

AUSTRALIAN SPORT AVIATION CONFEDERATION

**ANTI-DOPING RULES
AND PROCEDURES**

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ASAC ANTI-DOPING RULES AND PROCEDURES

INTRODUCTION

PREFACE

At the 96th FAI General Conference in Krakow, Poland, FAI accepted the *World Anti-Doping Code*. These ASAC Anti-Doping Rules and Procedures reflect FAI's Anti-Doping Rules and Procedures, and are designed to implement ASAC's responsibilities under this code, and to reflect ASAC's determination to ensure that there is no doping in air sports.

Anti-Doping Rules, like *Competition* rules, govern the conditions under which sport is pursued. *Athletes* accept these rules as a condition of participation. Anti-Doping Rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and standards set forth in the *World Anti-Doping Code* and implemented in these Anti-Doping Rules and Procedures represent the consensus of a broad spectrum of opinion of those interested in fair sport, and are likely to be respected by all courts and adjudicating bodies.

The use of italics in these Rules and Procedures (for example; "*Athlete*") indicates that the word or phrase concerned is defined in Appendix 1. Readers are invited to consult this important Appendix before reading the document itself, and to become familiar with the definitions shown there, especially with the meaning of terms such as "athlete", which here embraces pilots, parachutists and aeromodellers.

Fundamental Rationale for the World Anti-Doping Code and ASAC's Anti-Doping Rules and Procedures

Anti-Doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is sometimes referred to as " the spirit of sport". This spirit of sport is characterized by such positive elements as:

- Ethics, fair play and honesty
- Respect for rules and laws
- Respect for self and other participants
- Teamwork
- Dedication and commitment
- Courage
- Community and solidarity
- Health
- Excellence in performance
- Character and education
- Excitement and pleasure

Doping is fundamentally contrary to the spirit of sport.

Scope

This document consists essentially of text provided by the World Anti-Doping Agency (WADA) and FAI, and is based on the requirements set out in the *World Anti-Doping Code*. In the interests of standardization across all sports and ease of future amendment, WADA terminology has been retained even where this is slightly at variance with traditional FAI or ASAC usage.

It is not the intention of ASAC, FAI, nor WADA, to prohibit the intake of any substance essential for the maintenance of an *athlete's* health and well-being in the air, and thus for flight safety. In particular, the carriage and use of supplemental oxygen in accordance with the recommendation of the International Civil Aviation Organisation (ICAO) does **not** constitute a violation of any ASAC anti-doping rule.

These Anti-Doping Rules and Procedures shall apply to each *athlete* who participates in the activities of FAI, ASAC or any of its *members* by virtue of the *athlete's* membership, accreditation, or participation in FAI, ASAC or their activities or *events*.

ASAC is responsible for ensuring that all national-level *Testing* of its *Athletes* complies with these Anti-Doping Rules and Procedures. *Doping Control* responsibilities of ASAC have been delegated to the *Australian Sports Drug Agency (ASDA)* the national agency for sports drug control.

These Anti-Doping Rules and Procedures shall apply to all *Doping Controls* over which ASAC has jurisdiction.

ASAC and Event Organizers require all *Participants* to sign an Acknowledgment and Agreement regarding doping in accordance with the format shown at Appendix 2.

ARTICLE 1 DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of these Anti-Doping Rules and Procedures.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

The following constitute anti-doping rule violations:

2.1 The presence of a *Prohibited Substance* or its Metabolites or Markers in an *Athlete's* bodily Specimen

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

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

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

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

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

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

2.4 Violation of the requirements regarding *Athlete* availability for *Out-of-Competition Testing* including failure to provide required whereabouts information set forth in Article 5.5 (*Athlete* whereabouts requirements) and missed tests which are declared based on reasonable rules.

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

2.6 Possession of Prohibited Substances and Methods

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

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

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

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

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

ASAC shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether ASAC has established an anti-doping rule violation to the comfortable satisfaction of the hearing body bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

3.2 Methods of Establishing Facts and Presumptions

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

3.2.1 WADA-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for laboratory analysis. The *Athlete* may rebut this presumption by establishing that a departure from the *International Standard* occurred.

If the *Athlete* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred, then ASAC shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

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

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

These Anti-Doping Rules and Procedures incorporate the *Prohibited List*, which is established and revised by WADA as described in Article 4.1 of the *World Anti-Doping Code*. The *Prohibited List* in force is available on WADA's website at: <http://www.wada-ama.org>.

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

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules and Procedures three months after publication of the *Prohibited List* by WADA without requiring any further action by ASAC.

4.3 Criteria for Including Substances and Methods on the *Prohibited List*

As provided in Article 4.4.3 of the *World Anti-Doping Code*, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* shall be final and shall not be subject to challenge by an *Athlete* or other *Person*.

4.4 Therapeutic Use

4.4.1 *Athletes* with a documented medical condition requiring the use of a *Prohibited Substance* or a *prohibited Method* must first obtain a Therapeutic Use Exemption ("*TUE*").

4.4.2 *Athletes* included by FAI in its *Registered Testing Pool* and other *Athletes* prior to their participation in any *International Event* must obtain a *TUE* from FAI (regardless of whether the *Athlete* previously has received a *TUE* at the national level). *TUE*'s granted by

FAI shall be reported to ASAC and to WADA. Other *Athletes* subject to *Testing* may obtain a *TUE* from ASDMAC, the body designated by ASDA. ASDMAC will promptly report any such *TUE*'s to ASAC.

4.4.3 ASAC appoints ASDMAC to consider requests for *TUE*'s and will abide by ASDMAC's decisions. Upon receipt of a *TUE* request, ASDMAC shall evaluate such request in accordance with the *International Standard* for Therapeutic Use Exemptions and render a decision. ASDMAC will inform the *Athlete*, and ASAC of its decision. Where it approves the request, ASDMAC will stipulate the period that the *TUE* is valid. If the request is rejected ASDMAC will inform only the *Athlete* of its decision.

4.4.3.1 *International-Level Athletes* who are included in the FAI's *Registered Testing Pool*, should apply to FAI for the *TUE* at the same time the *Athlete* first provides whereabouts information to the FAI and, except in emergency situations, no later than 21 days before the *Athlete*'s participation at an *International Event*.

4.4.3.2 *Athletes* participating in *International Events* who are not included in the FAI *Registered Testing Pool* must, except in emergency situations, ensure that any *TUE* obtained from ASDMAC is received by FAI no later than 21 days before the *Athlete*'s participation at an *International Event*.

4.4.3.3 *Abbreviated Therapeutic Use Exemption (ATUE)*. Some substances used to treat medical conditions frequently encountered in the athlete population are prohibited e.g. Beta-2 Agonists and Glucocorticosteroids administered via non-systemic routes. Legitimate use of these substances is supported by the *ATUE* process. *ATUE* forms can be obtained from ASAC or the ASDA website: www.asda.org.au. ASAC is the approving authority for *ATUEs*, and will inform ASDA, FAI and WADA. *ATUEs* are valid for a maximum period of two years from date of issues.

4.4.4 WADA, at the request of an *Athlete* or on its own initiation, may review the granting or denial of any *TUE* to an *International Level Athlete* or a national level *Athlete* that is included in a *Registered Testing Pool*. If WADA determines that the granting or denial of a *TUE* did not comply with the *International Standard* for Therapeutic Use Exemption in force at the time, WADA may reverse that decision. Decisions on *TUE*'s are subject to further appeal as provided in Article 13.

ARTICLE 5 *TESTING*

5.1 **Authority to Test**

All *Athletes* affiliated with ASAC shall be subject to *In-Competition Testing* by ASAC and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate.

5.2 **Responsibility for ASAC Testing**

The ASAC Executive shall be responsible for all *Testing*. *Testing* will be conducted by the Australian Sports Drug Testing Laboratory (ADSTL) or by other qualified laboratories so authorized by WADA.

5.3 **Testing Standards**

Any *Testing* conducted shall be in substantial conformity with the *International Standard* for *Testing* in force at the time of *Testing*.

5.4 **Coordination of Testing**

ASAC shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in *Testing*.

5.5 **Athlete Whereabouts Requirements**

5.5.1 FAI shall identify a *Registered Testing Pool* of those *Athletes* who are required to provide up-to-date whereabouts information to FAI. FAI may revise its *Registered Testing Pool* from time to time as appropriate. Each *Athlete* in the *Registered Testing Pool* shall file reports with FAI which specify on a daily basis the locations and times where the *Athlete* will be residing, training and competing. *Athletes* shall update this information as necessary so that it is current at all times. The ultimate responsibility for providing whereabouts information rests with each *Athlete*; however, it shall be the responsibility of ASAC to use its best efforts to assist FAI in obtaining whereabouts information as requested by FAI.

5.5.2 Whereabouts information provided pursuant to Article 5.5.1 shall be shared with WADA and other *Anti-Doping Organizations* having jurisdiction to test an *Athlete* on the strict condition that it be used only for *Doping Control* purposes.

5.6 **Retirement and Return to Competition**

5.6.1 An *Athlete* who has been identified by FAI for inclusion in FAI's *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules and Procedures, including the obligation to be

available for *No Advance Notice Out-of-Competition Testing*, unless and until the *Athlete* gives written notice to FAI that he or she has retired or until he or she no longer satisfies the criteria for inclusion in the FAI's *Registered Testing Pool* and has been so informed by FAI.

5.6.2 An *Athlete* who has given notice of retirement to FAI may not resume competing unless he or she notifies FAI at least six months before he or she expects to return to competition and is available for unannounced *Out-of-Competition Testing* at any time during the period before actual return to competition.

5.7 Selection of *Athlete* to be Tested

5.7.1 At *International Events*, the appropriate FAI Air Sport Commission, advised by the FAI Medico-Physiological Commission, shall determine the number of tests to be performed. It shall target a certain number of athletes not necessarily linked to final placements in order to maximize the diversity of athletes tested or based on information provided by the WADA Clearinghouse on previous tests.

5.7.2 At *National Events*, ASAC, advised by its members, shall determine the number of tests to be performed. *Athletes* may be randomly selected.

5.7.3 *Athletes* may be selected for *Out-of-Competition Testing* by ASAC through a process that substantially complies with the *International Standard for Testing* in force at the time of selection.

ARTICLE 6 ANALYSIS OF SAMPLES

Doping Control Samples collected under these Anti-Doping Rules and Procedures shall be analysed in accordance with the following principles:

6.1 Use of Approved Laboratories

ASAC shall send *Doping Control Samples* for analysis only to ASDTL.

6.2 Substances Subject to Detection

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

6.3 Research on Samples

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

6.3 Standards for *Sample* Analysis and Reporting

Laboratories shall analyse *Doping Control Samples* and report results in conformity with the *International Standard* for Laboratory Analysis.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for *Tests* Initiated by ASAC

Results management for *Tests* initiated by ASAC (including *Test* performed by ASDTL pursuant to agreement with ASAC) shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to ASAC in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential.

7.1.2 Upon receipt of an *A Sample Adverse Analytical Finding*, the ASAC Independent Doping Review Panel shall conduct a review to determine whether (a) an applicable therapeutic use exemption has been granted, or (b) there is any apparent departure from the *International Standards* for *Testing* or Laboratory Analysis that undermines the validity of the *Adverse Analytical Finding*.

7.1.2.1 The ASAC Executive shall appoint an Independent Doping Review Panel consisting of a Chair and 3 other members, preferably with experience in anti-doping. The members of this panel shall be bound by the provisions of the ASAC Code of Ethics. In each case the Chair of the panel shall appoint 1 or more members of the panel (which may include the Chair) to conduct the review described in Article 7 and review any other potential violations of these Anti-Doping Rules and Procedures as may be requested by ASAC.

7.1.3 If the initial review under Article 7.1.2 does not reveal an applicable therapeutic use exemption or departure from the *International Standard* for *Testing* or the *International Standard* for laboratory analysis in force at the time of *Testing* or analysis that undermines the validity of the *Adverse Analytical Finding*, ASAC shall promptly notify the *Athlete* of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated, or, in a case under Articles 7.1.8 or 7.1.9, a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation; (c) the *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived; (d) the right of the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis if such analysis is requested; and (e) the *Athlete's* right to request copies of the *A* and *B Sample* laboratory

documentation package which includes information as required by the *International Standard* for Laboratory Analysis.

7.1.4 Arrangements shall be made for *Testing* the B *Sample* within three weeks of the notification described in Article 7.1.3. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. ASAC may nonetheless elect to proceed with the B *Sample* analysis.

7.1.5 The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample*. As well, a representative of ASAC shall be allowed to be present.

7.1.6 If the B *Sample* proves negative, the entire test shall be considered negative and the *Athlete*, ASAC and the *athlete's* organisation shall be so informed.

7.1.7 If a *Prohibited Substance* or the *Use* of a *Prohibited Method* is identified the findings shall be reported to the *Athlete*, ASAC, the *athlete's* organisation and ASDA.

7.1.8 The ASAC Independent Review Panel shall conduct any follow-up investigation as may be required by the *Prohibited List*. Upon completion of such follow-up investigation, ASAC shall promptly notify the *Athlete* regarding the results of the follow-up investigation and whether or not ASAC asserts that an anti-doping rule was violated.

7.1.9 For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, ASAC shall conduct any necessary follow-up investigation and shall then promptly notify the *Athlete* of the anti-doping rule which appears to have been violated, and the basis of the violation.

7.2 *Provisional Suspensions*

ASAC may *Provisionally Suspend* an *Athlete* prior to the opportunity for a full hearing based on an *Adverse Analytical Finding* from the *Athlete's* A *Sample* or A and B *Samples* and the review described in Article 7.1. If a *Provisional Suspension* is imposed, either the hearing in accordance with Article 8 shall be advanced to a date, which avoids substantial prejudice to the *Athlete*, or the *Athlete* shall be given an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*. ASAC may impose *Provisional Suspensions* in accordance with the principles set forth in this Article 7.3.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 When it appears, following the results management process described in Article 7, that these Anti-Doping Rules and Procedures have been violated, the *Athlete* or other *Person* involved shall be brought before a disciplinary panel of ASAC for a hearing to adjudicate whether a violation of the Anti-Doping Rules and Procedures occurred and if so what *Consequences* should be imposed. Such hearing process shall respect the following principles:

- a timely hearing;
- fair and impartial hearing body;
- the right to be represented by counsel at the *Person's* own expense;
- the right to be fairly and timely informed of the asserted anti-doping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;
- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing body's discretion to accept testimony by telephone or written submission);
- the *Person's* right to an interpreter at the hearing, with the Doping Panel to determine the identity, and responsibility for the cost of the interpreter; and
- a timely, written, reasoned decision.

8.2 Hearings pursuant to this Article shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with *Events* may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, ASAC may elect, if the *Athlete* is an *International Level Athlete*, to bring the case directly to a single arbitrator from the Court of Arbitration for Sport. The case before the Court of Arbitration for Sport shall be handled in accordance to any time limit for Court of Arbitration for Sport appeal procedure without reference to any time limit for appeal. If the completion of the hearing is delayed beyond three months, and the *Athlete* is not an *International Level Athlete*, ASAC may elect to bring the case directly to the national level appellate body referred to in Article 13.2.2. In either case, the hearing shall proceed at the responsibility of and the expense of ASAC. In either case the appeal from such decision shall be to the Court of Arbitration for Sport.

8.3 ASAC will keep FAI fully informed as to the status of pending cases and the results of all hearings.

8.4 FAI shall have the right to attend hearings as an observer.

8.5 The *Athlete* or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and Procedures and accepting *Consequences* consistent with Articles 9 and 10 as proposed by ASAC.

8.6 Decisions by ASAC whether as the result of a hearing or the *Athlete* or other *Person's* acceptance of *Consequences*, may be appealed as provided in Article 13.

8.7 Hearing decisions by ASAC shall not be subject to further administrative review at the national level except as provided in Article 13 or as required by applicable national law.

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A violation of these Anti-Doping Rules and Procedures in connection with an *In-Competition* test automatically leads to *Disqualification* of the individual result obtained in that *Competition* with all resulting consequences, including forfeiture of any medals, points and prizes.

ARTICLE 10 SANCTIONS ON INDIVIDUALS

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

An *Anti-Doping Rule* violation occurring during or in connection with an *Event* may lead to *Disqualification* of all the *Athlete's* individual results obtained in that *Event* with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

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

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

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

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

Second violation: Lifetime *Ineligibility*.

However, the *Athlete* or other *Person* shall have the opportunity in each case, before a period of *Ineligibility* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.5.

10.3 Specified Substances

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

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

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

Third violation: Lifetime *Ineligibility*.

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

10.4 *Ineligibility* for Other Anti-Doping Rule Violations

The period of *Ineligibility* for other violations of these Anti-Doping Rules and Procedures shall be:

10.4.1 For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.5 (*Tampering* with *Doping Control*), the *Ineligibility* periods set forth in Article 10.2 shall apply.

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

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

First violation: Up to one (1) year *Ineligibility*.

Second and subsequent violations: Two (2) years' *Ineligibility*.

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

10.5.1 If the *Athlete* establishes in an individual case involving an anti-doping rule violation under Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*) or *Use of a Prohibited Substance* or *Prohibited Method* under Article 2.2 that he or she bears *No Fault or Negligence* for the violation, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Specimen* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for the multiple violations under Article 10.2, 10.3 and 10.6.

10.5.2 This Article 10.5.2 applies only to anti-doping rule violations involving Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), *Use of a Prohibited Substance* or *Prohibited Method* under Article 2.2, failing to submit to *Sample* collection under Article 2.3, or administration of a *Prohibited Substance* or *Prohibited Method* under Article 2.8. If an *Athlete* establishes in an individual case involving such violations that he or she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the minimum period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Specimen* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

10.5.3 The ASAC Executive may also reduce the period of *Ineligibility* in an individual case where the *Athlete* has provided substantial assistance to ASAC, which results in ASAC discovering or establishing an anti-doping rule violation by another *Person* involving *Possession* under Article 2.7 (*Trafficking*), or Article 2.8 (administration to an *Athlete*). The reduced period of *Ineligibility* may not, however, be less than one-half of the minimum period of

Ineligibility otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may not be no less than 8 years.

10.6 Rules for Certain Potential Multiple Violations

10.6.1 For purposes of imposing sanctions under Article 10.2, 10.3 and 10.4, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if ASAC can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice, or after ASAC made a reasonable attempt to give notice, of the first anti-doping rule violation; if ASAC cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

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

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

10.7 Disqualification of Results in Competition Subsequent to Sample Collection

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

10.8 Commencement of *Ineligibility* Period

The period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served. Where required by fairness, such as delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete*, ASAC may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection.

10.9 Status During *Ineligibility*

No *Person* who has been declared *Ineligible* may, during the period of *Ineligibility* participate in any capacity in an *Event* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by FAI, ASAC or its members. In addition, for any anti-doping rule violation not involving specified substances described in Article 10.3, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld.

10.10 Reinstatement *Testing*

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by ASAC and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must provide current and accurate whereabouts information as provided in Article 5.5. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified ASAC and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of the period set forth in Article 5.6 or the period of *Ineligibility* remaining as of the date the *Athlete* had retired.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 If, in air sports where teams of competitors jointly contribute to the sporting performance, a member of a team is found to have committed a violation of these Anti-Doping Rules and Procedures during an *Event*, the team shall be *Disqualified* from the *Event*.

11.2 If a member of a team is found to have committed a violation of these Anti-Doping Rules and Procedures during an *Event* where a team ranking is based on the addition of individual results, the results of the *Athlete* committing the violation will be subtracted from the team result and replaced with the results of the next applicable team member. If by removing the *Athlete's* results from the team results, the number of *Athletes* counting for the team is less than the required number, the team shall be eliminated from the ranking.

ARTICLE 12 (deliberately blank).

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules and Procedures may be appealed as set forth in Article 13.2 through 13.4. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in Article (8.7) (8.2.7) must be exhausted.

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

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, a decision that no anti-doping rule violation was committed, a decision that ASAC lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*, (and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 7.4) may be appealed exclusively as provided in this Article 13.2. (Notwithstanding any other provision herein, the only *Person* that may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed).

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

13.2.2 In cases involving *Athletes* that do not have a right to appeal under Article 13.2.1, ASAC has an appeal procedure that respects the following principles: a timely hearing, a fair and impartial hearing body; the right to be represented by a counsel at the person’s expense; and a timely, written, reasoned decision. ASAC’s rights of appeal with respect to these cases are set forth in Article 13.2.3 below.

13.2.3 In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) ASAC under whose rules a sanction could have been imposed; (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (e) ASDA. In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in ASAC’s rules

but, at a minimum, shall include: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) FAI; and (d) *ASDA*. For Cases under Article 13.2.2, *WADA* and FAI shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.

13.3 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

Decision by *WADA* reversing the grant or denial of a TUE exemption may be appealed exclusively to CAS by the *Athlete*, FAI or ASAC or other body designated by ASAC, which granted or denied the exemption. Decisions to deny therapeutic use exemptions, and which are not reversed by *WADA*, may be appealed by the *International Level Athletes* to CAS and by other *Athletes* to the national-level reviewing body described in Article 13.2.2. If the national level reviewing body reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by *WADA*.

13.4 Appeal from Decisions Pursuant to Article 12 (deliberately blank)

13.5 Time for Filing Appeals

The time to file an appeal to CAS shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:

- (a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- (b) If such a request is made within the ten-day period, the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

ARTICLE 14 ASAC's INCORPORATION OF FAI RULES, REPORTING AND RECOGNITION

14.1 Incorporation of FAI Anti-Doping Rules and Procedures

ASAC has adopted FAI's Anti-Doping Rules and Procedures by incorporating those rules by reference into ASAC's Rules. All *Athletes*, *Athlete Support Personnel* and other *Persons* under the jurisdiction of ASAC and its members shall be bound by these Anti-Doping Rules and Procedures.

14.2 Public Disclosure

Neither FAI nor ASAC shall publicly identify *Athletes* whose *Sample* have resulted in *Adverse Analytical Findings*, or who were alleged to have violated other Articles of these Anti-Doping Rules and Procedures until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, or the Athlete has been *Provisionally Suspended*. Once a violation of these Anti-Doping Rules and Procedures has been established, it shall be publicly reported within 20 days.

14.3 Recognition of Decisions by FAI and ASAC

Any decision of FAI or ASAC regarding a violation of these Anti-Doping Rules and Procedures shall be recognised by all *National Airsport Controls*, which shall take all necessary action to render such results effective.

ARTICLE 15 RECOGNITION OF DECISION BY OTHER ORGANISATIONS

Subject to the right to appeal provided in Article 13, the *Testing*, therapeutic use exemptions and hearing results or other final adjudications of any *Signatory* to the *World Anti-Doping Code* which are consistent with that *Code* and are within the *Signatory's* authority, shall be recognised and respected by FAI and ASAC. FAI and ASAC may recognise the same actions of other bodies which have not accepted the *World Anti-Doping Code* if the rules of those bodies are otherwise consistent with that *Code*.

ARTICLE 16 STATUTE OF LIMITATIONS

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

ARTICLE 17 DELIBERATELY BLANK

ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES AND PROCEDURES

- 18.1** These Anti-Doping Rules and Procedures may be amended from time to time under the authority of the ASAC Executive.
- 18.2** Except as provided in Article 18.5, these Anti-Doping Rules and Procedures shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 18.3** The headings used for the various Parts and Articles of these Anti-Doping Rules and Procedures are for convenience only and shall not

be deemed part of the substance of these Anti-Doping Rules and Procedures or to effect in any way the language of the provisions to which they refer.

- 18.4** The INTRODUCTION and the APPENDIX 1 DEFINITIONS shall be considered integral parts of these Anti-Doping Rules and Procedures.
- 18.5** These Anti-Doping Rules and Procedures have been adopted pursuant to the applicable provisions of the *World Anti-Doping Code* and shall be interpreted in a manner that is consistent with the applicable provisions of the *World Anti-Doping Code*. The comments annotating various provisions of the *World Anti-Doping Code* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules and Procedures.
- 18.6** Notice to an *Athlete* or other *Person* who is a member of an ASAC organisation may be accomplished by delivery of the notice to ASAC.
- 18.7** These Anti-Doping Rules and Procedures shall not apply retrospectively to matters pending before the date these Anti-Doping Rules and Procedures came into effect.

APPENDIX 1 DEFINITIONS

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

Affiliated. *Athletes* who belong to organizations that are members of ASAC.

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

ASAC. Australian Sports Aviation Confederation Inc.

ASDA. The Australian Sports Drug Agency.

ASDMAC. The Australian Sports Drug Medical Advisory Committee.

ASDTL. The Australian Sports Drug Testing Laboratory.

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

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

ATUE Abbreviated Therapeutic Use Exemption.

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

Consequences of Anti-Doping Rules Violations. An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a)

Disqualification means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) Ineligibility means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9; [and (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).]

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

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

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

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

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

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

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

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

International Standard. A standard adopted by WADA in support of the *World Anti-Doping 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.

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

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

Member. Any organization, which is affiliated with ASAC.

Metabolite. Any substance produced by a biotransformation process.

Minor. A natural Person who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Anti-Doping Organization. The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. ASDA is the designated authority for Australia.

National Event. A sport *Event* involving international or national-level *Athletes* that is not an *International Event*.

National Airsport Control (NAC). A national or regional entity which is a member of FAI or holds sporting powers delegated by FAI and is recognized by FAI as the entity governing the FAI's sport(s) in that nation or region.

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

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

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

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

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

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

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

Possession. The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); provided, however, that if the person does not have exclusive control over the

Prohibited Substance/Method or the premises in which a *Prohibited Substance/Method* exists, constructive possession shall only be found if the person knew about the presence of the *Prohibited Substance* 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* no longer intends to have *Possession* and has renounced the *Person's* previous *Possession*.

Prohibited List. The List identifying the *Prohibited Substance* and *Prohibited Methods*.

Prohibited Method. Any method so described on the *Prohibited List*.

Prohibited Substance. Any substance so described on the *Prohibited List*.

Provisional Hearing. For purposes of Article 7.5, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

[*Provisional Suspension*. See *Consequences* above.]

Publicly Disclose or Publicly Report. To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 14.

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

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

Signatories. Those entities signing the *World Anti-Doping Code* and agreeing to comply with the *World Anti-Doping Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and WADA.

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

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

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

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

Trafficking. To sell, give, administer, transport, send, deliver or distribute a *Prohibited Substance* or *Prohibited Method* to an *Athlete* either directly or through one or more third parties, but excluding the sale or distribution (by medical personnel or by *Persons* other than an *Athlete's Support Personnel*) of a *Prohibited Substance* for genuine and legal therapeutic purposes.

TUE. Therapeutic Use Exemption.

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

WADA. The World Anti-Doping Agency.

World Anti-Doping Code. The document approved in Copenhagen in March 2003 that seeks to harmonize anti-doping regulations for all sports and in all countries (see: <http://www.wada-ama.org>).

APPENDIX 2 Acknowledgement and Agreement

I, as a member of an organisation affiliated with ASAC and/or a participant in an ASAC or FAI authorized or recognized event, hereby acknowledge and agree as follows:

- 1.** I have received and have had an opportunity to review the ASAC Anti-Doping Rules and Procedures.

- 2.** I consent and agree to comply with and be bound by all of the provisions of the ASAC Anti-Doping Rules and Procedures, including but not limited to, all amendments to the Anti-Doping Rules and Procedures and all International Standards incorporated in the Anti-Doping Rules and Procedures.

- 3.** I acknowledge and agree that ASAC and FAI have jurisdiction to impose sanctions as provided in the FAI and ASAC's Anti-Doping Rules and Procedures.

- 4.** I also acknowledge and agree that any dispute arising out of a decision made pursuant to the FAI or ASAC Anti-Doping Rules and Procedures, after exhaustion of the process expressly provided for in the FAI and ASAC Anti-Doping Rules and Procedures, may be appealed exclusively as provided in Article 13 of the FAI and ASAC Anti-Doping Rules and Procedures to an appellate body for final and binding arbitration, which in the case of International-Level Athletes is the Court of Arbitration for Sport.

- 5.** I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.

- 6.** I have read and understand this Acknowledgement and Agreement

Date

Print Name (Last Name, First Name)

Date of Birth
(Day/Month/Year)

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