2015

The Irish Sports Council

Anti-Doping Rules

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Introduction

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 pursuit of human excellence through the dedicated perfection of each person’s natural talents. The spirit of sport is characterised, amongst other values, by ethics, fair play, honesty, health, team work, dedication and commitment, respect for rules and laws, respect for self and other Participants, courage, community and solidarity.

The Code and the World Anti-Doping Programme

Anti-doping programmes seek to preserve the spirit of sport. 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 the principles of proportionality and human rights.

The World Anti-Doping Programme encompasses all of the elements needed in order to ensure optimal harmonisation and best practice in international and national anti-doping programmes. The main elements are:

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

The Irish Sport Anti-Doping Programme

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

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

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

The Irish Anti-Doping Rules

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

These Rules, like Competition rules, are sports rules governing the conditions under which sport is played. Athletes or other Persons accept these Rules as a condition of participation in sport and shall be bound to these Rules. These sport-specific Rules, aimed at enforcing anti-doping rules and procedures in a 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 the principles of proportionality and human rights. 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 in these Rules and the fact these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

Education

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

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

Research

Anti-doping research contributes to the development and implementation of efficient programmes within Doping Control and to information and education regarding doping-free sport. The Irish Sports Council shall, in co-operation with other Signatories and governments, encourage and promote such research and take all reasonable measures to ensure that the results of such research are used for the promotion of the goals that are consistent with the principles of the Code.
1. **ARTICLE 1: APPLICATION OF RULES**

1.1 **Application to National Governing Bodies**

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

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

1.1.3 By its adoption of these Rules each National Governing Body specifically recognises the authority and responsibility of the Irish Sports Council for administering the Irish Sport Anti-Doping Programme (including conducting Testing of Athletes) in respect of all of the Persons to whom these Rules apply and authorises the Irish Sports Council to carry out Doping Control.

1.1.4 By its adoption of these Rules each National Governing Body shall be deemed to have agreed to be bound by and to comply strictly with these Rules and to recognise, abide by and give effect to the decisions made pursuant to these Rules, including the decisions of the Irish Sports Council, the Irish Sport Anti-Doping Disciplinary Panel and CAS, as applicable.

1.1.5 By its adoption of these Rules, each National Governing Body shall be deemed to have agreed to take all steps within its power to implement these Rules in their sport which shall include, without limitation, to assist the Irish Sports Council in establishing and maintaining its Registered Testing Pool.

1.2 **Roles and responsibilities of National Governing Bodies**

1.2.1 To adopt, incorporate and implement these Rules.

1.2.2 To require all Athletes and each Athlete Support Person who participates as coach, trainer, manager, team, staff, official, medical or para-medical personnel in a Competition or activity authorised or organised by the National Governing Body or of a member or affiliate organisation or licensee of the National Governing Body which shall be deemed to include a club, team, association or league, to agree to be bound by these Rules and the Irish Sports Council or other Anti-Doping Organisation results management authority in conformity with these Rules as a condition of such participation.

1.2.3 To report any information suggesting or relating to an anti-doping rule violation to the Irish Sports Council and to co-operate with and provide all possible assistance and information to the Irish Sports Council in relation to investigations carried out by the Irish Sports Council and any other Anti-Doping Organisation with authority to conduct an investigation.

1.2.4 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 the Irish Sports Council in presenting cases before the Irish Sport Anti-Doping Disciplinary Panel (whether at first instance or appeal) and the CAS.

1.2.5 To ensure that an Athlete or other Person who is Provisionally Suspended does not participate in any Competition during the period of Provisional Suspension or otherwise breach the Provisional Suspension and to ensure that an Athlete or other Person does not breach Article 10.8 and to ensure that Article 10.9 is observed.

1.2.6 To promote anti-doping education including conducting anti-doping education in co-ordination with the Irish Sports Council.
1.3 Application to Athletes or other Persons

1.3.1 These Rules apply to:

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

1.3.1.2 All Athletes and other Persons participating as such 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; and

1.3.1.3 All Athletes and other Persons who are subject to the authority and/or jurisdiction of a National Governing Body.

1.3.2 To be a member of a National Governing Body and/or of a member or affiliate organisation or licensee of a National Governing Body, or to be eligible to participate (in the case of an Athlete) or assist any participating Athlete (in the case of an Athlete Support Person) in any Event, Competition or other activity organised, convened, authorised or recognised by a National Governing Body or any of its member or affiliate organisations or licensees, a Person must agree to be bound by and to comply with these Rules. Accordingly, by becoming such a member or by so participating or assisting, an Athlete or Athlete Support Person shall be deemed to have agreed:

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

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

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

1.3.2.4 To submit to the exclusive jurisdiction of any Irish Sport Anti-Doping Disciplinary Panel hearing panel convened under these Rules to hear and determine alleged anti-doping rule violations and related issues arising under these Rules;

1.3.2.5 To submit to the exclusive jurisdiction of any Irish Sport Anti-Doping Disciplinary Panel appeal panel and/or CAS panel convened under these Rules to hear and determine appeals made under these Rules; and

1.3.2.6 Further to Article 16 of these Rules, not to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the Irish Sport Anti-Doping Disciplinary Panel and CAS.

1.3.3 If any Athlete or other Person is found to have committed an anti-doping rule violation, the Consequences shall apply. An Athlete or other Person sanctioned under these Rules remains subject to the sanction throughout the duration of the sanction regardless of that Athlete'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 or other Person sanctioned retires during the period of the sanction, this shall include remaining subject to Doping Control.

1.3.4 Each Athlete or other Person shall continue to be bound by and required to comply with these Rules unless and until he or she is deemed under the rules of his or her National Governing Body to have retired from the sport so that he or she is no longer subject to the authority of the National Governing Body. Where the Athlete or other Person is an Athlete who is in the Irish Sports Council Registered Testing Pool at the time of such retirement, he or she must also send such notice to the Irish Sports Council in accordance with Article 5.9.3. The National Governing Body, the Irish Sports Council, the Irish Sport Anti-Doping Disciplinary Panel and CAS shall continue to have jurisdiction over the Athlete or other Person under these Rules after retirement in respect of matters taking place prior to retirement.
1.3.5 Certain Athletes or other Persons 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 other Person under such other Rules.

1.4 Roles and Responsibilities of Athletes

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

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

1.4.3 To know the requirements of these Rules.

1.4.4 To comply with these Rules in all respects.

1.4.5 To take full responsibility for what they ingest and Use.

1.4.6 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 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).

1.4.7 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.

1.4.8 To make himself or herself available for Sample collection at all times.

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

1.4.10 To co-operate fully with the Irish Sports Council and any other Anti-Doping Organisation conducting investigations into possible anti-doping rule violations.

1.4.11 To disclose to the Irish Sports Council and applicable International Federation any decision by a non-Signatory finding that he or she committed an anti-doping rule violation within the previous ten (10) years.

1.5 Roles and Responsibilities of Athlete Support Persons

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

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

1.5.3 To know the requirements of these Rules.

1.5.4 To comply with these Rules in all respects.

1.5.5 Not to Use or Possess any Prohibited Substance or Prohibited Method without valid justification.

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

1.5.7 To use his or her influence on Athletes’ values and behaviour to foster anti-doping attitudes.

1.5.8 To co-operate with the Irish Sports Council and any other Anti-Doping Organisation conducting investigations into possible anti-doping rule violations.

1.5.9 To disclose to the Irish Sports Council and applicable International Federation any decision by a non-Signatory finding that he or she committed an anti-doping rule violation within the previous ten (10) years.
2. ARTICLE 2: DEFINITION OF DOPING AND ANTI-DOPING RULE VIOLATIONS

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.10 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 each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body. An Athlete is responsible for any Prohibited Substance or any of its Metabolites or Markers found to be present in his or her Sample. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.

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

2.1.2.1 The presence of a Prohibited Substance or any of its Metabolites or Markers in the Athlete’s A Sample, where the Athlete waives his or her right to have his or her B Sample analysed 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 B Sample confirms the presence of the Prohibited Substance or any of its Metabolites or Markers found in the A Sample; or

2.1.2.3 Where the Athlete’s B Sample is split into two bottles and the analysis of the Sample in the second bottle confirms the presence of the Prohibited Substance or any of its Metabolites or Markers found in the Sample in the first bottle.

2.1.3 Except in the case of those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List or other International Standard, the presence of any quantity of a Prohibited Substance or any of its Metabolites or Markers in an Athlete’s Sample shall constitute an anti-doping rule violation.

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

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

2.2.1 It is each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body and that he or she Uses no Prohibited Method. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an anti-doping rule violation for Use under Article 2.2.

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.
2.3 Evading, Refusing or Failing to Submit to Sample Collection

Evading Sample collection, or without compelling justification, refusing or failing to submit to Sample collection after notification as authorised under these Rules or other applicable anti-doping rules.

2.4 Committing Three Whereabouts Failures in Twelve Months

2.4.1 Any combination of three (3) Filing Failures and/or Missed Tests, committed within a twelve (12) month period by an Athlete in a Registered Testing Pool shall constitute an anti-doping rule violation, irrespective of which Anti-Doping Organisation has declared each of the Whereabouts Failures in question.

2.4.2 The twelve (12) month period referred to in Article 2.4.1 starts to run on the date that an Athlete commits a Whereabouts Failure. A Filing Failure shall be deemed to have occurred on the first day of the quarter for which the Athlete fails to make the required Whereabouts Filing. If it is a subsequent Filing Failure in the same quarter, the Filing Failure shall be deemed to have occurred on the date that the deadline specified for such filing expires. A Missed Test shall be deemed to have occurred on the date that the Sample collection was unsuccessfully attempted.

2.4.3 The twelve (12) month period referred to in Article 2.4.1 is not affected by any successful Sample collection conducted with respect to that Athlete during the twelve (12) month period. If an Athlete who has committed one (1) Whereabouts Failure does not commit a further two (2) Whereabouts Failures within twelve (12) months of the first, at the end of that twelve (12) month period, the first Whereabouts Failure expires for the purposes of Article 2.4.1.

2.4.4 Where an Athlete retires from but then returns to sport, his or her period of non-availability for Out-of-Competition Testing shall be disregarded for purposes of calculating the twelve (12) month period referred to in Article 2.4.1.

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

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

2.5 Tampering or Attempted Tampering with any Part of Doping Control

Conduct which subverts the Doping Control process but which would not otherwise be included in the definition of Prohibited Methods. Tampering shall include, without limitation, intentionally interfering or Attempting to interfere with a Doping Control official, providing fraudulent information to an Anti-Doping Organisation or intimidating or Attempting to intimidate a potential witness.

2.6 Possession of a Prohibited Substance or a Prohibited Method

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 TUE granted in accordance with Article 4 or other acceptable justification.

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 TUE granted to an Athlete in accordance with Article 4 or other acceptable justification.

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.
2.8 Administration or Attempted Administration to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition.

2.9 Complicity
Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.8.1 by another Person.

2.10 Prohibited Association
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 an anti-doping rule violation 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 Article 2.10.1.1 or 2.10.1.2.

2.10.2 In order for this Article 2.10 to apply, it is necessary that the Athlete or other Person has previously been advised in writing by a National Governing Body, the Irish Sports Council or an Anti-Doping Organisation with jurisdiction over the Athlete or other Person, or by WADA, of the Athlete Support Person's disqualifying status and the potential Consequences of prohibited association and that the Athlete or other Person can reasonably avoid the association. The Anti-Doping Organisation or National Governing Body shall also use reasonable efforts to advise the Athlete Support Person who is the subject of the notice to the Athlete or other Person that the Athlete Support Person may, within fifteen (15) days, come forward to the Anti-Doping Organisation or National Governing Body to explain that the criteria described in Articles 2.10.1.1 and 2.10.1.2 do not apply to him or her. Notwithstanding Article 19, this Article 2.10 applies even when the Athlete Support Person's disqualifying conduct occurred prior to the 1st day of January 2015.

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 Article 2.10.1.1 or Article 2.10.1.2 is not in a professional or sport-related capacity.

2.10.4 Anti-Doping Organisations or National Governing Bodies that are aware of Athlete Support Personnel who meet the criteria described in Article 2.10.1, 2.10.2 or 2.10.3 shall submit that information to WADA.

3. ARTICLE 3: THE PROHIBITED LIST

3.1 Incorporation of the Prohibited List and the International Standard for the Prohibited List
3.1.1 These Rules adopt and incorporate the Prohibited List as revised from time to time and all Athletes and other Persons shall be deemed to accept the Prohibited List and all revisions thereto as binding upon them without further formality.

3.1.2 The Prohibited List may be revised by WADA from time to time and unless provided otherwise in the Prohibited List or a revision, the Prohibited List and revisions shall go into effect under these Rules three (3) months after publication of the Prohibited List by WADA without requiring any further action by the Irish Sports Council or any National Governing Body.
3.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List.

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

3.3 Specified Substances

For purposes of the application of Article 10, all Prohibited Substances shall be Specified Substances except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. The category of Specified Substances shall not include Prohibited Methods.

3.4 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, and the classification of a substance as prohibited at all times or In-Competition only, is final and shall not be subject to challenge by an Athlete or other Person 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

4.1.1 These Rules adopt and incorporate the International Standard for Therapeutic Use Exemptions as revised from time to time and all Athletes and other Persons shall be deemed to accept the International Standard for Therapeutic Use Exemptions and all revisions of it as binding upon them without further formality.

4.1.2 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 TUE validly granted to the Athlete in question in accordance with these Rules and the International Standard for Therapeutic Use Exemptions.

4.1.3 An Athlete who is a National-Level Athlete shall apply to the Irish Sports Council for a TUE.

4.1.3.1 If the Irish Sports Council denies the application, the Athlete may appeal exclusively to the Irish Sport Anti-Doping Disciplinary Panel as provided in Article 13.5.1.

4.1.3.2 TUEs granted by the Irish Sports Council are valid at national-level only and if an Athlete becomes an International-Level Athlete or competes in an International Event, the TUE will not be valid for those purposes unless it is recognised by the Athlete’s International Federation or the relevant Major Event Organisation. Accordingly, it is the responsibility of an Athlete who is in an International Federation’s Registered Testing Pool or an Athlete participating in an International Event to ascertain whether he or she needs to apply for a TUE from the International Federation or a Major Event Organisation, regardless of whether he or she has been granted a TUE under these Rules.

4.1.3.3 The Irish Sports Council has discretion to prioritise certain sports over others in its test distribution planning and Testing and it may decline to consider advance applications for TUEs from Athletes in some or all of the non-priority sports, but it shall permit any such Athlete from whom a Sample is subsequently collected to apply for a retroactive TUE in accordance with this Article 4. The Irish Sports Council shall publicise any such policy on its website for the benefit of affected Athletes.
4.1.4 **International-Level Athletes** shall apply to their **International Federation** for a **TUE**. Athletes competing in an **International Event** organised by a **Major Event Organisation** shall apply to the **Major Event Organisation** for a **TUE**.

A **TUE** granted by the **Irish Sports Council** is valid at national level only; it is not automatically valid for **International Events**. An **Athlete** who is or becomes an **International Level Athlete** should do the following:

4.1.4.1 Where the **Athlete** already has a **TUE** granted by the **Irish Sports Council** for the substance or method in question, the **Athlete** may apply to his or her **International Federation** to recognize that **TUE**, in accordance with Article 7 of the **International Standard** for Therapeutic Use Exemptions. If that **TUE** meets the criteria set out in the **International Standard** for Therapeutic Use Exemptions, then the **International Federation** shall recognize it for purposes of international-level **Competition** as well. If the **International Federation** considers that the **TUE** granted by the **Irish Sports Council** does not meet those criteria and so refuses to recognize it, the **International Federation** shall notify the **International-Level Athlete** and the **Irish Sports Council** promptly, with reasons. The **International-Level Athlete** and the **Irish Sports Council** shall have twenty-one (21) days from such notification to refer the matter to **WADA** for review. If the matter is referred to **WADA** for review, the **TUE** granted by the **Irish Sports Council** 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, the **TUE** becomes invalid for any purpose when the twenty-one (21) day review deadline expires.

4.1.4.2 If the **Athlete** does not already have a **TUE** granted by the **Irish Sports Council** for the substance or method in question, the **Athlete** must apply directly to the **International Federation** for a **TUE** in accordance with the process set out in the **International Standard** for Therapeutic Use Exemptions. If the **International Federation** grants the **Athlete**'s application, it shall notify the **Athlete** and the **Irish Sports Council**. If the **Irish Sports Council** considers that the **TUE** granted by the **International Federation** does not meet the criteria set out in the **International Standard** for Therapeutic Use Exemptions, it has twenty-one (21) days from such notification to refer the matter to **WADA** for review. If the **Irish Sports Council** refers the matter to **WADA** for review, the **TUE** granted by the **International Federation** remains valid for international-level **Competition** and **Out-of-Competition Testing** (but is not valid for national-level **Competition**) pending **WADA's** decision. If the **Irish Sports Council** does not refer the matter to **WADA** for review, the **TUE** granted by the **International Federation** becomes valid for national-level **Competition** as well when the 21-day review deadline expires.

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

4.2 **Irish Sports Council TUE Committee**

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

4.2.2 The **Irish Sports Council** shall appoint a physician to be the Chair of the **TUE Committee**.

4.3 **Application Process for Therapeutic Use Exemptions**

The process for an **Athlete** applying to the **TUE Committee** for a **TUE** shall be as published by the **Irish Sports Council** from time to time.
4.4 Retroactive Therapeutic Use Exemptions

4.4.1 An application for a retroactive TUE may be made and shall be granted after a laboratory has reported an Adverse Analytical Finding in the following limited circumstances:

4.4.1.1 Where emergency treatment or treatment of an acute medical condition was necessary; or

4.4.1.2 Where, due to other exceptional circumstances, there was insufficient time or opportunity for the Athlete to submit, or for the TUE Committee to consider, an application for a TUE prior to Sample collection; or

4.4.1.3 Where the application was made by either an Athlete who, in accordance with Article 4.1.3.3, was not required to make a TUE application prior to an Adverse Analytical Finding, or by an Athlete who is neither an International Level Athlete nor a National-Level Athlete.

4.4.1.4 Where it is agreed by the Irish Sports Council and by WADA that fairness requires the grant of a retroactive TUE.

4.4.2 No retroactive TUE will be granted if the requirements of this Article 4.4 are not met, meaning that any Adverse Analytical Finding reported shall result in an anti-doping rule violation.

4.4.3 Any Athlete who has applied for a TUE and who is denied such TUE may not thereafter apply for a retroactive TUE.

4.5 Expiration, Cancellation, Withdrawal or Reversal of a TUE

4.5.1 A TUE granted pursuant to these Rules:

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

4.5.1.2 may be cancelled if the Athlete does not promptly comply with any requirements or conditions imposed by the TUE Committee upon grant of the TUE;

4.5.1.3 may be withdrawn by the TUE Committee if it is subsequently determined that the criteria for grant of a TUE are not in fact met; or

4.5.1.4 may be reversed on review by WADA or on appeal.

4.5.2 In such event, the Athlete shall not be subject to any Consequences based on his or her Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE at any time prior to the effective date of expiry, cancellation, withdrawal or reversal of the TUE. The review pursuant to Article 7.2 or 7.4 of any subsequent Adverse Analytical Finding or Adverse Passport Finding shall include consideration of whether such finding is consistent with Use of the Prohibited Substance or Prohibited Method prior to that date.

5. ARTICLE 5: TESTING AND INVESTIGATIONS

5.1 Incorporation of the International Standard for Testing and Investigations

These Rules adopt and incorporate the International Standard for Testing and Investigations as revised from time to time and all Athletes and other Persons shall be deemed to accept the International Standard for Testing and Investigations and all revisions thereto as binding upon them without further formality.

5.2 Standard for Testing

Testing conducted by, or on behalf of, the Irish Sports Council shall be in conformity with the International Standard for Testing and Investigations applicable at the time of Testing. The Irish Sports Council shall implement its Athlete Biological Passport programme in accordance with the International Standard for Testing and Investigations and the International Standard for Laboratories, as revised by WADA from
The *Irish Sports Council* shall provide *WADA* upon request with a copy of its current test distribution plan.

5.3 **Authority for Testing**

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

5.4 **Testing Jurisdiction**

5.4.1 Subject to the jurisdictional limitations for *Event Testing* set out in Article 5.3 of the *Code*, the *Irish Sports Council* shall have *In-Competition and Out-of-Competition Testing* jurisdiction over all *Athletes* to whom these Rules apply and such *Athletes* must make themselves available for, and must submit to, *Testing* pursuant to these Rules by the *Irish Sports Council* or by any *Anti-Doping Organisation* with *Testing* jurisdiction at any time and any place. *WADA* shall have *In-Competition and Out-of-Competition Testing* authority as set out in Article 20.7.8 of the *Code*.

5.4.2 If an *International Federation* or *Major Event Organisation* delegates or contracts any part of *Testing* to the *Irish Sports Council* (either directly or through a National Governing Body), the *Irish Sports Council* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at the *Irish Sports Council*'s expense. If additional *Samples* are collected or additional types of analysis are performed, the *Irish Sports Council* shall notify the *International Federation* or *Major Event Organisation*.

5.5 **In-Competition Testing**

5.5.1 At *National Events* and other *Events or Competitions* under its jurisdiction which are not *International Events*, the collection of *Samples* shall be initiated and directed by the *Irish Sports Council*.

5.5.2 At *International Events*, the collection of *Samples* shall be initiated and directed by the international organisation which is the ruling body for the *Event*, subject always to the right of the *Irish Sports Council* to seek to initiate and conduct such *Testing* in accordance with Article 5.3.2 of the *Code*.

5.6 **Liability for Testing**

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

5.7 **Testing of Minors**

5.7.1 *Testing* of an *Athlete* who is a *Minor* shall be conducted in accordance with Annex C of the *International Standard for Testing and Investigations*.

5.7.2 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 his or her parent or guardian to participate in the sport in question.

5.8 **Investigations**

5.8.1 The *Irish Sports Council* 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 Testing and Investigations* into matters that may evidence or lead to the discovery of evidence of an anti-doping rule violation.
5.8.2 Investigations may be conducted in conjunction with and intelligence and/or information obtained in such investigations or otherwise may be shared with, other Anti-Doping Organisations, law enforcement authorities and other regulatory or disciplinary authorities.

5.8.3 The Irish Sports Council may also share with and receive intelligence and/or information from other Anti-Doping Organisations, law enforcement authorities and other regulatory or disciplinary authorities.

5.8.4 In its investigation as to whether there is a case to answer under Article 2 of these Rules, the Irish Sports Council may seek to obtain additional information from any source. This may include, without limitation, where the Irish Sports Council considers it appropriate to do so, giving the Athlete and/or other Person implicated in any potential anti-doping rule violation an opportunity, subject to compliance with such timeline as the Irish Sports Council shall specify, an opportunity to make such submissions as he or she may wish, in such format and by such method as the Irish Sports Council shall specify.

5.8.5 The Irish Sports Council shall investigate Atypical Findings, Atypical Passport Findings and Adverse Passport Findings, in accordance with Articles 73 and 74 respectively.

5.8.6 The Irish Sports Council shall investigate any other analytical or non-analytical information or intelligence that indicates a possible anti-doping rule violation, in accordance with Article 75, in order either to rule out the possible violation or to develop evidence that would support the initiation of an anti-doping rule violation proceeding.

5.9 Registered Testing Pool

5.9.1 The Irish Sports Council shall define the criteria for Athletes to be included in the Irish Sports Council Registered Testing Pool. From time to time the Irish Sports Council shall publish those criteria as well as a list of the Athletes meeting those criteria and so included in the Irish Sports Council Registered Testing Pool at the time of publication.

5.9.2 In addition to the general obligation on all Athletes to submit to Testing, an Athlete included in the Irish Sports Council Registered Testing Pool shall be subject to the whereabouts requirements set out in these Rules.

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

5.9.4 An Athlete who was previously included in the Irish Sports Council Registered Testing Pool who is not serving a period of Ineligibility and who has given notice of retirement may not return to Competition unless he or she has given his or her National Governing Body, the Irish Sports Council and his or her International Federation (if applicable) written notice of no less than six (6) months of his or her intent to return to Competition and during that notice period he or she has submitted to the application of these Rules and to the jurisdiction of the National Governing Body, the Irish Sports Council, the Irish Sport Anti-Doping Disciplinary Panel and CAS (as applicable) under these Rules, including by making himself or herself available for Out-of-Competition Testing and by providing such whereabouts information during the notice period as is required by the Irish Sports Council. WADA, in consultation with the relevant International Federation and the Irish Sports Council, may grant an exemption to the six (6) month written notice requirement where its strict application would be manifestly unfair to an Athlete. WADA’s decision may be appealed under Article 13.

5.9.5 If an Athlete retires from sport while subject to a period of Ineligibility, such that he or she is no longer bound by and required to comply with these Rules, that Athlete may not return to Competition unless he or she has given his or her National Governing Body, the Irish Sports Council and his or her International Federation (if applicable) written notice of no less than six (6) months (or notice equivalent to the period of Ineligibility remaining as of the date the Athlete retired, if that period was longer than six months) of his or her intent to return to Competition and during that notice period he or she has submitted to the application of these Rules and to the jurisdiction of the National Governing Body, the Irish Sports Council,
the Irish Sport Anti-Doping Disciplinary Panel and CAS (as applicable) under these Rules, including by making himself or herself available for Out-of-Competition Testing and by providing such whereabouts information during the notice period as is required by the Irish Sports Council.

5.9.6 Any competitive results obtained in violation of Articles 5.9.4 and 5.9.5 shall be Disqualified.

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

5.10 Athlete Whereabouts Requirements

5.10.1 Each Athlete in the Irish Sports Council Registered Testing Pool is required:

5.10.1.1 to make to the Irish Sports Council an accurate and complete quarterly Whereabouts Filing in the format and detail required by the Irish Sports Council pursuant to Annex I of the International Standard for Testing and Investigations in relation to his or her whereabouts during the forthcoming quarter, including identifying where he or she will be living, training and competing during that quarter. If the Athlete fails to make to the Irish Sports Council each required Whereabouts Filing by the specified timeline or makes a Whereabouts Filing that is not accurate and complete or does not update a Whereabouts Filing as soon as possible, that failure shall amount to a Filing Failure and shall therefore constitute a Whereabouts Failure for the purposes of Article 2.4;

5.10.1.2 to specify in his or her Whereabouts Filing, for each day in the forthcoming quarter, one specific sixty (60) minute time slot between 5 a.m. and 11 p.m. each day when he or she will be available at a specified location for Testing. This shall not limit in any way the Athlete’s obligation to be available for Testing at any time and place. Nor shall it limit his or her obligation to provide the information as to his or her whereabouts outside of that sixty (60) minute time slot. However, if the Athlete is not available for Testing at such location during the 60-minute time slot specified for that day in his/her Whereabouts Filing, that failure shall constitute a Missed Test, and shall therefore constitute a Whereabouts Failure for the purposes of Article 2.4.

5.10.2 An Athlete in the Irish Sports Council Registered Testing Pool may choose to delegate the making of some or all of his or her required Whereabouts Filings and/or any updates to his or her Whereabouts Filings to a third party provided that the third party agrees to such delegation. The Irish Sports Council may require written notice of the delegation to be filed with it, signed by both the Athlete in question and the applicable third party.

5.10.3 In all cases however (including in the case of Athletes in Team Sports):

5.10.3.1 each Athlete remains ultimately responsible at all times for making accurate and complete Whereabouts Filings and updates as required by these Rules, whether he or she makes each Whereabouts Filing or update personally or delegates it to a third party. It shall not be a defence to an allegation of a Filing Failure under these Rules that the Athlete delegated such responsibility to a third party and that the third party failed to comply with the applicable requirements; and

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

5.11 Whereabouts Failures Results Management

5.11.1 An Athlete may only be declared to have committed a Filing Failure for the purposes of these Rules where the Irish Sports Council can establish that the conditions in Article I.3.6 of the International Standard for Testing and Investigations have been met.
5.11.2 An Athlete may only be declared to have committed a Missed Test for the purposes of these Rules where the Irish Sports Council can establish that the conditions in Article I.4.3 of the International Standard for Testing and Investigations have been met.

5.11.3 If the Irish Sports Council concludes that all of the conditions in Article I.3.6 of the International Standard for Testing and Investigations in relation to Filing Failures or Article I.4.3 of the International Standard for Testing and Investigations in relation to Missed Tests, as the case may be, are satisfied, then it shall follow the results management procedure provided for in Article I.5 of the International Standard for Testing and Investigations.

5.11.4 The Irish Sports Council 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.

5.11.5 In respect of an alleged anti-doping rule violation under Article 2.4, the Irish Sport Anti-Doping Disciplinary Panel shall not be bound by any determination made during the results management process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise, and the burden is on the Irish Sports Council to establish all of the requisite elements of each Whereabouts Failure.

6. ARTICLE 6: ANALYSIS OF SAMPLES

6.1 Incorporation of the International Standard for Laboratories

These Rules adopt and incorporate the International Standard for Laboratories as revised from time to time and all Athletes and other Persons shall be deemed to accept the International Standard for Laboratories and all revisions thereto as binding upon them without further formality.

6.2 Analysis in Accredited and Approved Laboratories

For purposes of these Rules, Samples collected by or on behalf of the Irish Sports Council pursuant to these Rules shall be analysed only in WADA-accredited laboratories chosen exclusively by the Irish Sports Council or laboratories otherwise approved by WADA and chosen exclusively by the Irish Sports Council.

6.3 Standard for Sample Analysis and Reporting

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

6.4 Purpose of Analysis of Samples

Samples shall be analysed to detect Prohibited Substances (and their Metabolites and Markers) and Prohibited Methods, other substances as may be directed by WADA pursuant to the Monitoring Programme described in Article 4.5 of the Code and/or to assist the Irish Sports Council and/or another Anti-Doping Organisation in profiling relevant parameters in an Athlete's urine, blood or other matrix, including DNA or genomic profiling, or for any other legitimate anti-doping purpose. Samples may be collected and stored for future analysis.

6.5 Further Analysis of Samples

6.5.1 Any Sample may be subject to further analysis by the Irish Sports Council at any time before both the A and B Sample analytical results (or A Sample result where B Sample analysis has been waived or will not be performed) have been communicated by the Irish Sports Council to the Athlete as the basis asserted for an Article 2.1 anti-doping rule violation.
6.5.2 *Samples* may be stored and subjected to further analyses for the purpose of Article 6.4 at any time exclusively at the direction of the *Irish Sports Council* or WADA. Further analysis of *Samples* shall conform with the requirements of the *International Standard for Laboratories* and the *International Standard for Testing and Investigations*.

6.6 **Ownership of, and Research on, Samples**

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

6.6.2 No *Sample* may be used for research without the *Athlete’s* written consent. A *Sample* used for purposes other than as described in Article 6.4 shall have any means of identification removed such that it cannot be traced back to a particular *Athlete*.

7. **ARTICLE 7: RESULTS MANAGEMENT**

7.1 **Responsibility for Results Management**

Results management and the investigation of potential anti-doping rule violations shall proceed pursuant to these Rules under Article 7.1 of the *Code* and Article 7.1 of these Rules where the *Irish Sports Council* initiated and directed *Sample* collection or, if no *Sample* collection is involved, where the *Irish Sports Council* first provides notice to an *Athlete* or other *Person* of the alleged anti-doping rule violation and then pursues that alleged anti-doping rule violation.

7.2 **Review Regarding Adverse Analytical Findings**

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

7.2.1.1 the presence of the *Prohibited Substance* or its *Metabolite* or *Marker* in the *Athlete’s Sample* is consistent with a valid and applicable *TUE* held by the *Athlete* or a *TUE* which could be granted to the *Athlete* in accordance with Article 4 of these Rules or the *International Standard for Therapeutic Use Exemptions*; or

7.2.1.2 there has been any apparent departure from the *International Standard for Testing and Investigations* or from the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*.

7.2.2 If it is determined pursuant to Article 7.2.1 either that the *Adverse Analytical Finding* is consistent with a valid and applicable *TUE* held by the *Athlete* or with a retroactive *TUE*, or that there has been an apparent departure from either the *International Standard for Testing and Investigations* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, then the entire test shall be considered negative and the *Athlete*, the *Athlete’s National Governing Body*, the *Athlete’s International Federation* and WADA shall be so informed. The *Irish Sports Council* need take no further action in relation to such *Adverse Analytical Finding*, provided, however, that the *Athlete* may subsequently be made the subject of *Target Testing*.

7.2.3 If it is determined pursuant to Article 7.2.1 that there is neither a valid and applicable *TUE* or retroactive *TUE* with which the *Adverse Analytical Finding* is consistent, nor a departure from either the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, then there shall be deemed to be a case to answer under Article 2 and the *Irish Sports Council* shall send the *Athlete* a notification in accordance with Article 7.6.
7.3 Review of Atypical Findings

7.3.1 As provided in the Prohibited List and/or the International Standard for Laboratories, where a Prohibited Substance or its Marker or Metabolite that may also be produced endogenously is found to be present in an A Sample, in some circumstances laboratories are directed to report such presence as an Atypical Finding that should be investigated further. Upon receipt of an Atypical Finding, the Irish Sports Council shall conduct a review to determine whether:

7.3.1.1 the presence of the Prohibited Substance or its Marker or Metabolite in the Athlete’s Sample is consistent with a valid and applicable TUE held by the Athlete or a TUE which could be granted to the Athlete in accordance with Article 4 of these Rules or the International Standard for Therapeutic Use Exemptions; or

7.3.1.2 there has been any apparent departure from the International Standard for Testing and Investigations or from the International Standard for Laboratories that caused the Atypical Finding.

7.3.2 If it is determined pursuant to Article 7.3.1 either that the Atypical Finding is consistent with a valid and applicable TUE held by the Athlete or with a retroactive TUE, or that there has been an apparent departure from either the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, then the entire test shall be considered negative and the Athlete, the Athlete’s National Governing Body, the Athlete’s International Federation and WADA shall be so informed. The Irish Sports Council need take no further action in relation to such Atypical Finding, provided, however, that the Athlete may subsequently be made the subject of Target Testing.

7.3.3 If it is determined pursuant to Article 7.3.1 that there is neither a valid and applicable TUE nor a retroactive TUE with which the Atypical Finding is consistent or that there has been a departure from either the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, then the Irish Sports Council may conduct any necessary follow-up investigation.

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

7.3.5 If the Irish Sports Council determines that the B Sample should be analysed prior to the conclusion of its investigation under Article 7.3.3, the Irish Sports Council may conduct the B Sample analysis after notifying the Athlete, with such notice to include (a) a description of the Atypical Finding; (b) the scheduled date, time and place for the B Sample analysis; (c) the Athlete’s right to request copies of the A and B Sample laboratory documentation package; and (d) confirming the opportunity for the Athlete and/or the Athlete’s representative to attend the B Sample opening and analysis.

7.3.6 If, after the investigation is completed, the Irish Sports Council concludes that the Atypical Finding should not be considered an Adverse Analytical Finding, the Irish Sports Council shall advise the Athlete, the Athlete’s National Governing Body, the Athlete’s International Federation and WADA of that fact. The Irish Sports Council need take no further action in relation to such Atypical Finding, provided, however, that the Athlete may subsequently be made the subject of Target Testing.

7.3.7 If, after the investigation is completed, the Irish Sports Council concludes that the Atypical Finding should be considered an Adverse Analytical Finding, such that there is a case to answer under Article 2, the Irish Sports Council shall send the Athlete, the Athlete’s International Federation and WADA a notification in accordance with Article 7.6.
7.4 Review of Atypical Passport Findings and Adverse Passport Findings

The Irish Sports Council shall review Atypical Passport Findings and Adverse Passport Findings as provided in the International Standard for Testing and Investigations and the International Standard for Laboratories, as revised by WADA from time to time. If the Irish Sports Council is satisfied there is a case to answer under Article 2, it shall send the Athlete, the Athlete's International Federation and WADA a notification in accordance with Article 7.6.

7.5 Review of Other Anti-Doping Rule Violations

Where, following the conclusion of the results management procedure referred to in Article 5.11.3, the Irish Sports Council concludes that it is appropriate to allege that an Athlete or other Person has committed an anti-doping rule violation under Article 2.4, it shall send the Athlete a notification in accordance with Article 7.6. Where a matter arises that involves evidence of a potential anti-doping rule violation other than an Adverse Analytical Finding, an Atypical Finding, an Atypical Passport Finding or an Adverse Passport Finding the Irish Sports Council shall conduct any further investigation into the possible anti-doping rule violation which the Irish Sports Council considers appropriate including the seeking of any additional information it considers relevant from any Persons and/or the carrying out of such Target Testing as it considers appropriate. Where, following the conclusion of such investigation, the Irish Sports Council concludes that it is appropriate to allege that an Athlete or other Person has committed an anti-doping rule violation, it shall send the Athlete or other Person and his or her International Federation and WADA a notification in accordance with Article 7.6.

7.6 Notification

7.6.1 Where it is determined pursuant to Article 7 that an Athlete or other Person has a case to answer under Article 2, then, the Irish Sports Council shall as soon as practicable notify the Athlete or other Person, in such manner as the Irish Sports Council considers appropriate (the “Notification”), of:

7.6.1.1 the anti-doping rule violation(s) that the Athlete or other Person is alleged to have committed;

7.6.1.2 a summary of the facts and evidence relied upon by the Irish Sports Council in support of such alleged anti-doping rule violation. Where the alleged anti-doping rule violation is based upon an Adverse Analytical Finding, a copy of the Adverse Analytical Finding report from the laboratory shall be enclosed with the Notification and the Athlete shall be notified of his or her right to request a copies of the A and B Sample laboratory documentation packages which includes information as required by the International Standard for Laboratories;

7.6.1.3 where applicable, notice of the Provisional Suspension to be imposed on the Athlete or other Person pursuant to Article 7.8.1 or Article 7.8.2, along with an explanation of the Athlete's or other Person's rights under Articles 7.8.3 and 7.8.4 in relation to such Provisional Suspension;

7.6.1.4 the Consequences applicable under these Rules if it is established that the Athlete or other Person has committed the alleged anti-doping rule violation(s) (including identifying any discretion that may exist in relation to such Consequences under these Rules);

7.6.1.5 where the alleged anti-doping rule violation is based on an Adverse Analytical Finding:

7.6.1.5.1 the right of the Athlete to promptly request an analysis of the B Sample and, failing such request, the B Sample analysis shall be deemed to be waived;

7.6.1.5.2 notice that the place, time and date for the B Sample analysis, if requested by the Athlete, must be agreed between the Irish Sports Council and the Athlete within ten (10) days of the Athlete's receipt of the Notification, and in default of agreement, on such date and at such time and place as shall be specified by the Irish Sports Council; and

7.6.1.5.3 the right of the Athlete and/or the Athlete's representative to attend the analysis of the B Sample, in accordance with Article 7.7;
7.6.1.6 the right of the Athlete or other Person to respond to the Notification in one of the following ways:

7.6.1.6.1 to admit the alleged anti-doping rule violation(s), and accede to the Consequences specified in the Notification;

7.6.1.6.2 to admit the alleged anti-doping rule violation(s), but to dispute and/or seek to mitigate the Consequences specified in the Notification, and to have the Consequences determined at a hearing conducted in accordance with Article 8; or

7.6.1.6.3 to deny the alleged anti-doping rule violation(s), and to have the alleged anti-doping rule violation(s) and, if the alleged anti-doping rule violation is found to have been committed, any Consequences determined at a hearing conducted in accordance with Article 8;

provided that if the Athlete or other Person wishes to exercise his/her right to a hearing, he/she must submit a written request for such a hearing so that it is received by the Irish Sports Council as soon as possible, but in any event within fourteen (14) days of the Athlete's or other Person's receipt of the Notification. The request must also state how the Athlete or other Person responds to the alleged anti-doping rule violation in the Notification and must explain (in summary form) the basis for such response. In the event no such response is received by that deadline, the Athlete or other Person will be deemed to have admitted the alleged anti-doping rule violation(s), and, unless the Irish Sports Council at its sole discretion refers the determination of the applicable Consequences to a hearing conducted in accordance with Article 8, the Athlete or other Person shall also be deemed to have acceded to the Consequences specified in the Notification.

7.6.2 The Irish Sports Council shall send copies of the notification in Article 7.6.1 to the Athlete's or other Person's National Governing Body and International Federation and to WADA and, if the Athlete or other Person exercises his or her rights under Articles 7.6.1.6.2 or 7.6.1.6.3, to the Irish Sport Anti-Doping Disciplinary Panel.

7.6.3 In the Notification, and/or at any other time prior to the determination of the alleged anti-doping rule violation at a hearing, the Irish Sports Council may communicate with the Athlete or other Person as it sees fit in relation to any matter pertaining to these Rules including inviting the Athlete or other Person to admit the alleged anti-doping rule violation(s) and accede to specified Consequences.

7.6.4 In the event that the Irish Sports Council withdraws the Notification, or the Athlete or other Person admits the alleged anti-doping rule violation(s) and accedes to the Consequences specified by the Irish Sports Council (or is deemed to have done so in accordance with Article 7.6.1), neither B Sample analysis nor a hearing is required. Instead, the Irish Sports Council shall promptly issue a reasoned decision confirming the commission of the anti-doping rule violation(s) and the imposition of the specified Consequences, shall send notice of the decision to the Athlete or other Person and to the Athlete's or other Person's National Governing Body and International Federation, WADA and the Irish Sport Anti-Doping Disciplinary Panel, and shall publish the decision in accordance with Article 15.

7.7 B Sample Analysis

7.7.1 If the Athlete exercises the right to have his or her B Sample analysed, such analysis shall be conducted on the date and at the time and place agreed to between the Irish Sports Council and the Athlete or as specified by the Irish Sports Council, as the case may be, in accordance with Article 7.6.1.5.2, and the Athlete and/or his or her representative shall have a right to attend on that date at the Athlete's cost to witness the opening and analysis of the B Sample, as shall representatives of the Irish Sports Council, the International Federation and the National Governing Body concerned (at their own cost). The Athlete shall have no right to an adjournment of the agreed date. If the Athlete or his or her representative is unable to attend on the agreed or specified date, as the case may be, then the laboratory shall arrange for an independent witness to attend the B Sample analysis to verify, in accordance with the International Standard for Laboratories, that the B Sample container shows no signs of tampering and that the identifying numbers correspond to those on the Sample collection documentation. Where an Athlete has been provisionally suspended, he or she shall remain provisionally suspended notwithstanding the fact that he or she has requested the analysis of his or her B Sample.
7.7.2 If the Athlete admits the alleged anti-doping rule violation(s), and/or does not exercise his or her right to the B Sample analysis, he or she shall be deemed to have waived his/her right to have the B Sample analysed and to have accepted the Adverse Analytical Finding based on the A Sample analysis alone. The Irish Sports Council may nonetheless proceed with the B Sample analysis at any time. The Athlete and/or his or her representative shall have a right to attend on that date at the Athlete’s cost to witness the opening and analysis of the B Sample. Representatives of the Irish Sports Council, the International Federation and the National Governing Body concerned shall have to right to attend the analysis at their own cost.

7.7.3 If the analysis of the B Sample analysis does not confirm the Adverse Analytical Finding in respect of the A Sample, then, unless the Irish Sports Council alleges the anti-doping rule violation of Use against the Athlete under Article 2.2, the entire test shall be considered negative and the Athlete, the Athlete's National Governing Body and International Federation and WADA shall be so informed. In such circumstances, the Notification will be withdrawn, the proceedings instituted against the Athlete shall be discontinued, any Provisional Suspension previously imposed on the Athlete pursuant to Article 7.8 shall be deemed automatically vacated with immediate effect, and no further disciplinary action shall be taken against the Athlete by the Irish Sports Council in relation to the original Adverse Analytical Report. In circumstances where the Athlete (or the Athlete’s team as may be provided in the rules of the applicable International Federation or Major Event Organisation) has been removed from a Competition based solely on the Adverse Analytical Finding, if, without otherwise affecting the Competition, it is still possible for the Athlete or team to be re-instated, the Athlete or team may continue to take part in the Competition.

7.7.4 If the B Sample analysis confirms the Adverse Analytical Finding in respect of the A Sample, then the Irish Sports Council shall provide the B Sample laboratory documentation package to the Athlete, if requested, and the matter shall proceed to a hearing as set out in Article 8.

7.8 Provisional Suspensions

7.8.1 Mandatory Provisional Suspension after Adverse Analytical Finding

When an Adverse Analytical Finding is issued against an Athlete for a Prohibited Substance or for evidence of a Prohibited Method, other than a Specified Substance, and it has been concluded, in accordance with Article 7.2 that the Athlete has a case to answer under Article 2, then (subject only to Article 7.8.3) a Provisional Suspension will come into effect automatically on the date specified by the Irish Sports Council in the Notification.

7.8.2 Discretionary Provisional Suspension

In all other case where it is determined pursuant to Articles 7.2, 7.3, 7.4 or 7.5 that an Athlete or other Person has a case to answer under Article 2, then (subject only to Article 7.8.3) a Provisional Suspension will come into effect automatically on the date specified by the Irish Sports Council in the Notification unless the Irish Sports Council determines that a Provisional Suspension shall not apply and so specifies in the Notification.

7.8.3 Appeals from Provisional Suspensions

The imposition of a Provisional Suspension may be appealed exclusively in accordance with Article 13.2.4. The Provisional Suspension shall not be lifted unless the Athlete or other Person establishes that:

7.8.3.1 the Provisional Suspension has been imposed in violation of these Rules;

7.8.3.2 he or she is likely to establish No Fault or Negligence for the alleged anti-doping rule violation under Article 10.3 so that any period of Ineligibility that might otherwise be imposed for such violation is likely to be completely eliminated; or

7.8.3.3 the violation is likely to have involved a Contaminated Product.
7.8.4 Right to Expedited Hearing

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

7.9 Suspension of Financial Support

All sport-related financial support to an Athlete shall stand suspended from the Notification of that Athlete under Article 7.6 of an alleged anti-doping rule violation, other than an anti-doping rule violation involving a Specified Substance. The suspension shall last until the date of final determination that an anti-doping rule violation has or has not been committed, when the following provisions shall apply:

7.9.1 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.

7.9.2 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.

7.9.3 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 10.9 shall apply.

7.10 Retirement from Sport

If an Athlete or other Person retires while a results management process under these Rules is underway, the Irish Sports Council retains jurisdiction to complete its results management process. If an Athlete or other Person retires before any results management process under these Rules has begun, the Anti-Doping Organisation which 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, has authority to conduct results management.

8. ARTICLE 8: DISCIPLINARY PROCEEDINGS

8.1 Appointment of the Irish Sport Anti-Doping Disciplinary Panel

The Irish Sports Council shall appoint the Irish Sport Anti-Doping Disciplinary Panel in accordance with the Panel Rules.

The Panel Rules may be amended from time to time, by the Chair of the Irish Sport Anti-Doping Disciplinary Panel following agreement with the Irish Sports Council, in order to reflect any changes made to the Code and otherwise as required to ensure they remain fit for purpose. Any amendments shall be published by the Irish Sports Council, which shall confirm the date upon which such amendments shall come into effect, as well as any transitional arrangements.

8.2 Jurisdiction of the Irish Sport Anti-Doping Disciplinary Panel

8.2.1 When it is alleged that an Athlete or other Person has committed a violation of these Rules, save where the matter is dealt with under Article 7.6.4, the Irish Sports Council shall refer the matter to the Irish Sport Anti-Doping Disciplinary Panel for adjudication as to whether the Athlete or other Person has committed a violation of these Rules and if so what Consequences should be imposed.

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

8.2.3 The Irish Sport Anti-Doping Disciplinary Panel has all powers necessary for, and incidental to, the exercise of its functions.
8.2.4 The Irish Sport Anti-Doping Disciplinary Panel shall not have the power to award costs save as provided in Article 10.10 and as follows:

8.2.4.1 if the Irish Sport Anti-Doping Disciplinary Panel finds that there has been no anti-doping rule violation by the Athlete or other Person concerned; and

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

8.3 Procedure

8.3.1 The Irish Sports Council shall present the case against the Athlete or other Person.

8.3.2 Where agreed between the National Governing Body of the Athlete or other Person concerned and the Irish Sports Council in advance, the National Governing Body shall present the case against the Athlete or other Person concerned. In such a case the Irish Sports Council shall have the right to join proceedings and attend hearings of the hearing panel as a party.

8.3.3 The Irish Sports Council, if not a party to the proceedings in accordance with Article 8.3.2, the relevant International Federation and WADA shall each have the right to attend hearings of the hearing panel as an observer.

8.3.4 Proceedings held in connection with Events may be conducted on an expedited basis.

8.3.5 Anti-doping rule violations asserted against International-Level Athletes or National-Level Athletes may, with the consent of the Athlete, the Irish Sports Council, WADA, and any other Anti-Doping Organisation that would have had a right to appeal a first instance hearing decision to CAS, be heard directly at CAS, with no requirement for a prior hearing.

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

8.4.1 The Irish Sports Council (or the National Governing Body in cases under Article 8.3.2) shall have the burden of proving the alleged anti-doping rule violation(s). The standard of proof shall be whether the Irish Sports Council (or the National Governing Body in cases under Article 8.3.2) has established the anti-doping rule violation(s) to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation that is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.

8.4.2 Where these Rules place the burden of proof upon the Athlete or other Person concerned to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

8.4.3 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. Facts related to anti-doping rule violations may be established by any reliable means, including admissions.

8.4.4 Analytical methods or decision limits approved by WADA after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid. Any Athlete or other Person seeking 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. CAS on its own initiative may also inform WADA of any such challenge. At WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within 10 days of WADA's receipt of such notice, and WADA's receipt of the CAS file, WADA shall also have the right to intervene as a party, appear amicus curiae, or otherwise provide evidence in such proceeding.
8.4.5 WADA-accredited laboratories, and other laboratories approved by WADA, shall be presumed to have conducted Sample analysis and custodial procedures in accordance with the applicable 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 the Irish Sports Council shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding.

8.4.6 Departures from any other International Standard or other anti-doping rule or policy set forth in the Code or these Rules which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such evidence or results. If the Athlete or other Person establishes that a departure from another International Standard or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or other anti-doping rule violation, then the Irish Sports Council shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.

8.4.7 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 of those facts unless the Athlete or other Person establishes that the decision violated principles of natural justice.

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

8.4.8.1 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

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

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

8.4.9 The hearing panel in a hearing on an anti doping rule violation may draw an inference that is adverse to the Athlete or other Person alleged to have committed an anti-doping rule violation 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 directed by the hearing panel) and to answer questions from the hearing panel and/or a party.

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

8.5 Disciplinary Decisions

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

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

8.6 National Governing Body Disciplinary Panel

8.6.1 A National Governing Body may, in agreement with the Irish Sports Council, determine that hearings pursuant to this Article shall be before its own disciplinary panel and for the purposes of the rules of the National Governing Body concerned all references to the Irish Sport Anti-Doping Disciplinary Panel and/or the hearing panel in this Article shall be construed as referring to its disciplinary panel.
8.6.2 The Irish Sports Council, in so agreeing with a National Governing Body, may require the National Governing Body to comply with such conditions and terms regarding its disciplinary panel as the Irish Sports Council considers appropriate in all the circumstances.

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

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

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

8.6.6 All decisions issued by such disciplinary panel shall be final and binding on all of the parties identified in Article 13.2.5 and may only be appealed in accordance with Article 13.

9. ARTICLE 9: DISQUALIFICATION SANCTIONS ON INDIVIDUALS

9.1 Automatic Disqualification of Individual Results

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

9.2 Disqualification of Event Results

9.2.1 An anti-doping rule violation occurring during or in connection with an Event may, upon the decision of the ruling body of the Event, lead to Disqualification of all of the Athlete's individual results obtained in that Event with all Consequences, including forfeiture of all medals, points and prizes, 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 he or she bears 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 results in the Competition which produced the positive Sample under Articles 9.1 and 9.2 as applicable, all other competitive results of the Athlete obtained from the date the positive Sample in question was collected (whether In-Competition or Out-of-Competition), or other anti-doping rule violation occurred, through the commencement of any Provisional Suspension or Ineligibility period, shall, unless fairness requires otherwise, be Disqualified with all of the resulting Consequences including forfeiture of any medals, points and prizes.
10. **ARTICLE 10: INELIGIBILITY SANCTIONS FOR INDIVIDUALS**

The appropriate sanction shall be determined in a sequence of four steps. First, the *Irish Sport Anti-Doping Disciplinary Panel* shall determine which of the basic Ineligibility sanctions (Article 10.1 or 10.2) apply to the particular anti-doping rule violation. Second, if the basic Ineligibility sanction provides for a range of sanctions, the *Irish Sport Anti-Doping Disciplinary Panel* shall determine the applicable sanction within that range according to the Athlete or other Person’s degree of Fault (Article 10.3 or Article 10.4). In a third step, the *Irish Sport Anti-Doping Disciplinary Panel* shall establish whether there is a basis for elimination, suspension, or reduction of the sanction (Article 10.5). Finally, the *Irish Sport Anti-Doping Disciplinary Panel* shall decide on the commencement of the period of Ineligibility under Article 10.7.

10.1 *Ineligibility for the presence, Use or Attempted Use, or Possession of a Prohibited Substances or Prohibited Method*

10.1.1 The period of Ineligibility imposed for a violation of Article 2.1, Article 2.2 or Article 2.6, shall, subject to the conditions for a potential reduction or suspension in Articles 10.3, 10.4 or 10.5, be four (4) years’ where:

10.1.1.1 The anti-doping rule violation does not involve a Specified Substance, unless the Athlete or other Person can establish that the anti-doping rule violation was not intentional; or

10.1.1.2 The anti-doping rule violation involves a Specified Substance and the Irish Sports Council can establish that the anti-doping rule violation was intentional.

10.1.2 Where Articles 10.1.1.1 and 10.1.1.2 do not apply, the period of Ineligibility shall be two (2) years.

10.1.3 As used in Articles 10.1 and 10.2, the term “intentional” is used to identify those Athletes who cheat. The term, therefore, requires that the Athlete or other Person engaged in conduct which he or she 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. An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition:

10.1.3.1 shall be rebuttably presumed not to be “intentional” if the substance is a Specified Substance and the Athlete can establish that the Specified Substance was Used Out-of-Competition;

10.1.3.2 shall not be considered “intentional” if the substance is not a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition in a context unrelated to sport performance.

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 10.4 or 10.5 are applicable:

10.2.1 For violations of Article 2.3 or 2.5, the Ineligibility period shall be four (4) years unless, in the case of failing to submit to Sample collection, the Athlete can establish that the commission of the anti-doping rule violation was not intentional (as defined in Article 10.1.3), in which case the period of Ineligibility shall be two (2) years.

10.2.2 For violations of Article 2.4, the period of Ineligibility shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the Athlete’s degree of Fault. This reduction 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.
10.2.3 For violations of Article 2.7 or 2.8, the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 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 for Specified Substances shall result in lifetime Ineligibility for Athlete Support Personnel. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

10.2.4 For violations of Article 2.9, the period of Ineligibility imposed shall be a minimum of two (2) years, up to four (4) years, depending on the seriousness of the violation.

10.2.5 For violations of Article 2.10, the period of Ineligibility imposed shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the Athlete’s or other Person’s degree of Fault and other circumstances of the case.

10.3 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 he or she bears No Fault or Negligence, then the otherwise applicable period of Ineligibility shall be eliminated. Except in the case of a Minor, in order to establish No Fault or Negligence for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

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

10.4.1 Reduction of Sanctions for Specified Substances or Contaminated Products for Violations of Article 2.1, 2.2 or 2.6

10.4.1.1 Specified Substance
Where the anti-doping rule violation involves a Specified Substance, 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 (2) years’ Ineligibility, depending on the Athlete’s or other Person’s degree of Fault. Except in the case of a Minor, in order to establish No Significant Fault or Negligence for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

10.4.1.2 Contaminated Products
In cases where the Athlete or other Person can establish No Significant Fault or Negligence and that the detected Prohibited Substance came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years’ Ineligibility, depending on the Athlete’s or other Person’s degree of Fault. Except in the case of a Minor, in order to establish No Significant Fault or Negligence for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

10.4.2 Application of No Significant Fault or Negligence beyond the application of Article 10.4.1
If an Athlete or other Person establishes in an individual case where Article 10.4.1 is not applicable, that he or she bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 10.5, the otherwise applicable period of Ineligibility may be reduced based on the Athlete’s or other Person’s 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 (8) years.
10.5 Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons other than Fault

10.5.1 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

The Irish Sports Council may, prior to an appellate decision under Article 13 or the expiration of the time to appeal to CAS, suspend a part of the period of Ineligibility imposed in an individual case in which the Irish Sports Council has results management authority where the Athlete or other Person has provided Substantial Assistance to the Irish Sports Council or another Anti-Doping Organisation, a criminal authority or professional disciplinary body which results in:

10.5.1.1 the Irish Sports Council or other Anti-Doping Organisation discovering or bringing forward an anti-doping rule violation by another Person; or

10.5.1.2 a criminal or disciplinary body discovering or bringing forward a criminal offence or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to the Irish Sports Council.

10.5.1.3 After an appellate decision under Article 13 or the expiration of time to appeal, the Irish Sports Council may only suspend a part of the otherwise applicable period of Ineligibility with the approval of WADA and the applicable International Federation.

10.5.1.4 The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the Athlete or other Person and the significance of the Substantial Assistance provided by the Athlete or other Person to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Article must be no less than eight (8) years.

10.5.1.5 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 the period of Ineligibility was based, the Irish Sports Council shall reinstate the original period of Ineligibility. If the Irish Sports Council Anti-Doping Disciplinary Panel decides to reinstate a suspended period of Ineligibility or decides not to reinstate a suspended period of Ineligibility, that decision may be appealed by any Person entitled to appeal under Article 13.

10.5.1.6 To further encourage Athletes and other Persons to provide Substantial Assistance to Anti-Doping Organisations, at the request of the Irish Sports Council or at the request of the Athlete or other Person who has, or has been asserted to have, committed an anti-doping rule violation, WADA may agree at any stage of the results management process, including after a final 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 elsewhere in this Article 10.5.1, or even no period of Ineligibility, and/or no return of prize money or payment of fines or costs. WADA’s approval shall be subject to reinstatement of sanction, as otherwise provided in this Article 10.5.1. Notwithstanding Article 13, WADA’s decisions in the context of this Article 10.5.1 may not be appealed by any other Anti-Doping Organisation.

10.5.1.7 If the Irish Sports Council suspends any part of an otherwise applicable sanction because of Substantial Assistance, then the Irish Sports Council shall provide a written justification for its decision to each Anti-Doping Organisation having a right to appeal the decision.

10.5.1.8 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.
10.5.2 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 Notification of the alleged violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced, but not below one-half of the period of Ineligibility otherwise applicable.

10.5.3 Prompt Admission of Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Articles 10.1.1 or 10.2.1

An Athlete or other Person potentially subject to a four (4) year sanction under Article 10.1.1 or 10.2.1 (for evading or refusing Sample collection or Tampering with Sample collection), by promptly admitting the asserted anti-doping rule violation after being confronted by an Anti-Doping Organisation, and also upon the approval and at the discretion of both WADA and the Irish Sports Council, may receive a reduction in the period of Ineligibility down to a minimum of two (2) years, depending on the seriousness of the violation and the Athlete's or other Person's degree of Fault.

10.5.4 Application of Multiple Grounds for Reduction of a Sanction

Where an Athlete or other Person establishes an entitlement to reduction in sanction under more than one provision of Articles 10.3, 10.4 or 10.5, before applying any reduction or suspension under Article 10.5, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.1, 10.2, 10.3 and 10.5. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.5, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

10.6 Multiple Violations

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

(a) Six (6) months;

(b) One-half of the period of Ineligibility imposed for the first anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Article 10.5; or

(c) Twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Article 10.5.

The period of Ineligibility established above may then be further reduced by the application of Article 10.5.

10.6.2 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 10.3 or 10.4 or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight (8) years to lifetime Ineligibility.

10.6.3 An anti-doping rule violation for which an Athlete or other Person has established No Fault or Negligence shall not be considered a prior violation for purposes of this Article.

10.6.4 Additional Rules for Certain Potential Multiple Violations

10.6.4.1 For the purposes of imposing sanctions under Article 10.6 an anti-doping rule violation will only be considered a second violation if the Irish Sports Council can establish that the Athlete or other Person committed the second anti-doping rule violation after the Athlete or other Person received Notification pursuant to Article 7, or after the Irish Sports Council made reasonable efforts to give notice of the first anti-doping rule violation. If the Irish Sports Council cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.
10.6.4.2 If, after the imposition of a sanction for a first anti-doping rule violation, the Irish Sports Council discovers facts involving an anti-doping rule violation by the Athlete or other Person which occurred prior to notification regarding the first violation, then the Irish Sport Anti-Doping Disciplinary Panel shall impose an additional sanction based on the sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all Competitions dating back to the earlier anti-doping rule violation shall be Disqualified as provided in Article 9.3.

10.6.5 Multiple Anti-Doping Rule Violations During Ten (10) Year Period
For the purpose of Article 10.6, each anti-doping rule violation must take place within the same ten (10) year period in order to be considered multiple violations.

10.7 Commencement of Ineligibility Period
Except as provided below, the period of Ineligibility shall start on the date of the decision providing for Ineligibility or, if the hearing is waived or there is no hearing, on the date Ineligibility is accepted or otherwise imposed.

10.7.1 Delays Not Attributable to the Athlete or other Person
Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Athlete or other Person, the period of Ineligibility may start 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.

10.7.2 Timely Admission
Where the Athlete or other Person promptly (which, in all events, for an Athlete means before the Athlete competes again) admits the anti-doping rule violation after being confronted with the alleged anti-doping rule violation(s) by the Irish Sports Council, 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 10.7.2 is applied, the Athlete or other Person shall actually serve at least one-half of the period of Ineligibility going forward from the date the Athlete or other Person accepted the imposition of a sanction, the date of the decision imposing a sanction or the date the sanction is otherwise imposed. Further, this Article 10.7.2 shall not apply where the period of Ineligibility has already been reduced under Article 10.5.3.

10.7.3 Credit for Provisional Suspension or Period of Ineligibility Served

10.7.3.1 If a Provisional Suspension is imposed and 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 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.

10.7.3.2 If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing 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.

10.7.3.3 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Athlete elected not to compete or was suspended by his or her team.
10.7.3.4 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.

10.8 Status during Ineligibility

10.8.1 Prohibition Against Participation During Ineligibility

10.8.1.1 No Athlete or other Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a Competition or activity (other than authorised anti-doping education or rehabilitation programs) authorised or organised 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 or in Competitions authorised or organised by any professional league or any international or national-level Event organisation or any elite or national-level sporting activity funded by a governmental agency.

10.8.1.2 An Athlete or other Person subject to a period of Ineligibility longer than four (4) years may, after completing four (4) years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the jurisdiction 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 Event or International Event, and does not involve the Athlete or other Person working in any capacity with Minors.

10.8.1.3 An Athlete or other Person subject to a period of Ineligibility shall remain subject to Testing.

10.8.2 Return to Training

As an exception to Article 10.8.1, 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.

10.8.3 Violation of the Prohibition of Participation during Ineligibility

Where an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.8.1, the results of such participation shall be Disqualified and 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 based on the Athlete or other Person's degree of Fault and other circumstances of the case. 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.

Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility, the Irish Sports Council shall allege an anti-doping rule violation of Article 2.9 for such assistance.

10.9 Withholding of Financial Support during Ineligibility

For any anti-doping rule violation not involving a reduced sanction as described in Articles 10.3 or 10.4, all sport-related financial support and other sport-related benefits received by an Athlete or other Person shall be withheld by the Irish Sports Council and the applicable National Governing Body and its affiliates, members and/or licensees.
10.10 **Financial Consequences**

In cases where the principle of proportionality is satisfied the *Irish Sports Anti-Doping Disciplinary Panel* (either at first instance or appeal) has discretion to make an award of costs in respect of the hearing or hearings against the *Athlete* or other *Person*. Examples of circumstances which may justify the imposition of costs on an *Athlete* or other *Person* include (but are not limited to) the following: 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.

The priority for repayment of CAS cost awards and forfeited prize money shall be: first, payment of costs awarded by CAS; second, reallocation of forfeited prize money to other *Athletes* if provided for in the rules of the applicable *International Federation*; and third, reimbursement of the expenses of the *Irish Sports Council*.

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

10.11 **Automatic Publication of Sanction**

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

11. **ARTICLE 11: SANCTIONS FOR TEAMS**

11.1 **Testing of Team Sports**

Where more than one member of a team in a *Team Sport* has received Notification of an alleged 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 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.

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.

11.3 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*.

12. **ARTICLE 12: SANCTIONS FOR NATIONAL GOVERNING BODIES**

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

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

13. ARTICLE 13: APPEALS

13.1 Decisions Subject to Appeal and Scope of Appeal

Decisions made under 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.

13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Recognition of Decisions and Jurisdiction

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

(a) a decision that an anti-doping rule violation was committed;

(b) a decision imposing Consequences or not imposing Consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed;

(c) a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons;

(d) a decision by WADA not to grant an exception to the six (6) months’ notice requirement for a retired Athlete to return to Competition under Article 5.9.4;

(e) a decision by WADA assigning results management under Article 7.1 of the Code;

(f) a decision that the Irish Sport Anti-Doping Disciplinary Panel lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences;

(g) a decision by the Irish Sports Council not to bring forward an Adverse Analytical Finding or an Atypical Finding as an alleged anti-doping rule violation, or a decision not to go forward with an alleged anti-doping rule violation after investigation under Article 7.5;

(h) a decision under Article 10.8.3;

(i) a decision by the Irish Sports Council not to recognise another Anti-Doping Organisation’s decision under Article 15 of the Code;

(j) a decision to suspend, or not suspend, a period of Ineligibility or to reinstate, or not reinstate, a suspended period of Ineligibility under Article 10.5.1; and

(k) the Irish Sports Council’s failure to comply with article 7.9.
13.2.2 In cases arising from participation in an International Event or in cases involving International-Level Athletes, the decision may be appealed exclusively to CAS.

13.2.3 In cases not arising from participation in an International Event or involving International-Level Athletes, the decision may be appealed as provided for in Article 13.4, with a further appeal to CAS.

13.2.4 A decision to impose a Provisional Suspension may be appealed exclusively to the Chair of the Irish Sport Anti-Doping Disciplinary Panel or a Vice-Chair appointed by the Chair for that purpose, with a further appeal to CAS save where the decision was made by the Chair or Vice-Chair not to eliminate a Provisional Suspension on account of an Athlete's assertion regarding a Contaminated Product.

13.2.5 In cases under Articles 13.2.2 the following parties shall have the right to appeal to CAS:

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

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

13.2.5.3 the Irish Sports Council;

13.2.5.4 the relevant International Federation;

13.2.5.5 the National Anti-Doping Organisation of the Athlete's or other Person's county of residence, or countries where the Athlete or other Person is a national or licence holder, if different from the Irish Sports Council;

13.2.5.6 the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and

13.2.5.7 WADA.

13.2.6 In cases under Article 13.2.3, the following parties shall have the right to appeal:

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

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

13.2.6.3 the relevant International Federation;

13.2.6.4 the Irish Sports Council and (if different) the National Governing Body of the Person's country of residence;

13.2.6.5 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

13.2.6.6 WADA.

13.2.7 For cases under Article 13.2.3, WADA, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal to CAS from the appeal decision of the Irish Sport Anti-Doping Disciplinary Panel. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organisation whose decision is being appealed and the information shall be provided if CAS so directs.

13.2.8 Notwithstanding any other provision herein, the only Person who may appeal the imposition of a Provisional Suspension is the Athlete or other Person upon whom the Provisional Suspension is imposed.

13.2.9 Save as provided in Articles 13.2.10, 13.2.11 and 13.2.12, a Person entitled to appeal a decision who wishes to do so shall file a notice of the appeal with the Chair of the Irish Sport Anti-Doping Disciplinary Panel c/o the Irish Sports Council within twenty-one (21) days of the date of issuance of the written decision from the Irish Sport Anti-Doping Disciplinary Panel.
13.2.10 Any party filing an appeal who was not a party to the proceedings that led to the decision being appealed, within fifteen (15) days from notice of the decision shall have the right to request a copy of the case file from the body that issued the decision. If such request is made, within the fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file a notice of appeal.

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

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

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

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

13.2.13 In making its decision regarding an appeal under these Rules, CAS need not give deference to the discretion exercised by the body whose decision is being appealed.

13.2.14 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 must file a cross appeal or subsequent appeal at the latest with the party's answer.

13.2.15 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 Organizations that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.2.

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

13.4 Appeal Proceedings
13.4.1 A notice of appeal shall specify the decision being appealed and the grounds upon which the appeal is being made.

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

13.4.3 The appeal panel shall have the same powers and functions as the disciplinary panel and subject to the provisions of these Rules, Article 8 and the Panel Rules, shall apply to proceedings before the appeal panel with changes deemed to have been made to reflect the different context.

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

13.4.5 Upon receipt the Irish Sports Council 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 13.2.5.
13.5 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

13.5.1 Decisions by the Irish Sports Council denying TUE applications made under Article 4.1.3 may be appealed by the Athlete to the appeal panel provided for under Article 13.4.

13.5.2 A decision by WADA reversing the grant or denial of a TUE application by the Irish Sports Council may be appealed exclusively to CAS by the Athlete, the International Federation concerned or the Irish Sports Council.

13.5.3 Any TUE decision by an International Federation (or by the Irish Sports Council where it has agreed to consider the application on behalf of 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 the Irish Sports Council, exclusively to CAS.

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

14. ARTICLE 14: REPORTING AND PRIVACY

14.1 Reporting

14.1.1 Pursuant to Article 14.5 of the Code, the Irish Sports Council shall report the results of Testing conducted under these Rules as soon as possible after such results have been received by the Irish Sports Council. 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 The Irish Sports Council shall report anti-doping reviews, alleged anti-doping violations, proceedings and decisions as and when required by these Rules, the Code and International Standards, on the confidential basis set out in Article 14.1.5 of the Code, to the Athlete's National Governing Body, the Athlete's International Federation, WADA and, where applicable, the Athlete's Anti-Doping Organisation and any other Anti-Doping Organisation that has a right of appeal under Article 13.2.5.

14.1.3 The Irish Sports Council shall publish annually, within six (6) months of the end of the calendar year, a general statistical report of its Doping Control activities during the calendar year with a copy provided to WADA. The Irish Sports Council shall report to WADA on its compliance with the Code in accordance with Article 23.5.2 of the Code.

14.2 Privacy

The Irish Sports Council shall comply with the Code and International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information (as revised from time to time)) and with applicable data protection and privacy laws in respect of the handling of personal information provided to it under these Rules.

15. ARTICLE 15: PUBLIC DISCLOSURE

15.1 The identity of any Athlete or other Person who is alleged by the Irish Sports Council to have committed an anti-doping rule violation may be Publicly Disclosed only after Notification has been provided to the Athlete or other Person in accordance with Article 7, and to the applicable Anti-Doping Organisations.

15.2 The Irish Sports Council, a National Governing Body, an Anti-Doping Organisation, or a WADA accredited or approved laboratory, or official of any, shall not publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the Athlete or other Person or his or her representative or representatives.
15.3 No later than twenty (20) days after it has been determined in a final appellate decision under Article 13, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, the Irish Sports Council shall Publicly Report the disposition of the matter including the sport, the anti-doping rule violation, the name of the Athlete or other Person who committed the violation, the Prohibited Substance or Prohibited Method involved (if applicable) and the Consequences imposed. The Irish Sports Council shall also Publicly Report within twenty (20) days the result of the final appeal decision concerning an anti-doping rule violation, including the information described above.

15.4 The mandatory Public Reporting required in Article 15.1 shall not be required where the Athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

15.5 In any case where it is determined, after a hearing or an appeal, that an anti-doping rule violation has not been committed and the Athlete or other Person concerned does not consent to the publication of the decision in accordance with Article 15.1, or, in a case where the Irish Sport Anti-Doping Disciplinary Panel so directs, the Irish Sports Council shall use reasonable efforts to obtain such consent. If consent is obtained, the Irish Sports Council shall Publicly Disclose the decision in its entirety or in such a redacted form as the Athlete or other Person may approve.

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

16. ARTICLE 16: APPLICATION AND RECOGNITION OF DECISIONS, GOVERNING LAW AND LIMITATIONS

16.1 Recognition of Decisions of Other Organisations

Subject to the right of appeal provided in Article 13, the Testing, hearing results or other final adjudications of any Signatory which are consistent with the Code and are within that Signatory’s authority shall be applicable worldwide and shall be recognised and respected by the Irish Sports Council, each National Governing Body, its member and affiliate organisations, its licensees and all Athletes or other Persons to whom these Rules apply, without further formality. Measures taken by other bodies which have not accepted the Code shall also be recognised and respected if such measures are consistent with the Code.

16.2 Governing Law and Challenges to a Decision or these Rules

16.2.1 Subject to Article 18.2.2 and 18.2.3, these Rules and all matters and proceedings arising in connection with these Rules shall be governed by the laws of Ireland.

16.2.2 These Rules shall constitute an agreement to arbitrate and proceedings before an Irish Sport Anti-Doping Disciplinary Panel hearing panel pursuant to Article 8, or before an Irish Sport Anti-Doping Disciplinary Panel appeal panel pursuant to Article 13, shall constitute arbitration proceedings with a seat in Ireland to which the Arbitration Act 2010 shall apply.

16.2.3 To the greatest extent allowable under applicable law, any challenge to these Rules or to a decision made pursuant to these Rules shall be made exclusively in accordance with the provisions of 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 an Irish Sports Anti-Doping Disciplinary Panel hearing panel, an Irish Sports Anti-Doping Disciplinary Panel appeal panel, or a CAS panel under these Rules.
16.2.4 Subject strictly to Article 16.2.2 and Article 16.2.3, the Courts of Ireland shall have exclusive jurisdiction in relation to these Rules and any decision made hereunder.

16.3 Statute of Limitations

No anti-doping rule violation proceeding may be commenced under these Rules against an Athlete or other Person unless he or she has received notice of the alleged anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten (10) years from the date the violation is alleged to have occurred.

17. ARTICLE 17: NOTICES

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

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

17.3 Subject to Article 17.5, notice to an Athlete in the Irish Sports Council Registered Testing Pool shall be delivered by registered post to the address provided by that Athlete pursuant to Article 17.2. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

17.4 Subject to Article 17.5, notice to any other Person shall be accomplished by sending the notice by registered post to the address provided by that Person to his or her National Governing Body, or to the last known address of that Person, as applicable. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

17.5 The Irish Sports Council and the Irish Sport Anti-Doping Disciplinary Panel each may, at its discretion, as an alternative to or in conjunction with notice by post, use any other method of secure and confidential communication available, including but not limited to courier, facsimile, email, SMS text and/or telephone. In the case of such means of communication, notice shall be deemed to have been received upon the expiry of one (1) working days after the date of sending.

17.6 Notice or other communications to the Irish Sports Council and/or the Irish Sport Anti-Doping Disciplinary Panel given or made under or referred to in these Rules may be accomplished by any means of communication. There shall be no deemed receipt and, if disputed by the Irish Sports Council and/or the Irish Sport Anti-Doping Disciplinary Panel, actual receipt must be proved.

18. ARTICLE 18: MODIFICATION AND INTERPRETATION

18.1 Modification

18.1.1 The Irish Sports Council shall be responsible for overseeing the evolution and improvement of these Rules. Athletes and National Governing Bodies shall be invited to participate in such process.

18.1.2 Amendments to these Rules shall be approved by the Irish Sports Council. Amendments shall, unless provided otherwise, come into effect three (3) months after such approval.
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 the Irish Sports Council as a Signatory nor preventing the Irish Sports Council 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 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.

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

18.2.4 The comments annotating various provisions of the Code and Appendix 2 of the Code are incorporated by reference into these Rules, and shall be treated as if set out in full herein, and shall be used to interpret these Rules.

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

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

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

19. ARTICLE 19: COMMENCEMENT AND TRANSITION

19.1 Commencement

These Rules shall come into full force and effect on the 1st day of January 2015.

19.2 Application to Cases

Any case pending prior to the 1st day of January 2015 or brought after the 1st day of January 2015 based on an anti-doping rule violation which occurred prior to the 1st day of January 2015, shall be governed by the rules in force at the time the alleged anti-doping rule violation occurred save that Article 10.6.5 and 16.3 (if the statute of limitation period has not already expired by 1st January 2015) shall apply retroactively. Further, the Irish Sport Anti-Doping Disciplinary Panel or CAS, as the case may be, may decide to apply other provisions from these Rules as well where doing so benefits the Athlete or other Person alleged to have committed the anti-doping rule violation, based on the principle of lex mitior.
19.3 Application to Decisions

With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the 1st day of January 2015, but the Athlete or other Person is still serving the period of Ineligibility as of the 1st day of January 2015, the Athlete or other Person may apply to the Irish Sport Anti-Doping Disciplinary Panel to consider a reduction in the period of Ineligibility in light of the provisions of these Rules. Such application must be made before the period of Ineligibility has expired. The decision rendered by the Irish Sport Anti-Doping Disciplinary Panel may be appealed pursuant to Article 13. The provisions of these Rules shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired prior to the 1st day of January 2015.

19.4 Application to Multiple Violations

Anti-doping rule violations committed prior to the 1st day of January 2015, 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 10.6.1, where the sanction for the first violation was determined based on pre-2015 Code rules, the period of Ineligibility which would have been assessed for that first violation had 2015 Code rules been applicable, shall be applied.

19.5 Application to Whereabouts Failures

Any Whereabouts Failure that occurred prior to the 1st day of January 2015 will expire (for purposes of Article 2.4) twelve (12) months after the date of its occurrence.

20. ARTICLE 20: MISCELLANEOUS

20.1 Time Periods

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

20.2 Validity of Acts Done

All acts done in good faith by any Person in the implementation of these Rules, notwithstanding that it 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, the Irish Sports Council or the Irish Sport Anti-Doping Disciplinary Panel or any of their respective members, directors, officers, employees, agents, representatives and other Persons involved in the administration of these Rules shall be liable to any Person in any way, in relation to acts done or omitted to be done in good faith in connection with these Rules.

20.4 Severability

If any 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 he or she or it sees fit, provided that such resolution does not materially undermine the reliability of proceedings under these Rules or otherwise cause material injustice to the Athlete or other Person to whom these Rules are being applied.
APPENDIX I - DEFINITIONS

**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 and related technical documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

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

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

**Athlete:** Any person who competes at any level in any sport under the authority of any Signatory, government or other sports organisation accepting the Code, including any Person who competes in sport at the international level (as defined by each International Federation) or the national level.

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

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

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

**Atypical Finding:** A report from a WADA-accredited laboratory or other WADA-approved laboratory that requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an Adverse Analytical Finding.

**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 Federation*.

**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, titles, 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 10.8; (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) *Publicly Report* 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; and (f) *Consequences* for teams in *Team Sports* as provided in Article 11.

**Contaminated Product:** A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable internet search.

**Disqualification:** See Consequences above.

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

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

**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 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 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 must 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 his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.4.1 or 10.4.2

**Filing Failure:** A failure by an Athlete (or by a third party to whom the Athlete has delegated this task) 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 to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with the *International Standard* for Testing and Investigations and these Rules.

**Financial Consequences:** See Consequences above.

**In-Competition:** The period commencing twelve (12) hours before a *Competition* in which the Athlete is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*, unless provided otherwise in the rules of the *International Federation* or the ruling body of the *Event* in question.

**Independent Observer Program:** A team of observers, under the supervision of WADA, who observe and provide guidance on the *Doping Control* process at certain *Events* and report on their observations.

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

**Ineligibility:** See Consequences above.

**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 *Competition* or appoints the technical officials for the *Event* or *Competition*.
**International Federation:** An international non-governmental organisation administering one or more sports at 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 and Investigations.

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

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

**Irish Sports Council:** The Irish Sports Council established pursuant to the Irish Sports Council Act 1999, as amended, replaced or substituted.

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

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

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

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

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

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

**National Event:** An Event or Competition involving 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 the Irish Sports Council and/or which is recognised by the Irish Sports Council as a National Governing Body for a sport in Ireland or part thereof.

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

**No Fault or Negligence:** The Athlete or other Person'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, or otherwise violated an anti-doping rule. Except in the case of a Minor, in order to establish No Fault or Negligence for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

**No Significant Fault or Negligence:** The Athlete or other Person'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. Except in the case of a Minor, in order to establish No Significant Fault or Negligence for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.
Out-of-Competition: Any period which is not In-Competition.

Panel Rules: The rules issued by the Irish Sport Anti-Doping Disciplinary Panel, as amended from time to time, setting out the procedures to be followed by Irish Sport Anti-Doping Disciplinary Panel as regards hearings and appeals in matters referred to them under these Rules.

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 Athlete or other Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises or property in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Athlete or other 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 Athlete or other 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 Athlete or other Person has committed an anti-doping rule violation, the Athlete or other Person has taken concrete action demonstrating that the Athlete or other 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 Athlete or other Person who makes the purchase.


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

Prohibited Substance: Any substance, or class of substances, so described in the Prohibited List.

Provisionally Suspended: See Consequences above.

Publicly Report: See Consequences above.

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 focused In-Competition and 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 5.6 of the Code and the International Standard for Testing and Investigations.

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

Signatory: Those entities that have signed and agreed to comply with the Code, as provided in Article 23 of the Code.

Specified Substance: See Article 3.3.

Substantial Assistance: For the purposes of Article 10.6.1, an Athlete or other Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including testifying at a hearing if requested to do so by the Irish Sports Council, the Irish Sport Anti-Doping Disciplinary Panel, an Anti-Doping Organisation or other hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

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


Team Sport: A sport in which the substitution of players is permitted during a Competition.
**Testing:** The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

**Trafficking:** Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, an *Athlete Support Person* or any other *Person* subject to the jurisdiction of an *Anti-Doping Organisation* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

**TUE:** A Therapeutic Use Exemption as described in Article 4 of these Rules.

**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 following quarter.