

## **Appendix 4 – Bye-Laws to Rule 93 – Anti-Doping**

### **INTRODUCTION**

*The following Bye-Laws are designed to allow the implementation in rowing of the principles contained in the World Anti-Doping Code (the “Code”) which is considered to be an integral part of the FISA Anti-Doping Rules.*

*These Anti-Doping Bye-Laws, like competition rules, are sport rules governing the conditions under which rowing is practiced. Athletes must accept these rules as a condition of participation. Anti-Doping Rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in the Code and implemented in these Anti-Doping Bye-Laws represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts and adjudicating bodies.*

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### **Fundamental Rationale for the Code and FISA’s Anti-Doping Rules**

*Doping is fundamentally contrary to the spirit of sport, the principle of fair play, medical ethics and can be harmful for the health of the athletes.*

### **Scope**

*These Anti-Doping Bye-Laws shall apply to FISA, each National Federation of FISA, and each Participant in the activities of FISA or any of its National Federations by virtue of the Participant’s membership, accreditation, or participation in FISA, its National*

*Federations, or their activities or Events. Any Person who is not a member of a National Federation and who fulfills the requirements to be part of the FISA Registered Testing Pool, must become a member of the Person's National Federation and must make himself available for Testing, at least 12 months before participating in International Events or events of his/her National Federation.*

*The Code applies in particular to the following FISA international competitions:*

- World Rowing Championships*
- Continental Rowing Championships, Regional Games and Olympic Qualification Regattas.*
- International Rowing Regattas and International Rowing events, including Rowing World Cup regattas,*
- International rowing ergometer competitions*
- Olympic Games Rowing Regattas, if the International Olympic Committee has not imposed other rules.*

*It is the responsibility of each National Federation to ensure that all national-level Testing on the National Federation's Athletes complies with these Anti-Doping Bye-Laws. These Anti-Doping Rules shall apply to all Doping Controls over which FISA and its National Federations have jurisdiction.*

#### **ARTICLE 1 DEFINITION OF DOPING**

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

#### **ARTICLE 2 ANTI-DOPING RULE VIOLATIONS**

*The following constitute anti-doping rule violations :*

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

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

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

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

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

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

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

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

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

**2.6 Possession of Prohibited Substances and Methods**

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

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

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

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

**ARTICLE 3 PROOF OF DOPING**

**3.1 Burdens and Standards of Proof**

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

**3.2 Methods of Establishing Facts and Presumptions**

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

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

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

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

#### **ARTICLE 4 THE PROHIBITED LIST**

##### **4.1 Incorporation of the Prohibited List**

*These Anti-Doping Bye-Laws incorporate the Prohibited List which is published and revised by WADA as described in Article 4.1 of the Code and available on WADA's website at [www.wada-ama.org](http://www.wada-ama.org).*

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

*Unless provided otherwise in the Prohibited List and/or a revision the Prohibited List and revisions shall go into effect under these Anti-Doping Rules three months after publication of the Prohibited List by WADA without requiring any further action by FISA. As described in Article 4.2 of the Code, FISA may request that WADA expand the Prohibited List for the sport of rowing. FISA may also request that WADA include additional substances or methods, which have the potential for abuse in the sport of rowing, in the monitoring program described in Article 4.5 of the Code. As provided in the Code, WADA shall make the final decision on such requests by FISA. At the time of the adoption of these rules, FISA has placed no additional substances or methods on the prohibited list.*

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

*As provided in Article 4.3.3 of the Code, WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List shall be final and shall not be subject to challenge by an Athlete or other Person.*

##### **4.4 Therapeutic Use**

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

*4.4.2 Athletes included by FISA in its Registered Testing Pool and other Athletes prior to their participation in any International Event must obtain a TUE from FISA (regardless of whether the Athlete previously has received a TUE at the national level). TUE's granted by FISA shall be reported to the Athlete's National Federation and to WADA. Other Athletes subject to Testing must obtain a TUE from their National Anti-Doping Organization or other body designated by their National Federation. National Federations shall promptly report any such TUE's to FISA and WADA.*

*4.4.3 The FISA Executive Committee shall appoint a panel of 3 medical doctors to consider requests for TUE's (the «TUE Panel»). Upon FISA's receipt of a TUE request, the TUE Panel shall promptly evaluate such request in accordance with the "International Standard for Therapeutic Use Exemptions" and render a decision on such request, which shall be the final decision of FISA.*

*4.4.3.1 The TUE Panel's role is to ensure that the use of the prohibited substance is consistent with current medical knowledge and treatment, and that no other alternative treatment is possible;*

**4.4.3.2.** *This request for authorisation must be :*

- carried out respecting the athlete's right to privacy
- fully medically justified
- submitted in English or French (including all medical justifications), on the FISA forms available on FISA's website: [www.worldrowing.com](http://www.worldrowing.com).

**4.4.3.3.** *This authorization*

- should never put the athlete at risk of worsening his health condition ;
- is for a certain duration.

**4.4.3.4.** *In an acute situation or emergency, the medical decision shall be made by the FISA Doctor at the regatta or, in his absence, the regatta doctor. After the regatta, the standard TUE process will be followed and the further use of the prohibited substance will only be authorized retroactively if the acute situation or exceptional circumstances are confirmed.*

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

## **ARTICLE 5 TESTING**

### **5.1 Authority to Test**

*All Athletes affiliated with a National Federation shall be subject to In-Competition Testing by FISA, the Athlete's National Federation, and any other Anti-Doping Organization responsible for Testing at a Competition or Event in which they participate. All Athletes affiliated with a National Federation shall also be subject to Out-of-Competition Testing at any time or place, with or without advance notice, by FISA, WADA, the Athlete's National Federation, the National Anti-Doping Organization of any country where the Athlete is present, the IOC prior to or during the Olympic Games, and the IPC during the Paralympic Games.*

### **5.2 Responsibility for FISA Testing**

**5.2.1** *The FISA Anti-Doping Committee shall consist of:*

- the Chairman of the Sports Medicine Commission as Chairman of the Committee who will have a discretionary vote and a casting vote, if necessary ;
- one medical doctor of the Sports Medicine Commission appointed by the Council;
- the Chairman of the Competitive Rowing Commissions, and
- the FISA Executive Director (with voting right).

*The Committee can call upon experts to assist in dealing with difficult cases.*

**5.2.2** *Functions of the FISA Anti-Doping Committee:*

*The Anti-Doping Committee is responsible to the Executive Committee for performing the following tasks:*

*a) To undertake the preparation of and to supervise anti-doping tests (at competitions and out-of-competition) and therefore it shall:*

- i. Determine the regattas where tests might be conducted. The organising committees concerned are advised of this possibility at the beginning of the year and must prepare a budget for the implementation of these tests.*

- ii. *Determine the regattas where tests will be conducted and make sure that this selection remains confidential and is not communicated to the organising committee of the regatta until 48 hours before the beginning of the regatta on a need to know basis.*
- iii. *Determine the number of countries to be tested during the training period (out of competition tests), the federations to be tested, the number of samples in each country, and the names of the athletes to be tested.*
- b) *To undertake the necessary arrangements for the conduct of the tests (equipment, travel of the testing officials, etc.);*
- c) *To select the testing officials. It also may delegate the responsibility to carry out tests to a specialised agency;*
- d) *To collaborate with the WADA, IOC Medical Commission and its Sub-commissions, other International Federations and Anti-doping agencies;*
- e) *To undertake a statistical analysis of all anti-doping tests conducted on athletes during the year and to publish the results of such tests;*
- f) *Jointly with the Council, to educate National Federations and athletes of the unethical nature and harmful health consequences of doping as well as of the importance of ethics and fair-play in sport;*
- g) *To keep the FISA Anti-Doping Bye-Laws up to date;*
- h) *To encourage National Federations to co-operate with national Anti-Doping agencies for testing and education of their athletes;*
- i) *To report regularly to the Council on the Anti-Doping situation within rowing.*

**5.2.3** *A representative of FISA, if possible, of a different nationality from that of the testing official, will attend every anti-doping test which is conducted at a regatta. The FISA representative's role is to ensure that the doping test procedures are conducted according to the World Anti-Doping Code, more particularly to the International Standard for Testing and FISA's Anti-Doping Bye-Laws.*

**5.2.4** *The Chairman of the FISA Anti-Doping Committee shall appoint this representative ; as a general rule this representative shall be a member of the Sports Medicine Commission.*

**5.2.5** *In the absence of a representative of FISA, the President of the jury of the regatta shall appoint a member of the jury (an international umpire) to fulfil this role.*

**5.2.6** *The testing is undertaken by:*

- *a testing official appointed by the Anti-Doping Committee, or*
- *a representative of an Anti-Doping Agency recognised by the Executive Committee and engaged by the Executive Committee to carry out such testing.*

### **5.3 Testing Standards**

*Testing conducted by FISA and its National Federations shall be in substantial conformity with the International Standard for Testing published by WADA in force at the time of Testing. This standard is available on WADA's website: [www.wada-ama.org](http://www.wada-ama.org).*

**5.3.1** *Blood (or other non-urine) Samples may be used either to detect Prohibited Substances or Prohibited Methods or for screening procedure purposes only. If the blood is collected for screening only, it will have no other consequences for the Athlete other than to identify him/her for a urine test under these anti-doping rules. In these circumstances, FISA may decide at its own discretion which blood parameters are to be*

*measured in the screening Sample and what levels of those parameters will be used to indicate that an Athlete should be selected for a urine test.*

#### **5.4 Coordination of Testing**

*FISA and National Federations shall promptly report completed tests to WADA to avoid unnecessary duplication in Testing.*

#### **5.5 FISA Registered Testing Pool**

*5.5.1 FISA shall identify a Registered Testing Pool of those Athletes who are required to provide up-to-date whereabouts information to FISA according to 5.1 of the Code. FISA may revise its Registered Testing Pool from time to time as appropriate. Each Athlete in the Registered Testing Pool shall file quarterly reports with FISA, beginning on 30th November each year on forms provided by FISA which specify on a daily basis the locations and times where the Athlete will be residing, training and competing. Athletes shall update this information as necessary so that it is current at all times. The ultimate responsibility for providing whereabouts information rests with each Athlete, however, it shall be the responsibility of each National Federation to use its best efforts to assist FISA in obtaining whereabouts information as requested by FISA.*

*5.5.2 All athletes having placed in the first three finishers in the Olympic events at the World Championships or Olympic Games in at least one of the two previous years, as well as the first finishers in the Non-Olympic events at the World Championships in at least one of the two previous years shall be part of the FISA Registered Testing Pool. There is an obligation on each such athlete to keep FISA informed about where the athlete can be met for unannounced testing at any time by utilising the Permanent Location Form and the Temporary Location Form. The Permanent Location form should be submitted to FISA Headquarters by 30th November each year and the Temporary Location form should be submitted quarterly beginning on 30th November each year, then by 28th February, 31st May and 31st August. Any changes to the information submitted should be immediately communicated to FISA Headquarters using these forms.*

*5.5.3 Any Athlete in the FISA Registered Testing Pool who is unavailable for Testing on a second attempt during any period of 18 consecutive months following the first attempt shall be considered to have committed an anti-doping rule violation pursuant to Article 2.4. For each attempt, the Doping Control Officer shall visit all locations during the times specified by the Athlete for that date and shall stay two hours at each location. Notification shall be sent to the Athlete after the first attempt which is to be counted as an unavailable test. In exceptional circumstances, the Executive Committee may refrain from imposing a sanction in the situation [of unavailability on a second attempt] contemplated at Art. 5.5.3 or may impose a lighter sanction, provided that substantial grounds for the athletes unavailability are produced, and provided that the athlete is thereafter subject to regular tests at times and places determined by the Anti-Doping Committee.*

*5.5.4 Any Athlete in the FISA Registered Testing Pool who fails to timely submit whereabouts information or who fails to submit adequate whereabouts information after receipt of two formal warnings from FISA or a National Federation to do so in the preceding 18 months shall be considered to have committed an anti-doping rule violation pursuant to Article 2.4*

*5.5.5 Each National Federation shall also assist their National Anti-Doping Organization in establishing a national level Registered Testing Pool of top level*

*national Athletes who are not already included in FISA's Registered Testing Pool. The National Federation/National Anti-Doping Organization may establish its own whereabouts reporting requirements and criteria for Article 2.4 violations applicable to those Athletes.*

*5.5.6 Whereabouts information provided to FISA pursuant to Articles 5.5.2 and 5.7 shall be shared with WADA and other Anti-Doping Organizations having jurisdiction to test an Athlete on the strict condition that it be used only for Doping Control purposes.*

**5.6 Retirement and Return to Competition**

*5.6.1 An Athlete who has been identified by FISA for inclusion in FISA's Registered Testing Pool shall continue to be subject to these Anti-Doping Rules, including the obligation to be available for No Advance Notice Out-of-Competition Testing, unless and until the Athlete gives written notice to FISA that he or she has retired or until he no longer satisfies the criteria for inclusion in the FISA's Registered Testing Pool and has been so informed by FISA.*

*5.6.2 An Athlete who has given notice of retirement to FISA may not resume competing unless he or she notifies FISA at least 12 months before he expects to return to competition and is available for unannounced Out-of-Competition Testing, at any time during the period before actual return to competition.*

*5.6.3 National Federations/National Anti-Doping Organizations may establish similar requirements for retirement and returning to competition for Athletes in the national Registered Testing Pool.*

**5.7 Training Camp and Competition Forms**

*5.7.1 Before the 30th November of each year, each member National federation must provide to FISA Headquarters the completed Competition Form and Summary Training Camp form, and if possible, the Individual Training Camp forms for its national teams in the coming twelve months as well as any other information requested by FISA. (These forms set out the dates and venues of the camps and competitions). The individual training camp forms must be completed and received by FISA Headquarters no later than two weeks before the start of any above reported training camp. Any changes to the list of training camps, competitions or training camp contacts should be immediately communicated to FISA Headquarters.*

**5.8 Selection of Athletes to be Tested.**

*5.8.1 At International Events, the FISA Anti-Doping Committee or its designated representative shall determine the number of tests based on placing, random tests and target tests to be performed.*

*5.8.2 Athletes to be tested will be selected according to the following criteria:*

- a) Race results (e.g., places 1st to 4th)*
- b) a random draw from amongst all the athletes (drawing the number of the race, the lane, or the place the crew achieves in the race, then the number of the seat in the boat)*
- c) a combination of a) and b)*
- d) where doping is suspected*

*5.8.3 At National Events, each National Federation shall determine the number of Athletes selected for Testing in each Competition and the procedures for selecting the Athletes for Testing.*

*5.8.4 In addition to the selection procedures set forth in Articles 5.8.1 and 5.8.2 above, the FISA Anti-Doping Committee at International Events, and the National Federation at*

*National Events, may also select Athletes or teams for Target Testing so long as such Target Testing is not used for any purpose other than legitimate Doping Control purposes.*

*5.8.5 Athletes shall be selected for Out-of-Competition Testing by the FISA Anti-Doping Committee or by National Federations through a process that substantially complies with the International Standard for Testing in force at the time of selection.*

*5.9 National Federations and the organizing committees for National Federation Events shall provide access to Independent Observers at Events as directed by FISA.*

## **ARTICLE 6 ANALYSIS OF SAMPLES**

*Doping Control Samples collected under these Anti-Doping Rules shall be analyzed in accordance with the following principles :*

### **6.1 Use of Approved Laboratories**

*FISA shall send Doping Control Samples for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other method approved by WADA) used for the Sample analysis shall be determined exclusively by FISA.*

### **6.2 Substances Subject to Detection**

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

### **6.3 Research on Samples**

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

### **6.4 Standards for Sample Analysis and Reporting**

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

## **ARTICLE 7 RESULTS MANAGEMENT**

### **7.1 Results Management for Tests Initiated by FISA**

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

*7.1.1 An authorised representative of the laboratory must send the results from all analyses to FISA in encoded form. All communication must be conducted in such a way that the results of the analyses are confidential.*

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

*7.1.3 If the initial review under Article 7.1.2 does not reveal an applicable therapeutic use exemption or departure from the International Standard for Testing or the International*

*Standard for laboratory analysis in force at the time of Testing or analysis that undermines the validity of the Adverse Analytical Finding, the FISA Executive Director shall promptly notify the Athlete through its National Federation of :*

- (a) the Adverse Analytical Finding ;*
- (b) the anti-doping rule violated, or, in a case under Articles 7.1.8 or 7.1.9, a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation ;*
- (c) the Athlete's right to promptly request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived;*
- (d) the right of the Athlete and/or the Athlete's representative to attend the B Sample opening and analysis if such analysis is requested; and*
- (e) the Athlete's right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratory Analysis.*

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

*7.1.5 The Athlete and/or his representative shall be allowed to be present at the analysis of the B Sample. Also a representative of the Athlete's National Federation as well as a representative of FISA shall be allowed to be present.*

*7.1.6 If the B Sample does not confirm the result of the A Sample, the entire test shall be considered negative and the Athlete, his National Federation, and FISA shall be so informed.*

*7.1.7 If a Prohibited Substance or the Use of a Prohibited Method is identified, the findings shall be reported to the Athlete, his National Federation, FISA, and to WADA.*

*7.1.8 The FISA Executive Director shall conduct any follow-up investigation as may be required by the Prohibited List. Upon completion of such follow-up investigation, FISA shall promptly notify the Athlete through the National Federation regarding the results of the follow-up investigation and whether FISA asserts that an anti-doping rule was violated.*

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

## **7.2 Results Management for Tests Initiated During Other International Events**

*Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a Major Event Organization, shall be managed, as far as sanctions beyond Disqualification from the Event or the results of the Event, by FISA.*

## **7.3 Results Management for Tests initiated by National Federations**

*Results management conducted by National Federations shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in Article 7.1. Results of all National Federation results management processes shall be reported to FISA Headquarters within 14 days of the conclusion of the process. Any apparent anti-doping rule violation by an Athlete who is a member of that*

*National Federation shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the National Federation or national law. Apparent anti-doping rule violations by Athletes who are members of another National Federation shall be referred to the Athlete's National Federation for hearing.*

#### **7.4 Provisional Suspensions**

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

### **ARTICLE 8 RIGHT TO A FAIR HEARING**

#### **8.1 Hearings arising out of FISA Testing or Tests at other International Events**

**8.1.1** *When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with FISA Testing or Testing at an International Event then the case shall be assigned to the FISA Doping Hearing Panel for adjudication.*

**8.1.2** *The FISA Doping Hearing Panel shall consist of three persons appointed by the Executive Director of FISA in each case. It must include at least one lawyer.*

**8.1.3** *The appointed members shall have had no prior involvement with the case and shall not have the same nationality as the Athlete or other Person alleged to have violated these Anti-Doping Rules.*

**8.1.4** *Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 7. Hearings held in connection with Events may be conducted on an expedited basis.*

**8.1.5** *The National Federation of the Athlete or other Person alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.*

**8.1.6** *FISA shall keep WADA fully apprised as to the status of pending cases and the result of all hearings.*

**8.1.7** *An Athlete or other Person may forego attendance at a hearing by acknowledging the Anti-Doping Rule violation and accepting Consequences consistent with Articles 9 and 10 as proposed by FISA.*

**8.1.8** *Decisions of the FISA Doping Hearing Panel may be appealed to Court of Arbitration for Sport as provided in Article 13.*

#### **8.2 Hearings Arising Out of National Testing**

**8.2.1** *When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with Testing other than in connection with FISA Testing or Testing at an International Event, the Athlete or other Person involved shall be brought before a disciplinary panel of the Athlete's or other Person's National Federation for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what Consequences should be imposed. A National*

*Federation may appoint a CAS arbitrator or another independent tribunal as its disciplinary panel.*

**8.2.2** *Hearings pursuant to this Article 8.2 shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with Events may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, FISA may elect to bring the case directly before the FISA Doping Hearing Panel at the responsibility and at the expense of the National Federation.*

**8.2.3** *National Federations shall keep FISA and WADA fully apprised as to the status of pending cases and the results of all hearings.*

**8.2.4** *FISA and WADA shall have the right to attend hearings as an observer.*

**8.2.5** *The Athlete or other Person may avoid a hearing by acknowledging the violation of these Anti-Doping Rules and accepting Consequences consistent with Articles 9 and 10 as proposed by the National Federation.*

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

**8.2.7** *The Executive Committee of FISA shall review all these cases, may appeal the decisions taken (which means seeking the imposition of less or more severe sanctions, the imposition of sanctions where no sanctions have been imposed or seek removal of sanctions where sanctions have been imposed) in order to ensure that an adequate sanction has been given and that all athletes of rowing in the world are treated consistently and in an equal manner. The Executive Committee of FISA may also intervene in cases involving rowing athletes that other authorities or organisations were supposed to handle, but did not.*

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

### **8.3 Principles for a Fair Hearing**

*All hearings pursuant to either Article 8.1 or 8.2 shall respect the following principles :*

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

## **ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

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

## **ARTICLE 10 SANCTIONS ON INDIVIDUALS**

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

*An Anti-Doping Rule violation occurring during or in connection with an Event may lead to Disqualification of all 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 10.1.1.*

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

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

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

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

*Second violation: Lifetime Ineligibility.*

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

### **10.3 Specified Substances**

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

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

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

*Third violation : Lifetime Ineligibility.*

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

**10.4 Ineligibility for Other Anti-Doping Rule Violations**

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

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

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

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

*First violation : Three (3) months to one (1) year Ineligibility.*

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

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

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

**10.5.2** *This Article 10.5.2 applies only to anti-doping rule violations involving Article 2.1 (presence of Prohibited Substance or its Metabolites or Markers), Use of a Prohibited Substance or Prohibited Method under Article 2.2, failing to submit to Sample collection under Article 2.3, or administration of a Prohibited Substance or Prohibited Method under Article 2.8. If an Athlete establishes in an individual case involving such violations that he or she bears No Significant Fault or Negligence, then the period of Ineligibility may be reduced, but the reduced period of Ineligibility may not be less than one-half of the minimum period of Ineligibility otherwise applicable. If the otherwise applicable*

*period of Ineligibility is a lifetime, the reduced period under this section may be no less than 8 years. When a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's Specimen in violation of Article 2.1 (presence of Prohibited Substance), the Athlete must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility reduced.*

*10.5.3 The FISA Doping Hearing Panel may also reduce the period of Ineligibility in an individual case where the Athlete has provided substantial assistance to FISA which results in FISA discovering or establishing an anti-doping rule violation by another Person involving Possession under Article 2.6.2 (Possession by Athlete Support Personnel), Article 2.7 (Trafficking), or Article 2.8 (administration to an Athlete). The reduced period of Ineligibility may not, however, be less than one-half of the minimum period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than 8 years.*

### **10.6 Rules for Certain Potential Multiple Violations**

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

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

*10.6.3 Where an Athlete is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 10.3 (specified substances) and the other involving a Prohibited Substance or Prohibited Method governed by the sanctions set forth in Article 10.2 or a violation governed by the sanctions in Article 10.4, the period of Ineligibility imposed for the second offense shall be at a minimum two years' Ineligibility and at a maximum three years' Ineligibility. Any Athlete found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 10.3 and any other anti-doping rule violation under Article 10.2 or 10.4 shall receive a sanction of lifetime Ineligibility.*

**10.7 Disqualification of Results in Competitions Subsequent to Sample Collection**  
*In addition to the automatic Disqualification of the results in the Competition which produced the positive Sample under Article 9 (Automatic Disqualification of Individual Results), all other competitive results obtained from the date a positive Sample was collected (whether In-Competition or Out-of-Competition), or other doping violation occurred, through the commencement of any Provisional Suspension or Ineligibility*

*period, shall, unless fairness requires otherwise, be Disqualified with all of the resulting consequences including forfeiture of any medals, points and prizes.*

#### **10.8 Commencement of Ineligibility Period**

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

#### **10.9 Status During Ineligibility**

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

#### **10.10 Reinstatement Testing**

*As a condition to regaining eligibility at the end of a specified period of Ineligibility, an Athlete must, during any period of Provisional Suspension or Ineligibility, make him or herself available for Out-of-Competition Testing by FISA, the applicable National Federation, and any other Anti-Doping Organization having Testing jurisdiction, and must provide current and accurate whereabouts information as provided in Article 5.5. If an Athlete subject to a period of Ineligibility retires from sport and is removed from Out-of-Competition Testing pools and later seeks reinstatement, the Athlete shall not be eligible for reinstatement until the Athlete has notified FISA and the applicable National Federation and has been subject to Out-of-Competition Testing for a period of time equal to the longer of the period set forth in Article 5.6 or the period of Ineligibility remaining as of the date the Athlete had retired. During such remaining period of Ineligibility, a minimum of 3 tests must be conducted on the Athlete with at least three months between each test. The National Federation shall be responsible for conducting the necessary tests, but tests by any Anti-Doping Organization may be used to satisfy the requirement. The results of such tests shall be reported to FISA. In addition, immediately prior to the end of the suspension period, an Athlete must undergo Testing by FISA for the Prohibited Substances and Methods for Out-of-Competition Testing. Once the period of an Athlete's suspension has expired, and the Athlete has fulfilled the conditions of reinstatement, then the Athlete will become automatically re-eligible and no application by the Athlete or by the Athlete's National Federation will then be necessary.*

### **ARTICLE 11 CONSEQUENCES TO TEAMS**

**11.1** *If a member of a crew is found to have committed a violation of these Anti-Doping Rules during a Competition, the whole crew shall be disqualified from the Competition and the athlete concerned and any crew which included him shall be disqualified from all Competitions at the Event.*

## **ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL FEDERATIONS**

**12.1** *The FISA Executive Committee has the authority to withhold some or all funding or other non financial support to or suspend from membership in FISA National Federations that are not in compliance with these Anti-Doping Bye-Laws.*

**12.2** *National Federations shall be obligated to reimburse FISA for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an Athlete or other Person affiliated with that National Federation.*

**12.3** *FISA may elect to take additional disciplinary action against National Federations with respect to recognition, the eligibility of its officials and athletes to participate in International Events and fines based on the following :*

**12.3.1** *Four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed by Athletes or other Persons affiliated with a National Federation within a 12-month period in testing conducted by FISA or Anti-Doping Organizations other than the National Federation or its National Anti-Doping Organization. In such event the FISA may in its discretion elect to :*

*(a) ban all officials from that National Federation for participation in any FISA activities for a period of up to two years and/or*

*(b) fine the National Federation in an amount up to CHF 100 000. (For purposes of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.)*

**12.3.1.1** *If four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4 and 10.3) are committed in addition to the violations described in Article 12.3.1 by Athletes or other Persons affiliated with a National Federation within a 12-month period in testing conducted by FISA or Anti-Doping Organizations other than the National Federation or its National Anti-Doping Organization, then the FISA may suspend that National Federation's membership for a period of up to 4 years.*

**12.3.2** *More than one Athlete or other Person from a National Federation commits an Anti-Doping Rule violation during an International Event. In such event FISA may fine that National Federation in an amount up to CHF 100'000.-.*

**12.3.3** *A National Federation has failed to make diligent efforts to keep FISA informed about an Athlete's whereabouts after receiving a request for that information from FISA. In such event FISA may fine the National Federation in an amount up to 25'000 CHF per Athlete in addition to all of FISA costs incurred in Testing that National Federation's Athletes.*

## **ARTICLE 13 APPEALS**

### **13.1 Decisions Subject to Appeal**

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

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

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

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

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

**13.2.3** *In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) FISA and any other Anti-Doping Organization under whose rules a sanction could have been imposed; (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (e) WADA.*

*In cases under Article 13.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the National Federation’s rules but, at a minimum, shall include :*

- (a) the Athlete or other Person who is the subject of the decision being appealed;*
- (b) the other party to the case in which the decision was rendered;*
- (c) FISA; and*
- (d) WADA.*

*For cases under Article 13.2.2, WADA and FISA shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body.*

**13.3 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption**  
*Decisions by WADA reversing the grant or denial of a TUE exemption may be appealed exclusively to CAS by the Athlete, FISA, or National Anti-Doping Organization or other body designated by a National Federation which granted or denied the exemption. Decisions to deny therapeutic use exemptions, and which are not reversed by WADA, may be appealed by International-Level Athletes to CAS and by other Athletes to the national level reviewing body described in Article 13.2.2. If the national level reviewing*

body reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by WADA.

#### **13.4 Appeal from Decisions Pursuant to Article 12**

Decisions by FISA pursuant to Article 12 may be appealed exclusively to CAS by the National Federation.

#### **13.5 Time for Filing Appeals**

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

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

### **ARTICLE 14 NATIONAL FEDERATIONS INCORPORATION OF FISA RULES, REPORTING AND RECOGNITION**

#### **14.1 Incorporation of FISA Anti-Doping Rules**

All National Federations shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each National Federations Rules. All National Federations shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules. Each National Federation shall obtain the written acknowledgement and agreement of all Athletes subject to Doping Control and Athlete Support Personnel for such Athletes. Notwithstanding whether such written acknowledgement and agreement has been signed, the Rules of each National Federation shall specifically provide that all Athletes, Athlete Support Personnel and other Persons under the jurisdiction of the National Federation shall be bound by these Anti-Doping Rules.

#### **14.2 Statistical Reporting**

Before 31st January each year, each National Federation shall provide a report to FISA Headquarters on the anti-doping tests conducted on its athletes during the preceding year, indicating the number of in-competition and out-of-competition tests conducted as well as the results of these tests and any sanctions imposed in the case of positive results or other doping offences.

FISA shall periodically publish Testing data received from National Federations as well as comparable data from Testing under FISA's jurisdiction.

#### **14.3 Doping Control Information Clearing House**

When a National Federation has received an Adverse Analytical Finding on one of its Athletes it shall report the following information to FISA and WADA within fourteen (14) days of the process described in Article 7.1.2 and 7.1.3 : the Athlete's name, country, sport and discipline within the sport, whether the test was In-Competition or Out-of-Competition, the date of Sample collection and the analytical result reported by the laboratory. The National Federation shall also regularly update FISA and WADA on the status and findings of any review or proceedings conducted pursuant to Article 7 (Results Management), Article 8 (Right to a Fair Hearing) or Article 13 (Appeals), and

*comparable information shall be provided to FISA and WADA within 14 days of the notification described in Article 7.1.9, with respect to other violations of these Anti-Doping Rules. In any case in which the period of Ineligibility is eliminated under Article 10.5.1 (No Fault or Negligence) or reduced under Article 10.5.2 (No Significant Fault or Negligence), FISA and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither FISA nor WADA shall disclose this information beyond those persons within their organisations with a need to know until the National Federation has made public disclosure or has failed to make public disclosure as required in Article 14.4 below.*

#### **14.4 Public Disclosure**

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

#### **14.5 Recognition of Decisions by FISA and National Federations**

*Any decision of FISA or a National Federation regarding a violation of these Anti-Doping Rules shall be recognized by all National Federations, which shall take all necessary action to render such results effective.*

### **ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS**

*Subject to the right to appeal provided in Article 13, the Testing, therapeutic use exemptions and hearing results or other final adjudications of any Signatory to the Code which are consistent with the Code and are within the Signatory's authority, shall be recognised and respected by FISA and its National Federations. FISA and its National Federations may recognize the same actions of other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.*

### **ARTICLE 16 STATUTE OF LIMITATIONS**

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

### **ARTICLE 17 FISA Compliance Reports to WADA**

*FISA will report to WADA on the FISA's compliance with the Code every second year and shall explain reasons for any noncompliance.*

### **ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES**

**18.1** *These Anti-Doping Rules may be amended from time to time by the FISA Council.*

**18.2** *Except as provided in Article 18.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.*

**18.3** *The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.*

**18.4** *The INTRODUCTION and the APPENDIX I DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.*

**18.5** *These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The comments annotating various provisions of the Code may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.*

**18.6** *Notice to an Athlete or other Person who is a member of a National Federation may be accomplished by delivery of the notice to the National Federation.*

**18.7** *These Anti-Doping Rules shall not apply retrospectively to matters pending before the date these Anti-Doping Rules came into effect.*

## **APPENDIX I – DEFINITIONS**

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

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

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

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

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

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

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

**Consequences of Anti-Doping Rules Violations.** *An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following : (a) Disqualification means the Athlete's results in a particular Competition or Event are invalidated, with all*

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

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

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

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

*In-Competition.* For purposes of differentiating between In-Competition and Out-of-Competition Testing, an In-Competition test is a test initiated during the period starting with the first Competition at an Event and ending with the last Competition at this Event.

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

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

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

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

*International Standard.* A standard adopted by WADA in support of the Code.

Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly.

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

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

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

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

*National Anti-Doping Organization.* The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee or its designee.

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

National Federation. A national or regional entity which is a member of or is recognized by FISA as the entity governing the sport of rowing in that nation or region.

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

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

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

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

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

Participant. Any Athlete or Athlete Support Personnel.

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

Possession. The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists); provided, however, that if the person does not have exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists, constructive possession shall only be found if the person knew about the presence of the Prohibited Substance/Method and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person no longer intends to have Possession and has renounced the Person's previous Possession.

Prohibited List. The List identifying the Prohibited Substances and Prohibited Methods.

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

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

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

Provisional Suspension. See Consequences above.

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

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

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

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

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

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

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

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

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

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

WADA. The World Anti-Doping Agency.

End