anti-Doping Organisation* which had *Results Management* authority. The case file shall be produced in machine readable form and, to the greatest extent practicable, in electronic, digital, and word-searchable format. If the case file contains documents in a language other than English or French, a case file index shall be provided promptly in English or French with a short description of each document in English or French.

13.2.7 For purposes of Articles 13.2.6(b) and 13.2.6.1.(b), the complete file shall not be considered to have been received by *WADA* or other parties with a right to appeal until the complete file has been produced in accordance with Article 13.2.6.2.

13.2.8 In any case where *WADA* is provided a right to appeal in this Article 13.2 (subject to the further provisions of Article 7.5.3.4), *WADA* may elect, at its sole discretion and within its deadline for filing an appeal, or within ten days of being notified of the appeal if later, to join in the appeal as a party in support or opposition to the appeal or cross-appeal. In such event, *WADA* shall have the right, but not the obligation, to file pleadings, examine witnesses and present argument.[111]

13.2.9 In making its decision regarding an appeal under these *Rules*, *CAS* shall not give deference to the discretion exercised by the body whose decision is being

[109] Where a reasoned decision is required, the twenty-one (21) day deadline shall begin to run from receipt of the reasoned decision; where a reasoned decision is not required (e.g., imposition of a mandatory *Provisional Suspension*), the deadline shall run from the receipt of the operative decision. Whether governed by *CAS* rules or Article 13.2.3 of the *Code*, a party's deadline to appeal does not begin running until receipt of the decision. For that reason, there can be no expiration of a party's right to appeal if the party has not received the decision.

[110] For purposes of determining whether the complete file has been received, see also Article 14.2.3 of the *Code.*

[111] For the avoidance of doubt, this provision is not intended to limit any other available right of intervention for any *Anti-Doping Organisation* such as, for example, under the *CAS* Code.

appealed.[112]

13.2.10 Cross appeals and other subsequent appeals by any respondent named in cases brought to *CAS* under the *Code* are specifically permitted. Any party with a right to appeal under this Article 13 shall file a cross appeal or subsequent appeal at the latest with the party's answer.[113]

13.2.11 Any *Anti-Doping Organisation* that is a party to an appeal shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organisations* that would have been entitled to appeal under Article 13.2.2 as provided under Article 14 of the *Code*.

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

Where, in a particular case, *Sport Ireland* or the *Irish Sport Anti-Doping Disciplinary Panel* fails to render an appealable decision under its authority with respect to whether an anti-doping rule violation or violation of Article 10.10.1 was committed within a reasonable deadline set by *WADA*, *WADA* may elect to appeal directly to *CAS* (subject to *CAS* Appeal Division Rules by analogy) as if *Sport Ireland* or the *Irish Sport Anti-Doping Disciplinary Panel* had rendered a decision finding no anti-doping rule violation or violation of Article 10.10.1. If the *CAS* hearing panel determines that *WADA* acted reasonably in electing to appeal directly to *CAS*, then *WADA*'s costs and attorney fees in prosecuting the appeal shall be reimbursed to *WADA* by *Sport Ireland*.[114]

13.4 Appeals Relating to Therapeutic Use Exemptions

Therapeutic Use Exemption decisions may be appealed exclusively as provided in Article 4.4 of the *Code* and the *International Standard* for *Therapeutic Use Exemptions.*

14 ARTICLE 14 REPORTING, CONFIDENTIALITY AND PRIVACY

14.1 Reporting, Notification and Status Reports

14.1.1 *Sport Ireland* shall report *Doping Control* information to *WADA*, through *ADAMS*, in accordance with Article 14.5 of the *Code*[115]. This information will be made accessible, where appropriate and in accordance with the applicable rules, to the *Athlete*, the *Athlete's International Federation*, and any other *Anti-Doping Organisation* with *Testing* authority over the *Athlete*.

14.1.2 Pursuant to Article 14.4 of the *Code*, *Sport Ireland* shall publish annually on its website, within six 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

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[112] *CAS* proceedings are de novo. Prior proceedings do not limit the evidence or carry weight in the hearing before *CAS*.

[113] This provision is necessary because since 2011, *CAS* rules no longer permit an *Athlete* the right to cross appeal when an *Anti-Doping Organisation* appeals a decision after the *Athlete*'*s* time for appeal has expired. This provision permits a full hearing for all parties.

[114] Given the different circumstances of each anti-doping rule violation investigation, *Results Management* and hearing process, it is not feasible to establish a fixed time period for the *Irish Sport Anti-Doping Disciplinary Panel* to render a decision before *WADA* may intervene by appealing directly to *CAS*. Before taking such action, however, *WADA* will consult with the *Irish Sport Anti-Doping Disciplinary Panel* and give the *Irish Sport Anti-Doping Disciplinary Panel* an opportunity to explain why it has not yet rendered a decision.

[115] *ADAMS* is operated, administered and managed by *WADA*, and is designed to be consistent with data privacy laws and norms applicable to *WADA* and other organisations using such system. Personal information regarding *Athletes* or other *Persons* maintained in *ADAMS* is and will be treated in strict confidence and in accordance with the *International Standard* for the Protection of Privacy and Personal Information.

WADA. The report shall include, without limitation, a separate listing (which shall maintain the anonymity of the *Athlete* or other *Person* involved) of each anti-doping decision finding *No Fault or Negligence* under Article 10.4, and for each such decision, provide: the year the decision was made; the sport involved; the *Code* Article violated; the *Prohibited Substance* or *Prohibited Method* involved; and whether the decision has been appealed. *Sport Ireland* may also publish reports showing the name of each *Athlete* tested and the date of each *Testing*. *Sport Ireland* shall also report to *WADA* on its compliance with the *Code* in accordance with Article 24 of the *Code*.

14.1.3 Notice of Decision of Anti-Doping Rule Violations or Violations of Article 10.10.1 and Requests for Files

Notice of the assertion of an anti-doping rule violation or violation of Article 10.10.1 to the *Athlete's* or other *Person's National Anti-Doping Organisation* (if different from *Sport Ireland*), *International Federation*, any other *Anti-Doping Organisation* with a right to appeal under Article 13.2.3 of the *Code*, and *WADA,* shall occur as provided under Articles 7 and 14, simultaneously with the notice to the *Athlete* or other *Person*: provided however *Sport Ireland* may, upon *WADA's* written approval which it may grant or deny at its discretion, delay or withhold the notice required by the Article 14.1.3.[116]

Such notification shall include: the *Athlete's* or other *Person's* name, country, sport and discipline within the sport, the Athlete's competitive level, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, the analytical result reported by the laboratory and other information as required by the *International Standard* for *Results Management*. Notification of anti-doping rule violations other than under Article 2.1 or a violation of Article 10.10.1, shall also include the rule violated and the basis of the asserted violation.

Decisions that are subject to appeal, (whether under Article 13.2 or otherwise) and including, without limitation any anti-doping rule violation decisions, decisions related to Article 10.10.1 and decisions related to *Whereabouts Failures* shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, *Sport Ireland* shall provide an English or French summary of the decision and the supporting reasons.

14.1.4 Status Reports

Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 7.2 of the *Code*, the *Anti-Doping Organisations* referred to Article 14.1.3, shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Articles 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

14.2 Confidentiality

[116] By way of example, *WADA* could decide to approve *Sport Ireland's* request to delay notice where a highly confidential investigation is ongoing which might implicate a party who would otherwise receive notice of the asserted anti-doping rule violation.

The recipient organisations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee*, *National Governing Body*, and team in a *Team Sport*) until *Sport Ireland* has made *Public Disclosure* as permitted by Article 15.

14.2.1 *Sport Ireland* shall ensure that information concerning *Adverse Analytical Findings*, *Atypical Findings*, and other asserted anti-doping rule violations or violations of Article 10.10.1 remains confidential until such information is *Publicly Disclosed* in accordance with Article 15. *Sport Ireland* shall ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and *Delegated Third Parties* (and their employees) are subject to a fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorised disclosure of such confidential information.

14.3 Privacy

Sport Ireland may collect, store, process or disclose personal information relating to *Athletes* and other *Persons* where necessary and appropriate to conduct its *Anti-Doping Activities* under the *Code*, the *International Standards* (including specifically the *International Standard* for Data Protection), these Rules, and in compliance with applicable law.

15 ARTICLE 15 PUBLIC DISCLOSURE

15.1 Except as provided in Articles 15.2 and 15.3, *Sport Ireland*, a *National Governing Body*, an *Anti-Doping Organisation*, or a *WADA* accredited or approved laboratory, or official of any such body, 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, or based on information provided by the *Athlete*, other *Person* or their entourage or representative(s).

15.2 After notice has been provided to the *Athlete* or other *Person* in accordance with the *International Standard* for *Results Management*, and to the applicable *Anti-Doping Organisations* in accordance with Article 14.1.1 of the *Code*, the identity of any *Athlete* or other *Person* who is notified of a potential anti-doping rule violation or violation of Article 10.10.1, the *Prohibited Substance* or *Prohibited Method* and the nature of the violation involved, and whether the *Athlete* or other *Person* is subject to a *Provisional Suspension* may be *Publicly Disclosed* by *Sport Ireland*.

15.3 Subject to Article 14.3.3 of the *Code* and applicable laws, no later than twenty days after a decision or determination finding an anti-doping rule violation or violation of Article 10.10.1 has become final under these *Rules* and is not subject to further appeal provided for under the *Code*, *Sport Ireland*:

(a) shall *Publicly Disclose* the disposition of the matter including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* who committed the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any) and the *Consequences* imposed;

(b) may make public such decision or determination and may comment publicly on the matter.

15.4 The mandatory *Public Reporting* required in Article 15.3 shall not be required where the Athlete

or other *Person* who has been found to have committed an anti-doping rule violation or violation of Article 10.10.1 is a *Minor*, *Protected Person* or *Recreational Athlete*. Any optional *Public Disclosure* under any provision of Article 15, in a case involving a *Minor*, *Protected Person* or *Recreational Athlete* shall be proportionate to the facts and circumstances of the case and shall take into consideration the best interests of the individual. In exceptional cases, the importance of transparency to the credibility of the system may be subsidiarily considered.

15.5 In any case where it is determined, after a hearing or an appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation or violation of Article 10.10.1 or has established that they bear *No Fault or Negligence* for the anti-doping rule violation, *no Public Disclosure* shall be made concerning the determination of the case except with the consent of the *Athlete* or other *Person* who is the subject of the decision. *Sport Ireland* shall use reasonable efforts to obtain such consent. If consent is obtained, *Sport Ireland* shall *Publicly Disclose* the decision in its entirety or in such a redacted form as the *Athlete* or other *Person* may approve. As exceptions, and subject to applicable laws, if the identity of the *Athlete* or the other Person is already public or *Consequences* have been or are being imposed, or there are other compelling circumstances supporting *Public Disclosure*, then *Sport Ireland* may, without consent, *Publicly Disclose* the matter to the extent necessary to explain the outcome of the case.

15.6 For purposes of this Article, publication shall be accomplished by, at a minimum, placing the required information on *Sport Ireland's* website and leaving the information up for the longer of one (1) month or the duration of any period of *Ineligibility*.

16 ARTICLE 16 IMPLEMENTATION OF DECISIONS, GOVERNING LAW AND LIMITATIONS

16.1 Automatic Binding Effect of Decisions by *Signatory Anti-Doping Organisations*

A decision of an anti-doping rule violation or violation of Article 10.10.1 made by a *Signatory Anti-Doping Organisation*, an appellate body (Article 13.2.2 of the *Code*) or *CAS* shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon *Sport Ireland* and any *National Governing Body* in Ireland, as well as every *Signatory* in every sport with the effects described below:

16.2.1.1 A decision by any of the above-described bodies imposing a *Provisional Suspension* automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.10.1) in all sports within the authority of any *Signatory* during the *Provisional Suspension*.

16.2.1.2 A decision by any of the above-described bodies imposing a period of *Ineligibility* (after a hearing has occurred or been waived) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.10.1) in all sports within the authority of any *Signatory* for the period of *Ineligibility*.

16.2.1.3 A decision by any of the above-described bodies accepting an anti-doping rule violation or violation of Article 10.10.1 automatically binds all *Signatories*.

16.2.1.4 A decision by any of the above-described bodies to *Disqualify* results under Article 10.10 of the *Code* for a specified period automatically *Disqualifies* all results obtained within the authority of any *Signatory* during the specified period.

16.2.2 *Sport Ireland* and the *National Governing Bodies* shall recognise and implement a decision and its effects as required by Article 16.1.1, without any further action required, on the earlier

of the date *Sport Ireland* receives actual notice of the decision or the date the decision is placed into *ADAMS*.

16.2.3 A decision by an *Anti-Doping Organisation*, an appellate body or *CAS* to suspend, or lift, *Consequences* shall be binding upon *Sport Ireland*, and the *National Governing Bodies*, without any further action required, on the earlier of the date *Sport Ireland* receives notice of the decision or the date the decision is placed into *ADAMS*.

16.2.4 Notwithstanding any provision in Article 15.1.1 of the *Code*, a decision of an anti-doping rule violation or violation of Article 10.10.1 by a *Major Event Organisation* made in an expedited process during an *Event* shall not be binding on *Sport Ireland* or any *National Governing Body*, unless the rules of the *Major Event Organisation* provide the *Athlete* or other *Person* with an opportunity to appeal under non-expedited procedures.[117]

16.3 Implementation of Other Decisions by *Anti-Doping Organisations*

Sport Ireland and *National Governing Bodies* may decide to implement other anti-doping decisions rendered by *Anti-Doping Organisations* not described in Article 15.1.1 of the *Code*.[118]

16.4 Implementation of Decisions by Body that is not a Signatory

An anti-doping decision by a body that is not a *Signatory* to the *Code* shall be implemented by *Sport Ireland* and all *National Governing Bodies*, if *Sport Ireland* finds that the decision purports to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the *Code*.[119]

16.4 Governing Law and Challenges to a Decision or these *Rules*

16.4.1 Subject to Article 16.4.2 and 16.4.3, these *Rules* and all matters and proceedings arising in connection with these *Rules* shall be governed by the laws of Ireland and the Courts of Ireland shall have exclusive jurisdiction in relation to these *Rules* and any decision made hereunder.

16.4.2 These *Rules* shall constitute an agreement to arbitrate and proceedings before a *Hearing Panel* pursuant to Article 8 and/or before *CAS* pursuant to Article 13, shall constitute arbitration proceedings with a seat in Ireland to which the provisions of the Arbitration Act 2010 (as amended from time to time) shall apply, which includes,

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[117] By way of example, where the rules of the *Major Event Organisation* give the *Athlete* or other *Person* the option of choosing an expedited *CAS* appeal or a *CAS* appeal under normal *CAS* procedure, the final decision or adjudication by the *Major Event Organisation* is binding on other *Signatories* regardless of whether the *Athlete* or other *Person* chooses the expedited appeal option.

[118] *Anti-Doping Organisation* decisions under Article 15.1 of the *Code* are implemented automatically by other *Signatories* without the requirement of any decision or further action on the *Signatories'* part. For example, when a *National Anti-Doping Organisation* decides to *Provisionally Suspend* an *Athlete*, that decision is given automatic effect at the *International Federation* level. To be clear, the "decision" is the one made by the *National Anti-Doping Organisation*, there is not a separate decision to be made by the *International Federation*. Thus, any claim by the *Athlete* that the *Provisional Suspension* was improperly imposed can only be asserted against the *National Anti-Doping Organisation*. Implementation of *Anti-Doping Organisations'* decisions under Article 15.2 of the *Code* is subject to each *Signatory's* discretion. A *Signatory's* implementation of a decision under Articles 15.1 or 15.2 of the *Code* is not appealable separately from any appeal of the underlying decision. The extent of recognition of *Therapeutic Use Exemption* decisions of other *Anti-Doping Organisations* shall be determined by Article 4.4 of the *Code* and the *International Standard* for *Therapeutic Use Exemptions*.

[119] Where the decision of a body that has not accepted the *Code* is in some respects *Code* compliant and in other respects not *Code* compliant, *Signatories* should attempt to apply the decision in harmony with the principles of the *Code*. For example, if in a process consistent with the *Code* a non-*Signatory* has found an *Athlete* to have committed an anti-doping rule violation on account of the presence of a *Prohibited Substance* in the *Athlete's* body but the period of *Ineligibility* applied is shorter than the period provided for in the *Code*, then all *Signatories* should recognise the finding of an anti-doping rule violation and the *Athlete's National Anti-Doping Organisation* should conduct a hearing consistent with Article 8 of the *Code* to determine whether the longer period of *Ineligibility* provided in the *Code* should be imposed. A *Signatory's* implementation of a decision or its decision not to implement a decision under Article 15.3 of the *Code*, is appealable under Article 13 of the *Code*.

without limitation, section 10 of the Arbitration Act 2010 (as amended from time to time).

16.4.3 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 Article 13 and shall not be made by recourse to any court or other forum and all *Athletes* and other *Persons* shall be deemed to have waived irrevocably any right to appeal against, to seek review of, or otherwise to challenge any decision made by a *Hearing Panel* or a *CAS* panel under these *Rules*.

16.5 Statute of Limitations

No anti-doping rule violation or violation of Article 10.10.1 proceeding may be commenced under these *Rules* against an *Athlete* or other *Person* unless they have been notified of the anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

17 ARTICLE 17 EDUCATION

Within its scope of responsibility, *Sport Ireland* shall plan, implement, monitor and evaluate *Education* programmes in line with the requirements of Article 18 of the *Code* and the *International Standard* for *Education*.

Sport Ireland shall ensure that its *Education* programme raises awareness, provides accurate information, enhances decision-making capability, and develops clean sport behaviours in line with the spirit of sport and to be in compliance with the *Code.*

Sport Ireland shall ensure that its *Education* programme is progressive and in line with the main stages of the *Athlete* pathway, underpinned by a clear curriculum that includes (at a minimum) all topics as listed in the *International Standard* for *Education*. Such topics and content should be adapted in line with the *Athlete* pathway.

18 ARTICLE 18 MODIFICATION AND INTERPRETATION

18.1 Modification

18.1.1 *Sport Ireland* shall be responsible for overseeing the evolution and improvement of these *Rules*. *Athletes* and *National Governing Bodies* shall be invited to participate in such process.

18.1.2 Amendments to these *Rules* shall be approved by *Sport Ireland*. Amendments shall come into effect on such date as may be determined by *Sport Ireland*.

18.1.3 Amendments by *WADA* to the *Code*, the *Prohibited List* and any *International Standard* shall come into effect automatically in the manner set out in the *Code*.

18.1.4 Amendments shall be binding on all *Athletes* and other *Persons* without further formality and they shall be deemed to accept the amendments as binding upon them.

18.2 Interpretation

18.2.1 Nothing in these *Rules* shall be interpreted as limiting the rights, functions and obligations of *Sport Ireland* as a *Signatory* nor preventing *Sport Ireland* from

undertaking *Doping Control*, investigations, *Results Management* and/or any other anti-doping activity in accordance with any right or obligation arising under the *Code* and/or in discharge of its statutory functions and/or in accordance with any agreement or arrangement with any other *Anti-Doping Organisation* or other *Signatory*.

18.2.2 The official text of the *Code* shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions of the *Code*, the English version of the *Code* shall prevail. Similarly, in the event of any conflict between these *Rules* and the *Code* or the *International Standards* (including their comments), the *Code* or *International Standard(s)*, as applicable, shall prevail.

18.2.3 The comments annotating various provisions of the *Code*, including any *Code* comments not expressly incorporated in these *Rules*, shall be used to interpret the *Code* and these *Rules.*

18.2.4 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.

18.2.5 The headings used for the various Articles, Parts and Appendices of the *Code* and these *Rules* are for convenience only and save for Article 2 shall not be deemed part of the substance of the *Code* or these *Rules* or to affect in any way the language of the provisions to which they refer.

18.2.6 These *Rules* have been adopted pursuant to the applicable provisions of the *Code* and the *International Standards* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code* and the *International Standards*. The *Code* and the *International Standards*, including their comments, shall be considered integral parts of these *Rules* and shall prevail in case of conflict.

18.2.7 Where the term “days” is used in the *Code* or an *International Standard*, it shall mean calendar days unless otherwise specified.

18.2.8 Where the term “shall" is used in the *Code* or an *International Standard*, it means a mandatory obligation that must be adhered to, where the term "should" is used in the *Code* or an *International Standard*, it means something is considered a best practice or is encouraged to be followed but is not mandatory.

18.2.9 Save where otherwise indicated, references to Articles and the Appendix are references to the articles of, and Appendix I 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 I Definitions.

18.2.10 The Purpose, Scope and Organisation of the World Anti-Doping Programme and the *Code* and Appendix I - Definitions shall be considered integral parts of the *Code*.

18.2.11 The Introduction to these *Rules*, the *Rules* and the Appendix to these *Rules* shall be considered integral parts of these *Rules*.

18.2.12 The *Code* shall not apply retroactively to matters pending before the date the *Code* is accepted by a *Signatory* and implemented in its rules. However, pre-*Code* anti-doping rule violations would continue to count as "first violations" or "second

violations" for purposes of determining sanctions under Article 10 for subsequent post-*Code* violations.

19 ARTICLE 19 COMMENCEMENT AND TRANSITION

19.1 Commencement

These *Rules* shall come into full force and effect on 1 January 2027.

19.2 Application to Cases

Any anti-doping rule violation case pending as of 1 January 2027 or brought after 1 January 2027 based on an anti-doping rule violation which occurred prior to 1 January 2027 shall be governed by the substantive rules in force at the time the alleged anti-doping rule violation occurred, and not by the substantive rules set out in these *Rules*, unless the *Hearing Panel* or *CAS* panel hearing the case determines that the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for the purposes of multiple violations under Article 10.8.4 and the statute of limitations set forth in Article 16.5 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in the 2027 *Code* (provided, however, that Article 16.5 shall only be applied retroactively if the statute of limitation period has not already expired by 1 January 2027).

19.3 Application to Decisions

With respect to cases where a final decision finding an anti-doping rule violation or violation of Article 10.10.1 has been rendered prior to 1 January 2027, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of 1 January 2027, the *Athlete* or other *Person* may apply to *Sport Ireland* (if it had *Results Management* authority) to consider a reduction in the period of *Ineligibility* in light of the provisions of these *Rules*. Such application shall be made before the period of *Ineligibility* has expired. The decision rendered by *Sport Ireland* may be appealed pursuant to Article 13. The provisions of these *Rules* shall have no application to any anti-doping rule violation or violation of Article 10.10.1 case where a final decision finding an anti-doping rule violation or violation of Article 10.10.1 has been rendered and the period of *Ineligibility* has expired.

19.4 Application to Multiple Violations

Subject to Article 10.9.4 of the *Code*, alleged anti-doping rule violations committed prior to 1 January 2027 whether under predecessor versions of these *Rules* and/or other relevant rules, count as prior violations for purposes of determining sanctions under Article 10. For purposes of assessing the period of *Ineligibility* for a second violation under Article 10.8.1, where the sanction for the first violation was determined based on the pre 2027 *Code* or *Rules*, the period of *Ineligibility* which would have been assessed for that first violation had the 2027 *Code* been applicable, shall be applied.

19.5 Application to Whereabouts Failures

Any *Whereabouts Failure* that occurred prior to 1 January 2027 may be relied upon, prior to expiry, in accordance with the *International Standard* for *Results Management*, but it shall be deemed to have expired (for purposes of Article 2.4) twelve months after the date of its occurrence.

19.6 Changes to *Prohibited List*

Changes to the *Prohibited List* and *Technical Documents* relating to substances or methods on the *Prohibited List* shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a *Prohibited Substance* or *Prohibited Method* has been removed from the *Prohibited List*, an *Athlete* or other *Person* currently serving a period of *Ineligibility* on account of the formerly *Prohibited Substance* or *Prohibited Method* may apply to *Sport Ireland* or other *Anti-Doping Organisation* which had *Results Management* authority for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of the removal of the substance or method from the *Prohibited List*.

20 ARTICLE 20 MISCELLANEOUS

20.1 Time Periods

Unless otherwise specified, time periods in these *Rules* are total consecutive calendar 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 is 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*, *Sport Ireland* or the *Irish Sport Anti-Doping Disciplinary Panel* or any of their respective members, the Registrar of the *Irish Sport Anti-Doping Disciplinary Panel*, directors, officers, employees, agents, representatives and other *Persons* involved in the implementation of these *Rules* shall be liable to any *Person* in any way, in relation to acts done in good faith or omitted to be done in good faith in connection with these *Rules*.

20.4 Severability

If any part of these Rules is held invalid, unenforceable or illegal for any reason, these *Rules* shall remain otherwise in full force apart from such part 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 they 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 *Athlete* or other *Person* to whom these *Rules* are being applied.

APPENDIX I - DEFINITIONS[120]

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

Act: Sport Ireland Act 2015, as may be amended from time to time.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method 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 or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the *International Standard* for Laboratories, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

Adverse Passport Finding: A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

Aggravating Circumstances: Circumstances involving, or actions by, an *Athlete* or other *Person* which may justify the imposition of a period of *Ineligibility* greater than the otherwise applicable sanction. Such circumstances and actions shall include, but are not limited to: the *Athlete* or other *Person Used* or *Possessed* multiple *Prohibited Substances* or *Prohibited Methods*, *Used* or *Possessed* a *Prohibited Substance* or *Prohibited Method* on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of *Ineligibility*; the anti-doping rule violation was committed as part of a sophisticated doping scheme or plan; the *Athlete* or *Person* engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of *Ineligibility*.

Anti-Doping Activities: Anti-doping *Education* and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organising analysis of *Samples*, gathering of intelligence and conduct of investigations, processing of *Therapeutic Use Exemption* applications, *Results Management*, monitoring and enforcing compliance with any *Consequences* imposed, and all other activities related to anti-doping to be carried out by or behalf of an *Anti-Doping Organisation,* as set out in the *Code* and/or the *International Standards.*

Anti-Doping Organisation: WADA or a *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes for example the International Olympic Committee, the International Paralympic Committee, other *Major Event Organisations* that conduct *Testing* at their *Event*s, *International Federations*, and *National Anti-Doping Organisations*.

[120] Defined terms shall include their plural and possessive forms, as well as those terms used as other parts of speech.

***Athlete*:** Any *Person* who competes in sport at the international level (as defined by each *International Federation*) or the national level (as defined by each *National Anti-Doping Organisation*). An *Anti-Doping Organisation* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of "*Athlete*". In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organisation* may elect to: conduct limited *Testing* or no *Testing* at all; analyse *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *Therapeutic Use Exemptions*[121]. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organisation* has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the *Code* shall be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and *Education*, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organisation accepting the *Code* is an *Athlete*. [122]

***Athlete Biological Passport*:** The programme and methods of gathering and collating data as described in the *International Standard* for *Testing* and *International Standard* for Laboratories.

***Athlete Support Personnel/Athlete Support Person*:** Any coach, trainer, manager, agent, team staff, official, 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 WADA-accredited laboratory or other WADA-approved laboratory that requires further investigation as provided by the applicable *International Standards* (including related *Technical Documents or Technical Letters*), *or as directed by WADA,* prior to the final determination about the finding (i.e. the establishing, or not, of an anti-doping rule violation).

***Atypical Passport Finding*:** A report described as an *Atypical Passport Finding* as described in the applicable *International Standards*.

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

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

***Competition*:** A single race, match, game or singular sport contest. For stage races and other sport contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable *International*

[121] For the avoidance of doubt, an *Anti-Doping Organisation* may not adopt different rules for such *Athletes* (including with respect to *Therapeutic Use Exemptions*) except with respect to the matters explicitly referenced above or as expressly allowed by an *International Standard.*

[122] Individuals who participate in sport may fall in one of five categories: 1) *International-Level Athlete*, 2) *National-Level Athlete*, 3) individuals who are not *International- or National-Level Athletes* but over whom the *International Federation* or *National Anti-Doping Organisation* has chosen to exercise authority, 4) *Recreational Athlete*, and 5) individuals over whom no *International Federation* or *National Anti-Doping Organisation* has, or has chosen to, exercise authority. All *International- and National-Level Athletes* are subject to the anti-doping rules of the *Code*, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the *International Federations* and *National Anti-Doping Organisations*.

Federation.

Consequences of Anti-Doping Rule Violations ("Consequences"): An *Athlete's* or other *Person's* 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, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.10; (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; (e) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with these *Rules.* Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

Contaminated Source: An unforeseeable source of a *Prohibited Substance,* such as: using or taking a medication or supplement that contains a *Prohibited Substance* that is not disclosed on the product label or in information accessible by a reasonable artificial intelligence or comparable search; consumption of a food or drink, such as contaminated meat or liquid, that contains a *Prohibited Substance* with no advance warning, disclosure or other basis to suspect that it may contain a *Prohibited* Substance; exposure to a *Prohibited Substance* through the *Athlete's* direct physical contact with a third person or physical contact with objects touched or handled by the third person.

***Decision Limit*:** The value above which a quantitative analytical result for a Threshold Substance in a *Sample*, shall be reported as an *Adverse Analytical Finding.*[123]

Delegated Third Party: Any *Person* to which *Sport Ireland* delegates any aspect of *Doping Control* or anti-doping *Education* programmes including, but not limited to, third parties or other *Anti-Doping Organisations* that conduct *Sample* collection or other *Doping Control* services or anti-doping *Educational* programmes for *Sport Ireland*, or individuals serving as independent contractors who perform *Doping Control* services for Sport Ireland (e.g. non-employee *Doping Control* officers or chaperones). This definition does not include *CAS*.

Disciplinary Procedures: The procedures of the *Irish Sport Anti-Doping Disciplinary Panel* made under section 42(2) of the *Act,* as may be amended from time to time.

Disqualification: See *Consequences* above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts, *Therapeutic Use Exemptions*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of Article 10.10 (Status during *Ineligibility* or *Provisional Suspension)*.

Education: The process of learning to instill values and develop behaviours that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

Event: A series of individual *Competition*s conducted together under one ruling body (e.g. the

[123] For more information on *Decision Limits* and which *Threshold Substances* they are applied for, refer to the ISL TD DL and other applicable *Technical Documents* (e.g., ISL TD GH, ISL TD CG/LH.)

Olympic Games, World Championships of an *International Federation*, or Pan American Games).

Event Period: The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*.

Event Venues: Those venues so designated by the ruling body for the *Event.*

Fault: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete's* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Protected Person or Minor*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered shall be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behaviour. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility,* or the fact that the *Athlete* only has a short time left in their career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.5.[124]

Filing Failure: A failure by the *Athlete* (or by a third party to whom the *Athlete* has delegated this task) (1) to make an accurate and complete *Whereabouts Filing* that enables the *Athlete* to be located for *Testing* at the times and locations set out in the *Whereabouts Filing* or (2) to update that *Whereabouts Filing* where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.10.6 of the *International Standard* for *Testing* and Annex B.2 of the *International Standard* for *Results Management*.

Financial Consequences of Anti-Doping Rule Violations: See *Consequences* above.

Hearing Panel: The panel whose members are drawn from the Irish Sport Anti-Doping Disciplinary Panel appointed to hear and determine a case and includes, where applicable, a single arbitrator appointed to hear and determine a case.

In-Competition: The period commencing at 11:59 p.m. on the day 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.* Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an *International Federation* provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organisations* for that particular sport.[125]

Independent Review Expert: The role of the *Independent Review Expert* is to review those rare cases where, as described in Article 7.8.1, *Sport Ireland* has decided not to proceed with the normal *Results Management* process. Two individuals will be appointed to undertake the *Independent Review Expert* responsibilities described in Article 7.8 – a Primary *Independent Review Expert* and a Backup *Independent Review Expert* who will serve in the event the Primary

[124] The criteria for assessing an *Athlete's* degree of *Fault* is the same under all Articles where *Fault* is to be considered. However, under Article 10.5, no reduction of sanction is appropriate unless, when the degree of *Fault* is assessed, the conclusion is that *No Significant Fault or Negligence* on the part of the *Athlete* or other *Person* was involved.

[125] Having a universally accepted definition for *In-Competition* provides greater harmonisation among *Athletes* across all sports, eliminates or reduces confusion among *Athletes* about the relevant timeframe for *In-Competition Testing*, avoids inadvertent *Adverse Analytical Findings* in between *Competitions* during an *Event* and assists in preventing any potential performance enhancement benefits from substances prohibited *Out-of-Competition* being carried over to the *Competition* period

Independent Review Expert is not available to promptly review a case or has a conflict of interest. The Primary and Backup *Independent Review Experts* shall be legal experts having extensive experience with anti-doping *Results Management* and with an established reputation of integrity and fairness. Stakeholders will be invited to submit, or encourage individuals to submit, *Independent Review Expert* applications to *WADA*'s Independent Nominations Committee. That Committee will nominate at least two individuals which it believes are qualified to serve as the Primary *Independent Review Expert* or Backup *Independent Review Expert*. The Primary and Backup *Independent Review Experts* will then be selected by the *WADA* Executive Committee to serve under terms of reference which will address compensation, length of service term and other details of the engagement.

***Individual Sport*:** Any sport that is not a *Team Sport*.

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

Institutional Independence: In addition to the requirements of *Operational Independence, hearing* panels on appeal shall be fully independent institutionally from the *Anti-Doping Organisation* responsible for *Results Management as well as from any national sports governing body or other national sports organisation*. They shall therefore not in any way be administered by, connected or subject to the *Anti-Doping Organisation* responsible for *Results Management*, or any national sports governing body or other national sports organisation.

***International Event*:** An *Event* or *Competition* 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 the world level.

***International-Level Athlete*:** An *Athlete* who competes in sport at an international level, as defined by each *International Federation* consistent with the *International Standard* for *Testing*.[126]

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

***Irish Sport Anti-Doping Disciplinary Panel*:** The panel appointed by *Sport Ireland* pursuant to Article 8 to hear and determine all issues referred to it including cases of alleged anti-doping rule violations or violations of Article 10.10.1 under these *Rules*.

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

[126] Consistent with the *International Standard* for *Testing*, the *International Federation* is free to determine the criteria it will use to classify *Athletes* as *International-Level Athletes*, e.g., by ranking, by participation in particular *International Events*, or by type of licence within a specified prior time window, etc. However, it shall publish those criteria in clear and concise form, so that *Athletes* are able to ascertain quickly and easily when they will become classified as *International-Level Athletes*. For example, if the criteria include participation in certain *International Events*, then the *International Federation* shall publish a list of those *International Events* and the retrospective time period which applies.

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

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

***Minimum Reporting Level*:** Value below which an estimated analytical result for some Non-Threshold Substances should not be reported as an *Adverse Analytical Finding*.[127]

***Minor*:** A natural *Person* under the age of eighteen (18).[128]

Monitoring Programme: Laboratory Analytical *Testing* programme including substances or methods that are not in the *Prohibited List*, but that *WADA* wishes to monitor in order to detect potential patterns of misuse in sport.

***Missed Test*:** A failure by the *Athlete* to be available and accessible for *Testing* for the entire 60-minute slot at the specific location specified in their *Whereabouts Filing* for the day in question, in accordance with Article 4.10.6 of the *International Standard* for *Testing* and Annex B.2 of the *International Standard* for *Results Management*.

***National Anti-Doping Organisation*:** The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, manage test results and conduct *Results Management*, at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee. For the purposes of these *Rules Sport Ireland* is the designated entity.

***National Anti-Doping Organisation Operational Independence*:** This means that (1) a *National Anti-Doping Organisation* shall establish sufficient legal, organisational, procedural, and/or contractual safeguards in order to prevent any undue influence, interference, or involvement in its management or operational activities to ensure the independent implementation of its anti-doping programme; and (2) a *National Anti-Doping Organisation* shall ensure that no *Person* is involved in its management or operational activities if such *Person* has a real or potential conflict of interest regarding the implementation of its operational activities; without limitation this would occur in circumstances where a *Person* is concurrently involved in the management or operational activities of the *National Anti-Doping Organisation* and the management or operational activities of a national sports governing body or other national sports organisation or government department with responsibility for sport or anti-doping.[129]

***National Event*:** An *Event* or *Competition* involving predominantly *International-Level* or *National-Level Athletes* that is not an *International Event*.

***National Governing Body*:** An organisation receiving financial and/or other assistance from the Government of Ireland and/or *Sport Ireland* and/or which is recognised by *Sport Ireland* as a *National Governing Body* for a sport in Ireland or part thereof.

***National-Level Athlete*:** *Athletes* who compete in sport at the national level, as defined by each *National Anti-Doping Organisation,* consistent with the *International Standard* for *Testing*. *Sport*

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[127] For more information on *Minimum Reporting Levels* and the Non-Threshold Substances to which they shall be applied, refer to the ISL TD MRPL.

[128] For context, see Comment to *Protected Person*. Any circumstance where a *Minor* is to be treated differently than other *Persons* or *Athletes* has been specifically identified in the *Code*. It should not be assumed that different treatment was intended where it is not specifically expressed.

[129] A *National Anti-Doping Organisation's* operational activities include the implementation of day-to-day administration and decision-making regarding staff and budget allocation, and the *Doping Control* process.

Ireland shall publish in a conspicuous place on its website the definition of *National-Level Athlete* so that *Athletes* are able to ascertain quickly and easily when they will become classified (or will no longer be classified) as a *National-Level Athlete*.[130]

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

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

***No Fault or Negligence*:** The *Athlete's* or other *Person's* establishing that they did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that they had *Use*d or been administered the *Prohibited Substance* or *Prohibited Method*, or otherwise violated an anti-doping rule. Except in the case of a *Protected Person* or *Recreational Athlete*, in order to establish *No Fault or Negligence* for any violation of Article 2.1, the *Athlete* shall also establish how the *Prohibited Substance* entered the *Athlete's* system.

***No Significant Fault or Negligence*:** The *Athlete's* or other *Person's* establishing that any *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. Except in the case of a *Protected Person* or *Recreational Athlete*, in order to establish *No Significant Fault or Negligence* for any violation of Article 2.1, the *Athlete* shall also establish how the *Prohibited Substance* entered the *Athlete's* system.

***Operational Independence*:** This means that (1) board members, staff members, commission members, consultants and officials of *Sport Ireland* or its affiliates (e.g. member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of the *Hearing Panel* and (2) the *Hearing Panel* shall be in a position to conduct the hearing and decision-making process without interference from *Sport Ireland* or any third party. The objective is to ensure that members of the *Hearing Panel* or individuals otherwise involved in the decision of the *Hearing Panel*, are not involved in the investigation of, or decisions to proceed with, the case. In addition, hearings shall not be conducted (whether by delegation or otherwise) by *Persons* appointed by, or under the authority of, *National Governing Bodies* or other national sports organisations.[131]

***Out-of-Competition*:** Any period which is not *In-Competition*.

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

***Person*:** A natural *Person* or an organisation or other entity.

***Possession*:** The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited*

[130] Each *National Anti-Doping Organisation* shall publish its definition (with supporting criteria, if any) of *National-Level Athlete* in a manner sufficient to provide guidance to *Athletes* in ascertaining whether an *Athlete* is a *National-Level Athlete*.

[131] Further description of the requirements for service on hearing panels, with examples, may be provided by *WADA* in the Guidelines for the *International Standard* for *Results Management*.

Method exists); provided, however, that if the *Person* 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 *Person* 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 *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organisation*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.[132]

***Prohibited List*:** The Prohibited List published as an *International Standard* by *WADA* identifying the *Prohibited Substances* and *Prohibited Methods*.

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

***Prohibited Substance*:** Any substance, or class of substances, so described in the *Prohibited List*.

***Protected Person*:** An *Athlete* or other natural *Person* who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen years; (ii) has not reached the age of eighteen years and is not included in any *Registered Testing Pool* and has never competed in any *International Event* in an open category; or (iii) for reasons other than age has been determined to lack legal capacity under applicable national legislation.[133]

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

***Public Disclosure/Publicly Disclose*:** See *Consequences of Anti-Doping Rule Violations* above.

***Quality Assurance*:** Processes aimed at maintaining and improving the quality of Analytical Testing Procedures (as further defined in the *International Standard* for Laboratories), i.e., quality control, quality improvement, method development and validation, generation and evaluation of reference population data, analysis of substances included in the *WADA Monitoring Programme* as described in *Code* Article 4.5, and any other legitimate *Quality Assurance* process, as determined by *WADA*, aimed at monitoring the validity of Analytical

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[132] Under this definition, anabolic steroids found in an *Athlete*'*s* car would constitute a violation unless the *Athlete* establishes that someone else used the car; in that event, the *Anti-Doping Organisation* shall establish that, even though the *Athlete* did not have exclusive control over the car, the *Athlete* knew about the anabolic steroids and intended to have control over them. Similarly, in the example of anabolic steroids found in a home medicine cabinet under the joint control of an *Athlete* and spouse, the *Anti-Doping Organisation* shall establish that the *Athlete* knew the anabolic steroids were in the cabinet and that the *Athlete* intended to exercise control over them. The act of purchasing a *Prohibited Substance* alone constitutes *Possession*, even where, for example, the product does not arrive, is received by someone else, or is sent to a third party address.

[133] Not every *Minor* is a *Protected Person*. The *Code* differentiates between different groups of *Minors* based on two criteria: (i) age and (ii) level of sporting performance. Below the age of 16, *Minors* always qualify as *Protected Persons*. It is assumed that they are unable, in principle, to control their behaviour in the same way as adults and therefore need to be given special treatment. Where *Minors* are over 16 (but below 18) years of age, they are assumed to have a higher level of understanding and, depending on their sporting level, better access to anti-doping *Education*. This justifies treating the age group between 16-18 differently from the age group below 16. The term "open category" is meant to exclude competition that is limited to junior or age group categories. *Athletes* with a documented lack of legal capacity due to an intellectual impairment always qualify as *Protected Persons* independently of their age. The purpose of the category of *Protected Person* is to take into account that an *Athlete* or other *Person* may not possess the mental capacity to sufficiently understand and appreciate the prohibitions against conduct contained in the *Code*. The special treatment of *Protected Person* flows from the fact that the central criteria to determine the period of *Ineligibility* is "*Fault*". Those circumstances where a *Protected Person*, *Minor* or *Recreational Athlete* is to be treated differently than other *Persons* or *Athletes* have been specifically identified in the *Code*. It should not be assumed, with respect to *Code* Article 7.4 or any other Article in the *Code*, that different treatment was intended where it is not specifically expressed.

Testing Procedures applied to the analysis of *Prohibited Substances* and *Prohibited Methods* for the purposes established in *Code* Article 6.2.

***Recreational Athlete*:** A natural *Person* as may be defined by *Sport Ireland* from time to time in consultation with each *National Governing Body*; provided, however, the term shall not include any *Person* who, within the five years prior to committing any anti-doping rule violation has, in the same sport, been an *International-Level Athlete* (as defined by each *International Federation* consistent with the *International Standard* for *Testing*) or *National-Level Athlete* (as defined by each *National Anti-Doping Organisation* consistent with the *International Standard* for *Testing*); has participated in the sport in a professional capacity;[134] has competed in an *International Event* or *National Event*; represented any country in an *International Event* in an open category or has been included within any *Registered Testing Pool* or other whereabouts information pool maintained by any *International Federation* or *National Anti-Doping Organisation.*[135]

***Registered Testing Pool*:** The pool of highest-priority *Athletes* established separately at the international level by *International Federations* and at the national level by *National Anti-Doping Organisations* who are subject to at least a minimum level of *Out-of-Competition Testing* as part of that *International Federation's* or *National Anti-Doping Organisation's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.5 of the *Code* and the *International Standard* for *Testing*.

***Results Management*:** The process encompassing the timeframe between notification as per Article 5 of the *International Standard* for *Results Management*, or in certain cases (e.g. *Atypical Finding*, *Athlete Biological Passport*, *Whereabouts Failure*), such pre-notification steps expressly provided for in Article 5 of the *International Standard* for *Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

***Rules*:** The Irish Anti-Doping Rules 2027 which are made by *Sport Ireland* under Section 42 of the Act, as may be amended from time to time by Sport Ireland.

***Sample or Specimen*:** Any biological material collected for the purposes of *Doping Control.*[136]

***Signatories*:** Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23 of the *Code*.

***Specified Method*:** See Article 3.3.

***Specified Substance*:** See Article 3.3.

Sport Ireland: means the body established under section 7(1) of the *Act*.

Strict Liability: The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent*, Fault, Negligence*, or knowing *Use* on the *Athlete's* part be demonstrated by the *Anti-Doping Organisation* in order to establish an anti-doping rule violation.

***Substance of Abuse*:** See Article 3.4.

***Substantial Assistance*:** For the purposes of Article 10.6.3, an *Athlete* or other *Person*

[134] With respect to the term "professional capacity," further guidance may be provided in the *International Standard* for *Results Management* or guidelines.

[135] The term "open category" is meant to exclude competition that is limited to junior or age group categories.

[136] It has sometimes been claimed that the collection of blood *Samples* violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.

providing *Substantial Assistance* shall: (1) fully disclose in a signed written statement or recorded interview all information they possess in relation to anti-doping rule violations, or other proceeding described in Article 10.6.3.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including testifying at a hearing if requested to do so by *Sport Ireland*, the *Irish Sport Anti-Doping Disciplinary Panel*, an *Anti-Doping Organisation* or other hearing panel. Further, the information provided shall remain credible and valuable throughout any subsequent investigation or proceeding.

***Tampering*:** Intentional conduct which subverts the *Doping Control* process. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organisation* or *Therapeutic Use Exemption* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organisation* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control.*[137]

***Target Testing*:** The selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard* for *Testing*.

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

***Technical Document*:** A document adopted and published by *WADA* from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

***Technical Letter*:** Mandatory technical requirements provided by *WADA* from time to time to address particular issues relating to the analysis, interpretation and reporting of specific *Prohibited Substance(s)* and/or *Prohibited Method(s)* or to the application of specific Laboratory or *Athlete Biological Passport* laboratory procedures.

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

***Testing Pool*:** The pool of *Athletes* that the *International Federation* or *National Anti-Doping Organisation* considers to be a lesser priority and from sport/disciplines of lesser risk than those *Athletes* in the *Registered Testing Pool* and who are subject to at least a minimum level of *Out-of-Competition Testing* and required to provide whereabouts information as outlined in the *International Standard* for *Testing*.

Therapeutic Use Exemption : A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to *Use* a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4 and the *International Standard* for *Therapeutic Use Exemptions* are met.

***Trafficking*:** Selling, giving, transporting, sending, delivering or distributing (or *Possessing* for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any

[137] For example, this definition would prohibit altering identification numbers on a *Doping Control* form during *Testing*, breaking the B bottle at the time of B *Sample* analysis, altering a *Sample* by the addition of a foreign substance, or intimidating or *Attempting* to intimidate a potential witness or a witness who has provided testimony or information in the *Doping Control* process. *Tampering* includes misconduct which occurs during the *Results Management* process. See Article 10.8.3.3. However, actions taken as part of a *Person's* legitimate defence to an anti-doping rule violation charge shall not be considered *Tampering*. *Sample* collection personnel should be permitted to carry out their duties in a safe environment without interference or harassment. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* which does not otherwise constitute *Tampering* may, in addition to the relevant provisions of these *Rules,* be addressed in the disciplinary rules of sport organisations.

electronic or other means) by an *Athlete*, an *Athlete Support Person* or any other *Person* subject to the authority of an *Anti-Doping Organisation* to any third party; provided, however, this definition shall not include: (1) the actions of bona fide medical personnel involving a *Prohibited Substance Used* for genuine and legal therapeutic purposes, (2) actions involving one or more *Prohibited Substances* which is/are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substance(s) (a)* is/are not intended for genuine and legal therapeutic purposes or (b) is/are intended to enhance sport performance; or (3) other acceptable justification.[138]

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

***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 current and/or following quarter, in accordance with Article 4.10.6 of the *International Standard* for *Testing*.

***Without Prejudice Agreement*:** For purposes of Articles 10.6.3.1 and 10.7, a written agreement between an *Anti-Doping Organisation* and an *Athlete* or other *Person* that allows the *Athlete* or other *Person* to provide information to the *Anti-Doping Organisation* in a defined time-limited setting with the understanding that, if an agreement for *Substantial Assistance* or a case resolution agreement is not finalised, the information provided by the *Athlete* or other *Person* in this particular setting may not be used by the *Anti-Doping Organisation* against the *Athlete* or the other *Person* in a *Results Management* proceeding under the *Code,* and that the information provided by the *Anti-Doping Organisation* in this particular setting may not be used by the *Athlete* or the other *Person* against the *Anti-Doping Organisation* in any *Results Management* proceeding under the *Code*. Such an agreement shall not preclude the *Anti-Doping Organisation, Athlete* or other *Person* from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.

[138] Acceptable justification would not include, for example, giving, transporting or delivering a *Prohibited Substance* to a friend or relative, except under justifiable medical circumstances where that *Person* had a physician's prescription, e.g., transporting and delivering Insulin to a diabetic child.

APPENDIX II – Disciplinary Proceedings for Failure to Comply or Offensive Conduct

1. Where an *Athlete* or other *Person* (i) refuses or fails without compelling justification to comply with any provision of these *Rules* but such refusal or failure does not fall within any of the anti-doping rule violations defined in Article 2; or (ii) engages in offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* that does not otherwise constitute *Tampering* or *Attempted Tampering* under Article 2.5, the *Athlete* or *other Person* shall not be deemed to have committed an anti-doping rule violation. However, disciplinary proceedings may be brought against the *Athlete* or other *Person* before the *Irish Sport Anti-Doping* Disciplinary *Panel* and they may be *Provisionally Suspended* (or may accept a voluntary suspension) pending the outcome of such proceedings. If after considering the matter the *Irish Sport Anti-Doping* Disciplinary *Panel* finds that there has been a refusal or failure without compelling justification to comply with these *Rules*, or that the *Athlete* or other *Person* has engaged in offensive conduct towards a *Doping Control* official or other Person involved in *Doping Control*, then it will impose such sanctions and subject to such conditions as it sees fit (which may include, without limitation, a period during which the *Athlete* or other *Person* shall not be eligible to participate in sport pursuant to these *Rules* and *Disqualification* of the *Athlete's* results, with all resulting consequences including the forfeiture of titles, awards, medals, points and prize money). The *Athlete* or other *Person* will receive credit for any period of *Provisional Suspension* served provided it has been respected.

2. The *Irish Sport Anti-Doping* Disciplinary *Panel* will ensure that the *Athlete* or other *Person* subject to any proceeding is provided with a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent Hearing Panel*.

3. The *Irish Sport Anti-Doping* Disciplinary *Panel* will have all powers necessary for, and incidental to, the discharge of its responsibilities in any proceeding brought under Appendix II, as further described in the *Disciplinary Procedures.*

4. If the decision of the *Irish Sport Anti-Doping Disciplinary Panel* is that a violation of Rule 1 of Appendix II has been committed, save in exceptional circumstances (for example, where the *Athlete* or other *Person* is a *Minor*), the decision will be *Publicly Disclosed* by *Sport Ireland* no later than twenty days after its issue. If the decision of *Irish Sport Anti-Doping Disciplinary Panel* is that the *Athlete* or other *Person* has not committed a violation of Rule 1 of Appendix II, the decision may only be *Publicly Disclosed* by *Sport Ireland* with the consent of the *Athlete* or other *Person* who is the subject of the decision, however *Sport Ireland* may *Publicly Disclose* the fact that the charge has been dismissed.

   Decisions made by the *Irish Sport Anti-Doping Disciplinary Panel* under this Appendix II above may be appealed exclusively to the *CAS* Appeals Division by any party to the proceedings. The time to file an appeal to the *CAS* will be thirty (30) days from the date of first receipt of the reasoned decision by the appealing party. Except for *WADA*, where the appellant is a party other than *Sport Ireland*, to be a valid filing under this Rule 5 of Appendix II, a copy of the appeal must be filed on the same day with *Sport Ireland*. The decision being appealed will remain in full force and effect pending determination of the appeal unless *CAS* orders otherwise. The appeal procedure will be governed by the *CAS* Code of Sports-related Arbitration, the applicable rules shall be these *Rules* and the language of the proceedings will be English. The final decision of CAS will not be subject to any appeal, save to the Swiss Federal Tribunal, and all parties waive irrevocably any rights they might otherwise have to any form of review or other challenge in respect of such decision.

If the decision of *CAS* is that a violation of Rule 1 of Appendix II has been committed, save in exceptional circumstances (for example, where the *Athlete* or other *Person* is a *Protected Person*), the decision will be *Publicly Disclosed* by *Sport Ireland* no later than twenty days after its issue. If the decision of *CAS* is that the *Athlete* or other *Person* has not committed a violation of Rule 1 of Appendix II, the decision may only be *Publicly Disclosed* by *Sport Ireland* with the consent of the *Athlete* or other *Person* who is the subject of the decision, however *Sport Ireland* may *Publicly Disclose* the fact that the appeal has been dismissed.