

- Preamble & Anti-Doping Definitions and Interpretation**
- 21.1 Definition of Doping**
- 21.2 Anti-Doping Rule Violations**
- 21.3 Proof of Doping**
- 21.4 Prohibited List & International Standards**
- 21.5 Therapeutic Use Exemptions**
- 21.6 Personal Responsibility**
- 21.7 Anti-Doping Advisory Committee**
- 21.8 Requirements to Undergo Doping Control**
- 21.9 In Competition and Out of Competition Doping Control**
- 21.10 Player Whereabouts Requirements for Out of Competition Testing**
- 21.11 Analysis of Samples**
- 21.12 Suspension and Retirement**
- 21.13 Responsibility for Doping Control**
- 21.14 Role of Unions**
- 21.15 Admissions**
- 21.16 Investigations**
- 21.17 Confidentiality**
- 21.18 Authorised Doping Control Bodies**
- 21.19 Provisional Suspension**
- 21.20 Due Process**
- 21.21 Judicial Committees**
- 21.22 Sanctions**
- 21.23 Consequences to Teams**
- 21.24 Referral to Post Hearing Review Body**
- 21.25 Post Hearing Review Body**
- 21.26 Member Union Post Hearing Review Procedures**
- 21.27 Appeals**
- 21.28 Mutual Recognition**
- 21.29 Reporting Requirements**
- 21.30 Statute of Limitations**
- 21.31 Data**
- 21.32 Exceptional Circumstances**
- 21.33 Unforeseen Circumstances**
- 21.34 General**
- SCHEDULE 1 Doping Control Procedural Guidelines**
- SCHEDULE 2 WADA Prohibited List**
- SCHEDULE 3a WADA International Standard for Therapeutic Use Exemptions (TUE)**
- SCHEDULE 3b IRB TUE Application Form**
- SCHEDULE 4 Acknowledgements and Agreement Form**
- SCHEDULE 5 Player Information Notice–WADA Anti-Doping Administration Management System (ADAMS)**

PREAMBLE

The IRB adopted the WADA Code (“Code”) in June 2004. Following an international review of the Code by all Signatories a new WADA Code 2009 has been agreed with an effective implementation date of 1 January 2009.

The purpose of the Code is to advance the anti-doping effort through universal harmonization of core anti-doping elements. The Code represents the first level of the WADA Programme to ensure optimal harmonization and best practice in international and national anti-doping programmes. The other elements include the International Standards and the Models of Best Practice & Guidelines.

All provision of the Code are mandatory in substance. The mandatory provisions and principles of the Code have been adopted and incorporated into the revised IRB Regulation 21.

ANTI-DOPING

A. Anti-Doping Definitions

The Definitions set out below apply to the Anti-Doping Regulations. In relation to the implementation of these Anti-Doping Regulations, in the event of any inconsistency between the Anti-Doping Regulation Definitions below and those set out in Regulation 1 of the IRB Regulations Relating to the Game, then these Anti-Doping Regulation Definitions shall prevail.

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

Adverse Analytical Finding (AAF) A report from a laboratory or other WADA approved entity that, consistent with the International Standard for Laboratories and Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities or endogenous substances) or evidence of the Use of a Prohibited Method.

Anti-Doping Commissioner A person appointed by the Board, Member Union or Tournament Organiser to oversee the Anti-Doping Procedures and Guidelines of the Board, Member Union or Tournament Organiser at venues where Doping Control may take place.

Anti-Doping Organisation (ADO) A Signatory to the Code that is responsible for adopting rules for initiating, implementing or enforcing any part of the Doping Control process. This includes, for example the International Olympic Committee, the International Paralympic Committee other Major Event Organisations that conduct Testing at their events, WADA and National Anti-Doping Organisations.

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 to 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 laboratory or other WADA-approved entity which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an Adverse Analytical Finding.

Blood Collection Official An official who is qualified to collect a blood sample from a Player.

CAS The Court of Arbitration for Sport.

Chaperone A person appointed to assist in the Doping Control process and who is under the direct control of the DCO. Such Chaperones will notify the selected Player of their selection for Doping Control, accompany and keep the Player in direct view from the time of notification until after the Player provides a suitable Sample.

Code The World Anti-Doping Agency Code 2009.

Consequences of Anti-Doping Rules Violations A Player or other Person’s violation (or in the case of a Provisional Suspension, alleged violation) of an anti-doping regulation may result in one or more of the following:

- (a) Ineligibility means the Player or Person or entity is barred for a specified period of time from participating in any Match or other activity as set out in Regulation 21.22.12 or funding as provided in Regulation 21.22.13C;
- (b) Provisional Suspension means the Player or other Person or entity barred temporarily under Regulation 21.19 or 21.16.3 from participating in any Match or other activity (as set out in Regulation 21.22.12) prior to the final decision at a hearing conducted under Regulation 21.20; and

- (c) Disqualification means the Team's results in a particular Match, [series of Matches], Tournament and/or International Tour are invalidated, with all resulting consequences, including forfeiture of any medals, points and prizes.

Disqualification See Consequences of Anti-Doping Rule Violations above.

Doping Control Officer (DCO) The authorised Doping Control Official appointed and responsible for conducting and overseeing the Sample collection procedures. The DCO shall be independent and properly trained in Sample collection procedures. The DCO may also perform the duties of a Chaperone.

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, therapeutic use exemptions, results management and hearings.

Event Period: The time between the beginning and end of a Match, Tournament and/or International Tour, as established by the Board, the Member Union or the Tournament Organiser.

Filing Failure A failure by a Player (or by a third party whom the Player has delegated this task), in accordance with Regulation 21.10.19 to make an accurate and complete Whereabouts Filing in accordance with Regulations 21.10.6, 21.10.9 to 21.10.11 and 21.10.18 or Regulation 21.10.20.

Game Means rugby football played in accordance with the Laws of the Game.

Home Union Means the union with which a Player was first registered, or if different, the Union where a Player was trained or developed.

In Competition A Sample collection which takes place after a Player's participation or scheduled participation in a Match.

Independent Observer Program A team of observers, under the supervision of WADA, who observe and may provide guidance on the Doping Control process at certain International Tournaments organised by the IRB and report on their observations.

Ineligibility See Consequences of an Anti-Doping Rule Violations above.

International Level Player Players designated by the Board as being within its Registered Testing Pool and/or Testing Pools.

International Match Any match played between National Representative Teams selected by Unions

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

International Tour A Match or series of Matches in which a Team representing a Union at any level participates against a National Representative Team and/or other Rugby Bodies or Clubs in the jurisdiction of another Union.

International Tournament A Tournament in which Teams representing Unions at any level meet to participate in a Series of Matches whether at 15-a-side or an abbreviated version of the game.

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

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

Match A Game in which two teams compete against each other.

Member Union / Union Means every national rugby Union for the time being in membership of the Board.

Metabolite Any substance produced by a biotransformation process.

Minor A Player that has not reached the age of majority as established by the applicable laws in his country of residence.

Missed Test A failure by a Player to be available for Testing at the location(s) and time specified in the 60 minute time slot (for Players in the Registered Testing Pool) or following an unsuccessful attempt(s) by the DCO to locate the Player at all the nominated whereabouts locations outlined in his Whereabouts Filing (visiting each location once) over or within any 24 hour period (for Players in the Testing Pool), in accordance with Regulation 21.10.21 and 21.10.22

Models of Best Practice & Guidelines Means the documents so named and issued by or on behalf of WADA.

National Anti-Doping Organisation (NADO) 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. This includes an entity which may be designated by multiple countries to serve as regional Anti-Doping Organisation for such countries (RADO). If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee, its designee or failing this the Member Union or the Board.

National Olympic Committee The organization 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.

National Representative Team A Team selected by a Union to represent that Union.

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

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

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

Out of Competition Any Sample collection which is not In Competition.

Participant Any Player or Player Support Personnel.

Person A natural person or an organisation or other entity.

Player Any Person who participates in the Game at the international level (as defined by the Board, including but not limited to those Persons in its Registered Testing Pool and Testing Pool(s)), the national level (as defined by the Member Unions and/or the NADO (as the case may be), including but not limited to those Persons in its/or their testing pool(s), whether registered or otherwise), and any other competitor in sport who is otherwise subject to the jurisdiction of any Signatory or other sports organization accepting the Code.¹ For purposes of Regulation 21.2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is a Player.

Player Support Personnel Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other Person working with, treating or assisting Players participating in or preparing for Matches. This includes preparation in and out of season.

Player's Representative Means a person who may accompany the selected Player within the Doping Control Station to oversee on the selected Players behalf, the division and sealing of the Sample and accompanying documentation procedures. The representative shall also be from the same Union as the Player and have appropriate accreditation to access the venue area in which the Doping Control Station is located.

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 committed based solely on possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have possession and has renounced possession by explicitly declaring it to an Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other

¹ All provisions of the Code, including, for example, Testing and therapeutic use exemptions, must be applied to international- and national-level competitors. Some National Anti-Doping Organizations may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national caliber competitors. National Anti-Doping Organizations are not required, however, to apply all aspects of the Code to such Persons. Specific national rules may be established for Doping Control for non-international-level or non-national-level competitors without being in conflict with the Code. Thus, a country could elect to test recreational-level competitors but not require therapeutic use exemptions or whereabouts information. In the same manner, a Major Event Organization holding an Event only for masters-level competitors could elect to test the competitors but not require advance therapeutic use exemptions or whereabouts information.

means) of a Prohibited Substance or Prohibited Method constitutes possession by the Person who makes the purchase.

Post-Hearing Review Body The body established to conduct reviews under Regulations 21.24 and 21.25.

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 Suspension See Consequences of an Anti-Doping Rule Violation 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 Regulation 21.22.14.

Registered Testing Pool (RTP) The pool of International Level Players, established by the Board and at national level by the Member Unions (and/or their NADO as the case may be which will be referred to as the National Registered Testing Pool), who are subject to both In Competition and Out of Competition Testing by the Board or Member Union (or their NADO as the case may be). The Board and the Member Unions (and/or their NADO as the case may be) shall make available a list which identifies (a) for other relevant Anti-Doping Organisations those Players included in its Registered Testing Pool by name and (b) those Players included in its Registered Testing Pool by clearly defined, specific criteria [as set out in Regulation 21.10.3].

Retroactive TUE Is a therapeutic use exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file after a laboratory has reported an Adverse Analytical Finding.

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

Series of Matches Means two or more Matches.

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 Organisations, National Anti-Doping Organisations and WADA.

Specified Substances as defined in Regulation 21.4.4.

Substantial Assistance For purposes of Regulation 21.22.6, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he 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, for example, presenting testimony at a hearing if requested to do so by the Board, his Member Union or other Anti-Doping Organisation or 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; or providing fraudulent information to an Anti-Doping Organisation.

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

Team The Players selected for the team of a Union, Club and/or Rugby Body.

Team Activity Any activity carried out by a Team on a collective basis under the supervision of the team management in which the Player is participating.

Team Sport For the purposes of the Code means a sport in which the substitution of players is permitted during a Match and for the purposes of this Regulation shall mean the sport of Rugby and any form of the Game.

Technical Documents Means the documents so named and issued by or on behalf of WADA

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

Testing Pool Any International Level Player who is eligible to be part of the Board's Out of Competition Testing programme and who is not part of the Board's Registered Testing Pool.

Tournament A tournament is a series of Matches in which two or more Teams participate, whether at 15-a-side, or an abbreviated version of the Game and which includes tournaments in which teams below National Representative Level play in cross-border competition.

Tournament Organiser A tournament organiser recognised by the Board.

Trafficking Selling, giving, transporting, sending, delivering or distributing a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by a Player, Player Support Personnel 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 such Prohibited Substances are not intended for genuine and legal therapeutic purposes.

TUE Is a therapeutic use exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file before the Use of the substance in sports.

TUEC Therapeutic Use Exemption Committee is the Panel established by the relevant Anti-Doping Organization.”

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.

Unsuccessful Attempt Report A detailed report of an unsuccessful Testing attempt, as more fully described in Regulation 21.10.27 (a).

Whereabouts Failure A Filing Failure (achieved at any time in either the Registered Testing Pool and/or the Testing Pool) or Missed Test (achieved in the Registered Testing Pool only)

Whereabouts Filing Information provided by or on behalf of a Player in a Registered Testing Pool or Testing Pool that sets out the Player’s whereabouts during the following quarter, in accordance with Regulation 21.10.6, 21.10.9 and in the case of Players in the Registered Testing Pool Regulation 21.10.10.

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

WADA The World Anti-Doping Agency.

B. INTERPRETATION:

Any references to the male gender are deemed to include references to the female gender.

The headings used for the various Regulations are for convenience only and shall not be deemed part of the substance of the Regulations or to affect in any way the language of the provisions to which they refer.

The Code and/or this Anti-Doping Regulation shall not apply retrospectively to matters pending before the date the Code is accepted by the Board and implemented in its rules. However, pre-Code anti-doping rule violations will continue to count as "First violations" or "Second violations" for purposes of determining sanctions under Regulation 21.22 for subsequent post-Code violations.

REGULATION 21 Anti-Doping

21.1 Definition of Doping

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Regulation 21.2 of these Regulations.

21.2 Anti-Doping Rule Violations

Players 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. The following constitute anti-doping rule violations:

21.2.1 The presence of a Prohibited Substance or its Metabolites or Markers in a Player’s Sample

- (a) It is each Player's personal duty to ensure that no Prohibited Substance enters his body. Players are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Player's part be demonstrated in order to establish an anti-doping violation under Regulation 21.2.1.

- (b) Sufficient proof of an anti-doping rule violation under Regulation 21.2.1 is established by either of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Player's A Sample where the Player waives analysis of the B Sample and the B Sample is not analysed; or, where the Player's B Sample is analysed and the analysis of the Player's B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Players' A Sample.
 - (c) Excepting those substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in a Player's Sample shall constitute an anti-doping rule violation.
 - (d) As an exception to the general rule of Regulation 21.2.1, the Prohibited List or International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.
- 21.2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method
- (a) It is each Player's personal duty to ensure that no Prohibited Substance enters his body. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Player's part be demonstrated in order to establish an anti-doping violation for Use of a Prohibited Substance or a Prohibited Method.
 - (b) 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.
- 21.2.3 Refusing or failing without compelling justification to submit to Sample collection after notification as authorised in these Anti-Doping Regulations or otherwise evading Sample collection.
- 21.2.4 Violation of the applicable requirements regarding Player availability for Out of Competition Testing including failure to file required whereabouts information set forth in Regulation 21.10.9 (Article 11.3 of the International Standard for Testing) (P "Filing Failure") and failure to be available for Testing at the declared whereabouts in accordance with Regulation 21.10.23 (Article 11.4 of the International Standard for Testing) ("Missed Tests"). Any combination of three (3) Missed Tests and/or Filing Failures within an eighteen-month period as determined by Anti-Doping Organisations with jurisdiction over the Player shall constitute an anti-doping rule violation. In the event of a conflict between Article 11.3 and/or 11.4 of the International Standard for Testing and IRB Regulation 21.10.9 and/or 21.10.23, the applicable provisions of the International Standard for Testing shall apply.
- 21.2.5 Tampering or Attempted Tampering, with any part of Doping Control.
- 21.2.6 Possession of Prohibited Substances and Methods
- (a) Possession by a Player In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by a Player Out of Competition of any Prohibited Method or any Prohibited Substance which is prohibited Out of Competition unless the Player establishes that the Possession is pursuant to a therapeutic use exemption granted in accordance with Regulation 21.5 or other acceptable justification.
 - (b) Possession by Player Support Personnel In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by Player Support Personnel Out of Competition of any Prohibited Method or any Prohibited Substance which is prohibited Out of Competition, in connection with a Player, Match, Series of Matches and/or Tournament or training, unless the Player Support Personnel establishes that the Possession is pursuant to a therapeutic use exemption granted to a Player in accordance with Regulation 21.5 or other acceptable justification.
- 21.2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.
- 21.2.8 Administration or Attempted administration to any Player In-Competition of any Prohibited Method or Prohibited Substance, or administration or Attempted administration to any Player Out of Competition of any Prohibited Method or any Prohibited Substance that is prohibited in Out of Competition Testing, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation.

21.3 Proof of Doping

Burdens and Standards of Proof

- 21.3.1 The Board and its Member Unions shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the Board or its Member Union has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel 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 Regulations place the burden of proof upon the Player or other Person or

entity 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 except as provided in Regulation 21.22.3 and 21.22.9 where the Player must satisfy a higher burden of proof.

Methods of Establishing Facts and Presumptions

21.3.2 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:

- (a) WADA accredited laboratories are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Player or other Person may rebut this presumption by establishing a departure from the International Standard occurred which could reasonably have caused the Adverse Analytical Finding. If the Player or other Person rebuts the preceding presumption by showing that a departure from the International Standard occurred which could reasonably have caused the Adverse Analytical Finding, then the Board or its Member Union or Tournament Organiser shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.
- (b) Departures from any other International Standard or other anti-doping rule or policy which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such results or findings. If the Player or other Person establishes that a departure from another International Standard or anti-doping rule or policy which could reasonably have caused the Adverse Analytical Finding occurred, then the Board or its Member Unions or Tournament Organiser shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.
- (c) 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 Player or other Person to whom the decision pertained of those facts unless the Player or other Person establishes that the decision violated principles of natural justice.
- (d) The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the Player or other Person who is asserted to have committed an anti-doping rule violation based on the Player'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 as directed by the hearing panel) and to answer questions from the hearing panel or the Anti-Doping Organization asserting the anti-doping rule violation.

21.4 Prohibited List and International Standards

Incorporation of the WADA Prohibited List

- 21.4.1 These Anti-Doping Regulations incorporate the Prohibited List, which is published and revised by WADA. The Prohibited List shall identify those Prohibited Substances and Prohibited Methods which are prohibited as doping at all times (both In-Competition and Out of Competition) because of their potential to enhance performance in future Competitions or their masking potential and those substances and methods which are prohibited In-Competition only.
- 21.4.2 Each Member Union is responsible for ensuring that the current Prohibited List is available to its members and constituents. The Prohibited List in force is available on WADA's website at www.wada-ama.org and is included in these Regulations as Schedule 2. In the event of any conflict between the two, the Prohibited List appearing on the WADA website shall prevail.

Prohibited Substances and Prohibited Methods Identified on the Prohibited List

- 21.4.3 Unless provided otherwise in the Prohibited List and/or a revision, the Prohibited List and any revisions shall go into immediate effect under these Anti-Doping Regulations on the official date nominated by WADA without requiring any further action by the Board.
- 21.4.4 WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List and the classification of substances into categories on the Prohibited List is final and shall not be subject to challenge by a Player 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.

Specified Substances

- 21.4.5 For purposes of the application of Regulation 21.22 (Sanctions on Individuals), 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. Prohibited Methods shall not be Specified Substances.

WADA International Standards

- 21.4.6 WADA has produced International Standards for different technical and operation areas within anti-doping for the purpose of harmonisation. Adherence to the International Standards is mandatory. The International Standards comprise of the Prohibited List, International Standard for Laboratories, International Standard for Testing, and International Standard for Therapeutic Use Exemptions. WADA may revise the International Standards from time to time.
- 21.4.7 Any changes to WADA's International Standards will be deemed to be effective as at the date prescribed by WADA. The mandatory standards in force are available at www.wada-ama.org.

21.5 Therapeutic Use Exemptions

- 21.5.1 (a) Players with a documented medical condition requiring the use of a Prohibited Substance or a Prohibited Method must first obtain a Therapeutic Use Exemption ("TUE"). The International Standard for TUE's is set out in Schedule 3a and the IRB TUE application forms are set out in Schedule 3b of these Regulations.
- (b) Players who have a requirement to use the following substances on the Prohibited List shall adhere to the procedures set out below:
- (i) For inhaled Beta 2 Agonists - (formoterol, salbutamol, salmeterol, and terbutaline) Player's shall apply with the required information outlined in Annex 1 of Schedule 3a.
- For International Level Players who are part of the Registered Testing Pool they shall apply in advance to the TUEC of the Board.
 - In the case of other International Level Players (who are part of the Testing Pool or who participate in an IRB directly organised Match or Tournament) they shall apply to the Board TUEC, whether in advance or on a retroactive basis following an Adverse Analytical Finding. Further instructions and timelines for retroactive applications only are outlined in Schedule 3a (Article 7.13).
 - In the case of all other Players they shall apply to the national TUEC of their country or NADO (as the case may be), in accordance with Schedule 3a (Article 7.13);
- (ii) Glucocorticosteroids (administered by non-systemic routes namely intraarticular / periarticular / peritendinous / epidural / intrathecal and intradermal injections and inhalation) shall make a declaration as outlined in Schedule 3a (Article 8).
- In the case of International Level Players who are part of either the Registered Testing Pool or Testing Pool or who participated in an IRB directly organised Match or Tournament, such declaration shall where feasible be made on ADAMS and declared on the Doping Control Form at the time of testing.
 - If ADAMS is not available to the Player, the Player shall be only required to make the declaration on the Doping Control Form.
 - Any other Player who may be subject to Doping Control shall make the declaration to the national TUEC of their country or NADO (as the case may be) in accordance with the above.
- 21.5.2 For all other Prohibited Substances Players included by the Board in the Registered Testing Pool or Testing Pool and other Players prior to their participation in any International Match, Series of International Matches, International Tournament organised by the IRB (as set out in IRB Regulation 21.13.1), must obtain a TUE from the Board's TUEC in advance of the administration of the Prohibited Substance, or provide the Board's TUEC with a copy of any existing TUE certificate and application for its review (pursuant to Regulation 21.5.9 (Mutual Recognition) . TUEs granted by the Board shall be reported in writing to the Player via the Player's Union and in respect of International Level Players to WADA. TUE requests shall be evaluated by the Board TUEC in accordance with the International Standard for TUEs set out in Schedule 3a of these Regulations.
- 21.5.3 Other Players subject to Testing must obtain a TUE from their NADO. TUE requests shall be evaluated in accordance with the International Standard for TUEs set out in Schedule 3a of these Regulations.
- 21.5.4 The Board shall appoint a panel of physicians (the "TUE Committee"/ "TUEC") to consider requests for TUEs. Upon the Board's receipt of a TUE request, the Chair of the TUE Committee shall appoint one or more members of the TUE Committee (which may include the Chair) to consider such request. The TUE Committee member(s) so designated shall promptly evaluate such request in accordance with the International Standard for TUEs and render a decision on such request, which shall be the final decision of the Board. The Chairman of the TUE

Committee may seek specialist advice from outside the Committee members or appoint specialists to sit on the TUE Committee as and when deemed necessary for the purposes of evaluating a TUE.

- 21.5.5 Players in the Registered Testing Pool and the Testing Pool should apply to the Board for the TUE at the same time the Player first provides whereabouts information to the Board and, except in emergency situations, no later than 21 days before the Player's participation at an International Match, Series of International Matches, or International Tournament organised by the IRB (as set out in Regulation 21.13.1).
- 21.5.6 Players participating in an International Match, Series of International Matches, International Tournament organised by the IRB (as set out in IRB Regulation 21.13) who are not included in the Board's Registered Testing Pool or Testing Pool must, except in emergency situations, request a TUE from the Board no later than 21 days before the Player's participation in an International Match, Series of International Matches and/or International Tournament so organised by the IRB.
- 21.5.7 WADA, at the request of a Player or on its own initiation, may review the granting or denial of any TUE to an International Level Player or a national level Player 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 TUEs in force at the time then WADA may reverse that decision. Decisions on TUEs are subject to further appeal as provided in Regulation 21.27.3.
- 21.5.8 Presence of a Prohibited Substance or its Metabolites or Markers (Regulation 21.2.1), Use or Attempted Use of a Prohibited Substance or a Prohibited Method (Regulation 21.2.2), Possession of Prohibited Substances and Prohibited Methods (Regulation 21.2.6) or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method (Regulation 21.2.8) consistent with the provisions of an applicable TUE issued pursuant to the International Standard for TUEs shall not be considered an anti-doping rule violation.

Mutual Recognition of TUEs

- 21.5.9 Any International Level Player who competes in the Tournaments listed in Regulation 21.13.1 and/or who is a member of the Registered Testing Pool or Testing Pool and who has been granted a TUE approval by another Anti-Doping Organisation TUEC that is current and valid must submit a copy of the application and the certificate of approval to the TUEC of the Board. This must be submitted in accordance with the timelines set out in Regulation 21.5.5 and 21.5.6. Under the mutual recognition provision under Article 15.4 of the Code such TUE approvals shall be accepted by the Board subject to the approval of the Board TUEC in accordance with Regulation 21.5.2. The Board has the right of review and appeal for all TUE approvals submitted to the Board TUEC where approved by another Anti-Doping Organisation TUEC.

21.6 Roles and Personal Responsibility

- 21.6.1 It is each Player's responsibility to ensure that;
- (a) no Prohibited Substance is found to be present in his body and that Prohibited Methods are not used;
 - (b) he does not commit any other anti-doping rule violation;
 - (c) he is available for Sample collection; and
 - (d) he informs Player Support Personnel, including, but not limited to, their doctors of their obligation not to use Prohibited Substances and Prohibited Methods and to take responsibility to ensure that any medical treatment received by them does not violate any of the provisions of these Regulations.
- 21.6.2 It is the responsibility of Player Support Personnel to ensure that;
- (a) they co-operate with the Player Testing programme;
 - (b) use their influence on Player values and behaviour to foster anti-doping attitudes;
 - (c) to be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the Code which are applicable to them or the Players they support including these Anti-Doping Regulations; and
 - (d) educate and counsel Player's regarding anti-doping policies and these Anti-Doping Regulations.
- 21.6.3 It is the sole responsibility of each Player, Player Support Personnel and Person to acquaint themselves and comply with all of the provisions of these Anti-Doping Regulations including the Guidelines.

Nutritional Supplements

- 21.6.4 The use of dietary supplements by Players is a concern because in many countries the manufacturing and labelling of supplements may not follow strict rules, which may lead to a supplement containing an undeclared substance that is prohibited under these Anti-Doping Regulations. Nutritional supplements and vitamins might not be

regulated or could be contaminated or suffer from cross contamination or might not have all the ingredients listed on the labels. Players are advised to exercise extreme caution regarding supplement use.

- 21.6.5 Many of the substances in the Prohibited List may appear either alone or as part of a mixture within medications or supplements which may be available with or without a doctor's prescription. Any Player who is concerned about the appropriateness of treatment being administered to him, or medications or supplements being ingested by him, should seek clarification from his doctor or other relevant authority as to whether such treatment is or such medications or supplements are prohibited. For the avoidance of doubt nothing herein shall displace the Player's responsibility to ensure he does not commit an anti-doping rule violation.

Education

- 21.6.6 Each Member Union shall within its means and in co-operation with their constituents, plan, implement, evaluate and monitor information and education programmes for doping-free rugby.

21.7 Anti-Doping Advisory Committee

- 21.7.1 The Board shall appoint an Anti-Doping Advisory Committee to provide the Board with general advice and assistance on doping issues and related matters, including the application of Anti-Doping Regulations. The Anti-Doping Advisory Committee shall report to the Council.
- 21.7.2 In addition to this general role, the Anti-Doping Advisory Committee, or a member or members thereof may be requested to undertake specific tasks as part of the implementation of the IRB Anti-Doping Regulations.
- 21.7.3 Members of the Anti-Doping Advisory Committee may sit on the IRB TUE Committee, Board Judicial Committees and on Post Hearing Review Bodies from time to time.
- 21.7.4 The Anti-Doping Advisory Committee and/or the Board shall be entitled to call on experts to provide specialist advice, undertake certain activities and assist in the implementation of the Regulations including but not limited to acting on the Anti-Doping Advisory Committee Review Boards.

21.8 Requirements to Undergo Doping Control

- 21.8.1 Doping Control may be carried out at any time. Doping Control may be random or targeted. All Players shall submit to Doping Control at any time and any place whenever requested by an authorised official. For the avoidance of doubt, this includes both In Competition and Out of Competition Doping Control. Out of Competition Doping Control shall be undertaken with or without prior notice (No Advance Notice). A Player may be selected to provide any number of Samples for Doping Control in any calendar year. The Board, and/or Member Unions shall be entitled to undertake Target Testing of Players.
- 21.8.2 Doping Control may only be conducted on a Minor where prior written consent has been given by a person with legal responsibility for that Minor.
- 21.8.3 Procedural Guidelines for the conduct of In Competition and Out of Competition Doping Control are set out in the Guidelines in Schedule 1 of these Regulations for both urine and blood Sample collection, which implements the applicable provisions of the International Standard for Testing. All Testing shall be conducted in accordance with the International Standard for Testing.
- 21.8.4 Blood (or other non-urine) Samples may be used to detect Prohibited Substances or Prohibited Methods, for screening procedure purposes, or for longitudinal haematological profiling (the "passport"). If the Sample is collected for screening only, it will have no consequences for the Player other than to identify him for a urine test under these anti-doping regulations. In these circumstances, the Board may decide at its discretion which blood parameters are to be measured in the screening Sample and what levels of those parameters will be used to indicate that a Player should be selected for a urine test. If however, the Sample is collected for longitudinal haematological profiling (the "passport"), it may be used for anti-doping purposes in accordance with Regulation 21.2.2.

21.9 In Competition and Out of Competition Doping Control

- 21.9.1 Each Member Union must include within its regulations the following provisions:
- (a) a provision that entitles the Union to conduct both In Competition and Out of Competition Doping Control on a No Advance Notice basis or otherwise;
 - (b) a provision allowing the Board, WADA, its NADO and Anti-Doping Organisations to conduct Out of Competition Doping Control on a No Advance Notice basis or otherwise on Players within or under that Union's jurisdiction; and

- (c) a provision allowing the Board, WADA, its NADO and Anti-Doping Organisations to conduct Doping Control on Players at Matches that form part of a Union's national competitions or similar events.
- 21.9.2 Each Union shall make it a condition of membership and a condition of participation in their competitions that their Participants and Persons within membership agree to be subject to these Anti-Doping Regulations including their agreement to be subject to In Competition and Out of Competition Doping Control on a No Advance Notice basis or otherwise by the Union, the Board, WADA, NADO and Anti-Doping Organisations.
- 21.9.3 The nature of Out of Competition Doping Control makes it desirable that little or no prior warning is given to the Player being tested and may be undertaken on a No Advance Notice basis. When an Out of Competition Doping Control is undertaken reasonable efforts will be made to avoid interruption to a Player's training, however, neither the Board, or its designees, shall be liable for any inconvenience or loss resulting from Out of Competition Doping Control whether on a No Advance Notice basis or otherwise.
- 21.9.4 It is the duty of each Member Union to assist the Board and, where applicable, other Unions in undertaking Doping Controls. Any Union preventing, hindering or otherwise obstructing the carrying out of such Doping Control shall be subject to disciplinary action by the Board. Any Rugby Body or Club that prevents, hinders or otherwise obstructs the carrying out of any Doping Control shall be subject to disciplinary action by their Union.
- 21.9.5 Without prejudice to the requirement on Member Unions to notify all Anti-doping rule violations in accordance with the provisions of Regulation 21.14.5 and 21.14.6 each Member Union must submit every 12 months and/or when requested by the Board a report of all Doping Controls undertaken and a summary of the results of those Doping Controls annually to the Board.
- 21.9.6 Each Member Union is responsible for ensuring in relation to its own anti-doping programme and the implementation of the IRB Anti-Doping Regulations that any and all applicable data regulation clearances and medical confidentiality clearances and consents relating to, without limitation, disclosure and distribution of whereabouts information, analysis results, medical information and findings and decisions of hearings are obtained for the benefit of and use by the Union, Board, NADO and WADA.

21.10 Player Whereabouts Requirements for Out of Competition Testing

The Board will establish an Out of Competition Testing programme based on the ranking of Member Unions that participate in IRB Tournaments (this may include but not be limited to Rugby World Cup, Rugby World Cup Seven's, Women's Rugby World Cup and IRB world championships) and select a set number of Players who are eligible for inclusion per Member Union. The Board will also establish a Registered Testing Pool and Testing Pool of Players who are subject to the provision of Player whereabouts information for the purpose of No Advance Notice Out of Competition Testing.

Registered Testing Pool

- 21.10.1 (a) The Board shall identify a Registered Testing Pool of International Level Players who will be required to provide up to date whereabouts information to the Board (and/or their NADO as agreed by the Board) for each quarter period via their Member Union and/or ADAMS (if applicable) for the purpose of No Advance Notice Out of Competition Testing. Such whereabouts information shall include one specific 60 minute slot between 6am and 11pm each day where the Player will be available and accessible for Testing at a specific location.
- (b) Entry into the Registered Testing Pool will be based on the criteria outlined in Regulation 21.10.3. The Board may revise its Registered Testing Pool from time to time as appropriate.
- (c) Players who are members of the Registered Testing Pool of their NADO, and whose Union is part of the Board's Out of Competition Testing programme, are automatically members of the Board's Registered Testing Pool. Such Players shall only be required to provide whereabouts information to their NADO. The Board will liaise with the NADO for the purposes of the Board's Out of Competition Testing programme.

Testing Pool

- 21.10.2 (a) In addition to the Registered Testing Pool described in sub-clause 21.10.1 above, the Board shall identify a Testing Pool of International Level Players who will be required to provide up to date whereabouts information to the Board for each quarter period via their Member Union and/or ADAMS (if applicable) and/or NADO (if agreed by the Board) for the purpose of No Advance Notice Out of Competition Testing. Players in the Testing Pool are not obliged to provide a specific 60 minute time slot. The Board may revise its Testing Pool from time to time as appropriate.
- (b) Players may be moved between the Registered Testing Pool and the Testing Pool or vice versa at the Board's discretion taking into account the criteria outlined at Regulation 21.10.3 and 21.10.4. Players who

are moved into or transferred between the Registered Testing Pool and/or the Testing Pool will be notified in writing by the Board via their Member Union of their inclusion in the relevant Testing Pool.

Registered Testing Pool Criteria

21.10.3 The Board shall nominate which Member Unions and the number of International Level Players from such Member Unions that may be part of the Registered Testing Pool. Further Players may be nominated into the Registered Testing Pool by the Board based on satisfaction of any of the criteria set out below:

A. Satisfaction of one of the following criteria may result in a Player becoming part of the Registered Testing Pool.

- (i) Players who are members of the Registered Testing Pool of a NADO and who would ordinarily be members of the Board's Testing Pool shall automatically be members of the Board's Registered Testing Pool;
- (ii) Players under the Board's jurisdiction who are serving periods of Ineligibility or who have recently completed a period of Ineligibility;
- (iii) Players who have committed at least two Whereabouts Failures (any combination of Filing Failures or Missed Tests) whilst part of the Testing Pool within an 18 month period. For the avoidance of doubt such Players shall only carry forward any Filing Failures accumulated in the Testing Pool into the Registered Resting Pool;
- (iv) Any Player in respect of whom the Board undertakes an investigation following receipt of reliable intelligence regarding possible involvement in any aspect of doping;
- (v) Players who are part of a breach of the Consequences to Teams provisions in Regulation 21.23;
- (vi) Persistent last minute changes to a Players Whereabouts Filings;
- (vii) Any other Players at the discretion of the Board.

B. Satisfaction of more than one of the following criteria may result in a Player becoming part of the Registered Testing Pool.

- (i) Players under the Board's jurisdiction who retired at a time when they were in the Registered Testing Pool and who wish to return from that period of retirement to active participation in the Game at International Match Level;
- (ii) Any Player who has a sudden major improvements in performance ,alteration in physique or returning from a serious or long term injury;
- (iii) A Players test history;
- (iv) Any other Players at the discretion of the Board.

Testing Pool Criteria

21.10.4 The Board shall nominate which Member Unions and the number of International Level Players who are part of the Member Union's national squad that shall become part of the Testing Pool. For the avoidance of doubt, those Players who are part of the Registered Testing Pool shall not also be members of the Testing Pool.

Removal from the Registered Testing Pool or Testing Pool

21.10.5 A Player shall remain part of the Registered Testing Pool or Testing Pool for the duration of the nominated quarter and subject to whereabouts requirements set out in these Regulations unless and until:

- (a) The Player is given written notice by the Board or Member Union (in accordance with the Board's instructions) that he is no longer designated for inclusion in the Registered Testing Pool or Testing Pool;
- (b) The Player retires from competition and gives written notice to his Member Union to that effect, who shall advise the Board immediately;
- (c) Subject to Regulation 21.12.4.

Movement of Players from the Registered Testing Pool to the Testing Pool

21.10.6 A Player may be moved from the Registered Testing Pool to the Testing Pool based on any of the following scenarios:

- (a) Those Players who have served a period of Ineligibility and have not given any cause to the Board, pursuant to Regulation 21.10.3 to remain in the Registered Testing Pool;
- (b) Players who committed two (2) Whereabouts Failures and who did not commit a third Whereabouts Failure during the 18 month period since the first Whereabouts Failure was committed;
- (c) Any other Player at the Board's discretion;
- (d) Removal of the Player from the NADO's Registered Testing Pool.

Provision of Whereabouts

- 21.10.7 International Level Players selected for either the Registered Testing Pool or Testing Pool shall provide accurate and complete Player whereabouts information every quarter via their Member Union and/or ADAMS (if applicable) to the Board (and/or their NADO as agreed by the Board in the notified format). Such information shall be forwarded to the Board by the Member Union (and/or their NADO if agreed by the Board) and/or via ADAMS (if applicable) by the due dates outlined in Regulation 21.10.9. A failure by a Player to submit his Player whereabouts by the deadline may amount to a Filing Failure and consequently a Whereabouts Failure as per Regulation 21.2.4. It shall not be a defence to an allegation of a Filing Failure under Regulation 21.2.4 that the Player delegated such responsibility to a third party and that third party failed to comply with the applicable requirements.
- 21.10.8 The Board will also request an update on Player whereabouts from all applicable Member Unions where the Board becomes aware that a Players' whereabouts details are incorrect (whether following an unsuccessful attempt or otherwise). Players and Member Unions shall also update the Board (and/or their NADO as agreed by the Board) with any changes to or additional information in relation to the provided Player whereabouts that occur within the quarter period (save for those Players who are members of the Registered Testing Pool of their NADO, who will notify their NADO directly).

Whereabouts Filing Requirements

- 21.10.9 Before the last day of each quarter and prior to the first day of the following quarter (i.e. 1 January, 1 April, 1 July, 1 October respectively) a Player in either the Registered Testing Pool or the Testing Pool must file a Whereabouts Filing with the Board or its nominee (as agreed) via its Member Union and/or ADAMS (if applicable) that contains at least the following information:
- (a) A complete mailing address where correspondence may be sent to the Player via his Member Union for formal notice purposes. Any notice or other item sent by courier or registered post to that address will be deemed to have been received by the Player either by confirmed receipt of an email or fax from the Player (or his nominee) or his Member Union or when proof of actual receipt is provided by the delivery service. The availability of such information does not relieve the Member Union from fulfilling their notification obligations pursuant to Regulation 21;
 - (b) For each day during the following quarter, the full address of the place where the Player will be residing (e.g. home, temporary lodgings, hotel or holiday location etc);
 - (c) For each day during the following quarter, the name and address of each location where the Player will train individually or as part of a Team Activity under the supervision of the team management (which may include for example gym work, physiotherapy, and/or medical treatment) this includes both his club and national team schedules, work or conduct of any other regular activity (e.g. university or study), as well as the usual time-frames and venues for such regular activities; and
 - (d) The Player's competition schedule for the following quarter, including the name and address of each location where the Player is scheduled to compete during the quarter and the date(s) on which he is scheduled to compete at such location(s). This includes both his club and national team schedules.

Whereabouts Filing for Registered Testing Pool Players – 1 hour rule

- (e) The Whereabouts Filing for all Players who are part of the Registered Testing Pool must also include, for each day during the following quarter, one specific 60 minute slot between 6am and 11pm each day where the Player will be available and accessible for Testing at a specific location. This 60 minute time slot may be during any Team Activity, (individual or group) conducted on the day in question. For the avoidance of doubt Players who are not part of the Registered Testing Pool are not obliged to provide the 60 minute slot as part of their whereabouts.
- 21.10.10 Players when making a Whereabouts Filing, are responsible for ensuring that they provide all of the information required accurately and in sufficient detail to enable the Board or Member Union or its nominee or NADO to locate the Player for Testing on any given day in the quarter. In the case of Players in the Registered Testing Pool

only, an additional 60-minute time slot specified for that day in the Whereabouts Filing (as outlined in Regulation 21.10.9(e)) is required.

Provision of Fraudulent Whereabouts Filing Information

- 21.10.11 Any Player who provides fraudulent information in his Whereabouts Filing, whether in relation to his location during the specified daily 60-minute time slot, or in relation to his whereabouts outside that time slot, or otherwise, thereby commits an anti-doping rule violation under Regulation 21.2.3 (evading Sample collection) and/or Regulation 21.2.5 (Tampering or Attempting to Tamper with Doping Control).[moved from 21.10.17]

Player Responsibility for Whereabouts

- 21.10.12 (a) The ultimate responsibility for providing whereabouts information rests with each Player. However, it shall be the responsibility of all applicable Member Unions to use their best efforts to assist the Board (and their NADO) in obtaining and providing updates of whereabouts information as changes occur and/or when requested by the Board and in assisting the Board in the implementation of its Out of Competition Testing programme.
- (b) It is the Player's responsibility to be available for Testing at all times in accordance with the whereabouts information declared on his Whereabouts Filing regardless of whether the Player makes the Whereabouts Filing personally or delegates it to a third party.

Consequences of Non-Compliance for Unions

- 21.10.13 Any Member Union who fails to provide timely Player whereabouts information as identified in 21.10.9 (whether to the Board and/or their NADO as applicable) and/or who fails to assist the Board in the implementation of its Out of Competition Testing programme may be subject to disciplinary action in accordance with IRB Regulation 18.

Unsuccessful Attempt to Test

- 21.10.14 (a) Any Player in either a Registered Testing Pool or Testing Pool that is not available for Testing following attempt(s) by a Doping Control Officer (duly documented and as outlined in Regulation 21.10.24 or 21.10.25) and has not updated their Whereabouts Filing prior to the Doping Control Officer attempting to test at the location(s) specified in the available Whereabouts Filing, shall amount to a an unsuccessful attempt.
- (b) The Board shall review each unsuccessful attempt to determine based on the criteria outlined in Regulation 21.10.24, for Players in the Registered Testing Pool, whether the unsuccessful attempt amounts to a Missed Test. Each Missed Test constitutes a Whereabouts Failure for the purposes of Regulation 21.2.4.
- (c) The Board shall review each unsuccessful attempt to determine based on the criteria outlined in Regulation 21.10.25, for Players in the Testing Pool, whether the unsuccessful attempt amounts to a Missed Test. Each Testing Pool Missed Test will be considered for the purposes of determining if the Player meets the criteria in Regulation 21.10.3 for elevation to the Registered Testing Pool. Any Missed Tests accumulated by a Player in the Testing Pool will not be counted for the purposes of Regulation 21.2.4 if the Player is elevated to the Registered Testing Pool.
- (d) It shall not be a defence to an allegation of a Missed Test under Regulation 21.2.4 that the Player had delegated responsibility for filing his whereabouts information for the relevant period to a third party and that third party had failed to file the correct information or failed to update previously filed information to ensure that the whereabouts information in the Whereabouts Filing for the day in question was current and accurate.
- 21.10.15 Each Member Union shall also assist, as appropriate, their NADO in establishing a national level registered testing pool of top level national Players who may or may not already be included in the Board's Registered Testing Pool or Testing Pool.

Consequences of Whereabouts Failures

- 21.10.16 (a) **Registered Testing Pool:** Any Player in a Registered Testing Pool who commits a total of three (3) Whereabouts Failures (which may be any combination of Filing Failures and/or Missed Tests adding up to three (3) in total) within an 18 month period, (irrespective of which Anti-Doping Organisation(s) has/have

declared the Whereabouts Failures in question) shall be considered to have committed an anti-doping rule violation pursuant to Regulation 21.2.4.

- (b) **Testing Pool:** Any Player in a Testing Pool who commits a total of two (2) Whereabouts Failures (which may be a combination of a Filing Failure(s) and/or Missed Test(s)) within an 18 month period shall be automatically transferred from the Testing Pool to the Board's Registered Testing Pool. Upon the occurrence of such an event any Missed Test(s) incurred in the Testing Pool will not be carried forward into the Registered Testing Pool but any Filing Failure(s) will follow the Player into the Registered Testing Pool. Once the Player enters the Registered Testing Pool he will be subject to the supplemental whereabouts provisions of Regulation 21.10.9(e).

21.10.17 The 18 month period referred to in Regulation 21.10.16 starts to run on the date that a Player first commits a Whereabouts Failure. It is not affected by any successful Sample collection conducted with respect to that Player during the 18 month period, i.e. if three (3) Whereabouts Failures occur during the 18 month period then an anti-doping rule violation is committed in accordance with Regulation 21.2.4 irrespective of any Samples successfully collected from a Player during that 18 month period. However, if a Player who has committed one Whereabouts Failure does not go on to commit a further two Whereabouts failures within 18 months of the first, at the end of that 18 month period the first Whereabouts Failure "expires" for the purpose of Regulation 21.10.16. For the purposes of determining whether a Whereabouts Failure has occurred within the 18 month period referred to in 21.10.16:

- (a) a Filing Failure will be deemed to have occurred on the first day of the quarter for which the Player fails to make the required filing, or in the case of any subsequent Filing Failure in the same quarter following notice of the previous Filing Failure where the Player failed to rectify that Filing Failure by the deadline specified in that notice; and
- (b) a Missed Test will be deemed to have occurred (in respect of Registered Testing Pool Players) on the date that the Sample collection was unsuccessfully attempted.

Filing Failure Pre-Conditions

21.10.18 A Player may only be declared to have committed a Filing Failure where the Board, Member Union or NADO following the results management procedure set out in Regulation 21.10.26, can establish each of the following:

- (a) That the Player was duly notified via his Member Union (i) that he was designated for inclusion in a Registered Testing Pool or Testing Pool, (ii) of the consequent requirement to make Whereabouts Filings; and (iii) of the consequences of any failure to comply with that requirement;
- (b) That the Player failed to comply with that requirement by the applicable deadline;
- (c) In the case of a second or third Filing Failure in the same quarter) that the Player was given notice of the previous Filing Failure via his Member Union in accordance with Regulation 21.10.26 and failed to rectify that Filing Failure by the deadline specified in that notice; and
- (d) That the Player's failure to comply was at least negligent. For these purposes, the Player will be presumed to have committed the failure negligently upon proof that he was notified of the requirement yet failed to comply with it. That presumption may only be rebutted by the Player establishing that no negligent behaviour on his part caused or contributed to the failure.

Third Party Provision of Whereabouts Filings

- 21.10.19 (a) A Player in a Registered Testing Pool or Testing Pool may choose to delegate the making of some or all of his Whereabouts Filings required under Regulation 21.10.9 (and/or any updates to his Whereabouts Filings required under Regulation 21.10.22) to a third party such as his Member Union or his Team management or club provided that the third party agrees to such delegation. This may include periods of Team Activity but also in respect of periods where they are not with the Team, provided the Team management or Member Union agrees. Without prejudice to Regulation 21.14, the Member Union shall be responsible for the collection of such information from the Player, the Player's club and/or Team prior to it being forwarded to the Board or its nominee save where ADAMS is applicable.
- (b) For Players in a Registered Testing Pool or Testing Pool, where the Member Union makes the Whereabouts Filing, liability for Filing Failures shall be determined in accordance with Regulation 21.10.18, and liability for Missed Tests shall be determined in accordance with Regulation 21.10.23 or 21.10.24 (as appropriate).

Consequence for Third Party Filing Failures

- 21.10.20 (a) If the Member Union or other authorised third party does not make a required Whereabouts Filing, or makes the Whereabouts Filing but does not include all of the required information, then (subject to the requirements of Regulation 21.10.18 the Player will be liable for a Filing Failure under Regulation 21.2.4.
- (b) If any of the required information changes after a Whereabouts Filing is made, then in accordance with Regulation 21.10.22, an update must be filed by an authorised third party so that the Whereabouts Filing remains accurate at all times.
- (c) For Players in the Registered Testing Pool, if an update is not made by an authorised third party, and as a result an attempt to test the Player during the 60-minute time slot is unsuccessful then (subject to the requirements of Regulation 21.10.23) the Player will remain liable for a Missed Test under Regulation 21.10.27.
- (d) For Players in the Testing Pool if an update to a Whereabouts Filing is not made by an authorised third party, and as a result an attempt to the test the Player during a 24 hour period is unsuccessful then (subject to the requirements of Regulation 21.10.24) the Player will remain liable for a Missed Test under Regulation 21.10.27.

Availability for Testing – Registered Testing Pool and Testing Pool

- 21.10.21 (a) A Player in the Registered Testing Pool must specifically be present and available for Testing on any given day in the relevant quarter for the 60 minute time slot specified for that day in his Whereabouts Filing, at the location that the Player has specified for that time slot in such filing. If a Player fails to remain at the nominated location for the full 60 minute period they run the risk of a potential Missed Test if the DCO arrives during the 60 minute period but after their departure.
- (b) A Player in the Testing Pool must specifically be present and available for Testing at any one of their specified locations in their Whereabouts Filing during the nominated time period over a 24 hour period on any given day. The 24 hour period is deemed to commence from when the DCO arrives at the first specified location in the Whereabouts Filing.
- 21.10.22 It is a Player's responsibility to ensure (including by updates, where necessary) that the whereabouts information provided in his Whereabouts Filing is sufficient to enable the Board or its nominee, Member Union or NADO to locate him for Testing within the periods specified in Regulation 21.10.21(a) or (b). Where any change in circumstances means that the information previously provided by or on behalf of the Player (whether in the initial Whereabouts Filing or in any subsequent update) is no longer accurate or complete the Player must update his Whereabouts Filing so that the information on file becomes accurate and complete. The Player must make such update as soon as possible, and for those Players in a Registered Testing Pool prior to the 60-minute time slot specified in his filing for that day. A failure to do so shall have the following consequences:
- (a) If, as a result of such failure, the Board or its nominee, Member Union or NADO's attempt to test the Player (who is part of a Registered Testing Pool) during the 60-minute time slot is unsuccessful, then the unsuccessful attempt shall be pursued as an apparent Missed Test in accordance with Regulation 21.10.27; and
- (b) If, as a result of such failure, the Board or its nominee, Member Union or NADO's attempt to test the Player (who is part of the Testing Pool) at all of his nominated whereabouts locations specified in his Whereabouts Filing within a 24 hour period is unsuccessful, then the unsuccessful attempt shall be pursued as an apparent Missed Test in accordance with Regulation 21.10.27; and
- (c) If the circumstances so warrant, the failure may be pursued as evasion of Sample collection under Regulation 21.2.3, and/or Tampering or Attempted Tampering with Doping Control under Regulation 21.2.5; and
- (d) In any event, the Board or its nominee, Member Union or NADO shall consider Target Testing of the Player.

Missed Test – Registered Testing Pool

- 21.10.23 A Player in the Registered Testing Pool may only be declared to have committed a Missed Test where the Board, Member Union or NADO, following the results management procedure set out in Regulation 21.10.27, can establish each of the following:
- (a) That when a Player who is in the Registered Testing Pool was given notice (including via his Member Union) that he had been designated for inclusion in the Registered Testing Pool and was advised of his liability for a Missed Test if he was unavailable for Testing during the 60-minute time slot specified in his Whereabouts Filing at the location specified for that time slot;

- (b) That the DCO attempted to test a Player who is in the Registered Testing Pool on a given day in the quarter, during the 60-minute time slot specified in the Player's Whereabouts Filing for that day, by visiting the location specified for that time slot;
- (c) That during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the Player, short of giving the Player any Advance Notice of the test;
- (d) That the provisions of Regulation 21.10.25 (if applicable) have been met; and
- (e) That the Player's failure to be available for Testing at the specified location during the specified 60 minute time slot was at least negligent. For these purposes, the Player will be presumed to have been negligent upon proof of the matters set out at Regulation 21.10.23 (a) to (d). That presumption may only be rebutted by the Player establishing that no negligent behaviour on his part caused or contributed to him (i) being unavailable for Testing at such location during such time slot; and (ii) failing to update his most recent Whereabouts Filing to give notice of a different location where he would instead be available for Testing during a specified 60 minute time slot on the relevant day.

Missed Test - Testing Pool

21.10.24 A Player in the Testing Pool may only be declared to have committed a Missed Test where the Board, Member Union or NADO, following the results management procedure set out in Regulation 21.10.27, can establish each of the following:

- (a) That when a Player who is in the Testing Pool was given notice that he had been designated for inclusion in the Testing Pool and was advised of his liability for a Missed Test if he was unavailable for Testing at all of his nominated whereabouts locations specified in his Whereabouts Filing during a 24 hour period is unsuccessful;
- (b) That the DCO attempted to test a Player who is in the Testing Pool during a 24 hour period in the quarter at all of his whereabouts locations as specified in his Whereabouts Filing, by visiting the specified locations at the specified times;
- (c) That during the 24 hour period, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified locations) to try to locate the Player, with No Advance Notice of the test;
- (d) That the provisions of Regulation 21.10.25 (if applicable) have been met; and
- (e) That the Player's failure to be available for Testing at the specified locations during the specified dates/times within a 24 hour period was at least negligent. For these purposes, the Player will be presumed to have been negligent upon proof of the matters set out at Regulation 21.10.24 (a) to (d). That presumption may only be rebutted by the Player establishing that no negligent behaviour on his part caused or contributed to him (i) being unavailable for Testing at any location during any 24 hour period; and (ii) failing to update his most recent Whereabouts Filing to give notice of a different location/s where he would instead be available for Testing on the relevant day.

21.10.25 To ensure fairness to the Player, where an unsuccessful attempt has been made to test a Player during one of the 60-minute time slots specified in his Whereabouts Filing (for a Player that is part of the Registered Testing Pool), or during any 24 hour period at a location(s) specified in his Whereabouts Filing for a Player (that is part of the Testing Pool) any subsequent attempt to test that Player (by the Board or its nominee, Member Union or NADO or any other Anti-Doping Organisation including WADA) may only be counted as a Missed Test against that Player if that subsequent attempt takes place after the Player has received notice, in accordance with this Regulation of the original unsuccessful attempt.

Results Management for Whereabouts Failures

21.10.26 Filing Failures

- (a) If it appears that all of Regulation 21.10.18 requirements relating to Filing Failures are satisfied, then no later than 14 days after the date of discovery of the apparent Filing Failure the Board must send notice in writing to the Player via his Member Union in question of the apparent Filing Failure, inviting a response within fourteen 14 days of receipt of the notice. In the notice, the Board shall warn the Player:
 - (i) that unless the Player persuades the Board that there has not been any Filing Failure, then (subject to the remainder of the results management process set out below) an alleged Whereabouts Failure will be recorded against the Player; and
 - (ii) of any other Whereabouts Failures that have been alleged against him in the 18 month period prior to this alleged Whereabouts Failure; and

- (iii) of the consequences to the Player if the designee of the Board or a Judicial Officer or Hearing Panel in the case of a third Whereabouts Failure, upholds the alleged Whereabouts Failure.
- (b) Where the Player disputes the apparent Filing Failure, the Board must re-assess whether all of the Regulation 21.10.18 requirements are met. The Board must advise the Player and/or his Member Union, by letter sent no later than 14 days after receipt of the Player's response, whether or not it maintains there has been a Filing Failure.
- (c) If no response is received from the Player by the relevant deadline, or if the Board maintains (notwithstanding the Player's response) that there has been a Filing Failure, the Board shall send notice to the Player and/or his Member Union that an alleged Filing Failure is to be recorded against him. The Board shall at the same time advise the Player that he has the right to an administrative review of that decision;
- (d) Where it is requested by the Player, such administrative review shall be conducted by a designee of the Board who was not involved in the previous assessment of the alleged Filing Failure. The review shall be based on written submissions only, and shall consider whether all of the requirements of Regulation 21.10.18 are met. The review shall be completed within 14 days of receipt of the Player's request and the decision shall be communicated to the Player by letter sent no more than 7 days after the decision is made;
- (e) If it appears, upon such review, that the requirements of Regulation 21.10.18 have not been met, then the alleged Filing Failure shall not be treated as a Whereabouts Failure for any purpose;
- (f) If the Player does not request an administrative review of the alleged Filing Failure by the relevant deadline, or if the administrative review leads to the conclusion that all of the requirements of Regulation 21.10.18 have been met, then the Board shall record an alleged Filing Failure against the Player and shall notify the Player and/or his Member Union and (on a confidential basis) WADA and all other relevant Anti-Doping Organisations of that alleged Filing Failure and the date of its occurrence;
- (g) The Player should also be advised whether any other Whereabouts Failures have been alleged against him in respect of the 18 month period prior to this alleged Filing Failure.

21.10.27 Missed Test

- (a) The DCO shall file an Unsuccessful Attempt Report with the Board or its nominee (or NADO as the case may be), setting out the details of the attempted Sample collection, including the exact date and time of the attempt, the names of all the location(s) visited, the exact arrival and departure times at each of the location(s), the step(s) taken at the location(s) to try to find the Player, including details of any contact made with third parties (including their names, positions and contact details), and any other relevant details about the attempted Sample collection.
- (b) If it appears that all of Regulation 21.10.23 or 21.10.24 requirements (depending upon which Testing Pool the Player belongs to) relating to Missed Tests are satisfied, then no later than 14 days after the date of the unsuccessful attempt, the Board must send notice to the Player via his Member Union of the unsuccessful attempt, inviting a response within 14 days of receipt of the notice. The Unsuccessful Attempt Report shall be provided to the Player at this point. In the notice, the Board should warn the Player:
 - (i) That unless the Player persuades the Board that there has not been any Missed Test, then (subject to the remainder of the results management process set out below) an alleged Missed Test will be recorded against the Player; and
 - (ii) Of any other Whereabouts Failures that have been alleged against him in the 18 month period prior to this alleged Whereabouts Failure
 - (iii) Of the consequences to the Player if a the designee of the Board or a Judicial Officer or Hearing Panel or in the case of a third Whereabouts Failure upholds the alleged Missed Test.
- (c) Where the Player disputes the apparent Missed Test, the Board must re-assess whether all of the requirements in Regulation 21.10.23 or 21.10.24 (depending upon which Testing Pool the Player belongs to) are met. The Board must advise the Player and/or his Member Union, by letter sent no later than 14 days after receipt of the Player's response, whether or not it maintains that there has been a Missed Test.
- (d) If no response is received from the Player by the relevant deadline, or if the Board maintains (notwithstanding the Player's response) that there has been a Missed Test, the Board shall send notice to the Player and/or his Member Union that an alleged Missed Test is to be recorded against him. Further:
 - (i) In respect of Registered Testing Pool Players only, the Board shall at the same time advise the Player that he has the right to request an administrative review of the alleged Missed Test.

- (ii) In respect of Testing Pool Players, there is no Administrative Review as the Missed Test will only count for the purposes of elevating the Player to the Board's Registered Testing Pool. Upon entry into the Board's Registered Testing Pool all Testing Pool Missed Tests cease to count for the purposes of Regulation 21.2.4.
- (e) The Board in circumstances where the Player has recorded a Missed Test may seek to recoup from the Player some or all of the costs associated with the attempted Sample collection which resulted in the Missed Test.

Administrative Review – Missed Test for Registered Testing Pool Players

- (f) Where requested, such administrative review shall be conducted by a designee of the Board who was not involved in the previous assessment of the alleged Missed Test, shall be based on written submissions only, and shall consider whether all of the requirements of Regulation 21.10.23 are met. If necessary, the relevant DCO may be asked to provide further information to the Board. The review shall be completed within 14 days of receipt of the Player's request and the decision shall be communicated to the Player by letter sent no more than 7 days after the decision is made.
- (g) If it appears to the judicial officer that the requirements of Regulation 21.10.23 have not been met, then the unsuccessful attempt to test the Player shall not be treated as a Missed Test for any purpose.
- (h) If the Player does not request an administrative review of the alleged Missed Test by the relevant deadline, or if the administrative review leads to the conclusion that all of the requirements of Regulation 21.10.23 have been met, then the Board shall record an alleged Missed Test against the Player and shall notify the Player and/or his Member Union and (on a confidential basis) WADA and all other relevant Anti-Doping Organisations of that alleged Missed Test and the date of its occurrence.

Confidentiality – Whereabouts Failures

- 21.10.28 When the Board or its nominee, Member Union or NADO declares, or receives notice of, a Whereabouts Failure in respect of a Player it shall not disclose that information beyond those persons with a need to know unless and until that Player is found to have committed an anti-doping rule violation under Regulation 21.2.4 based on (among other things) such Whereabouts Failure. Such persons who need to know shall also maintain the confidentiality of such information until the same point of this process.
- 21.10.29 The Board shall keep a record of all Whereabouts Failures alleged in respect to each Player within either its Registered Testing Pool or Testing Pool. Where it is alleged that such a Player has committed 3 Whereabouts Failures within any 18 month period:
 - (a) Where two or more of those Whereabouts Failures were alleged by the Board, Member Union or NADO that had the Player in its Registered Testing Pool subject to these Regulations at the time of those failures, then that Anti-Doping Organisation (whether the Board, Member Union or NADO) shall be the Responsible Anti-Doping Organisation for the purposes of bringing proceedings against the Player under Regulation 21.2.4. If the Whereabouts Failures were alleged by three different Anti-Doping Organisations then the Responsible Anti-Doping Organisation for these purposes will be the Anti-Doping Organisation whose Registered Testing Pool, the Player was in as of the date of the third Whereabouts Failure. If the Player was in both the Board's Registered Testing Pool and a national Registered Testing Pool as of that date, the Responsible Anti-Doping Organisation for these purposes shall be the Board.
 - (b) Where the Responsible Anti-Doping Organisation fails to bring proceedings against a Player under Regulation 21.2.4 within 30 days of WADA receiving notice of that Player's third alleged Whereabouts Failure in any 18-month period, then it shall be deemed that the responsible Anti-Doping Organisation has decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at Regulation 21.27 (in particular Regulation 21.27.2).
- 21.10.30 A Player alleged to have committed an anti-doping rule violation under Regulation 21.2.4 shall have the right to have such allegation determined at a Board Judicial Committee in accordance with Regulation 21.20.11 The judicial committee 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. Instead, the burden shall be on the Board to establish all of the requisite elements of each alleged Whereabouts Failure.
 - (a) The Board Judicial Committee shall consider whether or not a Provisional Suspension should be imposed on the Player pending the outcome of proceedings, in accordance with Regulation 21.19.
 - (b) If the Board Judicial Committee decides that one (or two) alleged Whereabouts Failures have been established to the required standard, but that the third alleged Whereabouts Failure has not, then no anti-doping rule violation shall be found to have occurred. However, if the Player then commits one (or two) further Whereabouts Failures within the relevant 18-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the Board Judicial

Committee in the previous proceedings (in accordance with Regulation 21.3.2(c)) and the Whereabouts Failure(s) subsequently committed by the Player.

- (c) A finding that a Player has committed an anti-doping rule violation under Regulation 21.2.4 shall have the applicable consequences as outlined in Regulation 21.22.
- (d) The impact of any Regulation 21.2.4 anti-doping rule violation by an individual Player on the results of any Team for which that Player has played during the relevant period shall be determined in accordance with Regulation 21.23.

21.10.31 Whereabouts information provided pursuant to Regulation 21.10 shall be shared with WADA and other Anti-Doping Organisations having jurisdiction to test a Player in accordance with Article 11.7.1(d) of the International Standard for Testing, including the strict condition that it be used only for Doping Control purposes.

21.11 Analysis of Samples

21.11.1 Doping Control Samples shall be analysed in accordance with the following principles:

- (a) Doping Control Samples shall be analysed in WADA accredited laboratories or as otherwise approved by WADA. The choice of the WADA accredited laboratory (or other method approved by WADA) used for Sample analysis shall be determined exclusively by the Board.
- (b) Doping Control Samples shall be analysed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List and other substances as may be directed by WADA pursuant to the WADA monitoring programme (Code Article 4.5) from time to time in force or to assist the board in profiling relevant parameters in a Player's urine, blood or other matrix, including DNA or genomic profiling for anti-doping purposes.
- (c) Pursuant to Article 6.4 of the Code and subject to the presumption Regulation 21.3.2(a) Laboratories shall analyse Doping Control Samples and report results in conformity with the International Standard for Laboratories.

21.11.2 Doping Control Samples may be re-analysed by the Board or Member Union or Tournament Organiser at any time for any purpose described in Regulation 21.11.1(b) subject always to the statute of limitations set out in Regulation 21.30.

21.11.3 Doping Control Samples may be stored by the Board or Member Union or Tournament Organiser for the purposes of analysis or re-analysis at a future date when new detection methods and/or procedures are established, subject always to the statute of limitations set out in Regulation 21.30.

21.11.4 No Sample shall be utilised by the Board or the Member Unions or Tournament Organisers for purposes other than as set out in Regulation 21.11.2 and 21.11.3 save with the prior written consent of the Player. Samples used for purposes other than in Regulation 21.11.2 and 21.11.3 shall have any means of identification removed such that they cannot be traced back to a particular Player.

21.12 Suspension and Retirement

21.12.1 Where a Player has been suspended, other than for life, and wishes to resume competing after his period of Ineligibility has expired, he must make himself available for Out of Competition Doping Control during that period of suspension. If a Player commits an anti-doping rule violation during the course of a suspension the matter shall be treated as a separate anti-doping rule violation.

21.12.2 A Player who has been identified by the Board for inclusion in the Registered Testing Pool or Testing Pool shall continue to be subject to these Anti-Doping Regulations including the obligation to be available for No Advance Notice Out of Competition Testing unless and until the Player gives written notice to the Board via his Union that he has retired or until he no longer satisfies the criteria for inclusion in the Registered Testing Pool or Testing Pool and has been so informed by the Board.

21.12.3 A Player who has given notice of retirement to the Board and subject to Regulation 21.12.4, may not resume competing unless he notifies the Board at least 6 months before he expects to return to competition at International Match level and is available for unannounced Out of Competition Testing at any time during the period before actual return to competition.

21.12.4 A Player who has given notice of retirement to the Board from International Match level participation, but who continues to play the Game at a non-International Match level, and who elects to stay in the Board's Testing Pool, or be transferred to the Testing Pool from the Board's Registered Testing Pool, may resume competing at International Match level upon notification to the Board.

- 21.12.5 Unions shall establish similar requirements for retirement and returning to competition for Players in the national registered testing pool and may establish similar requirements for other Players under their jurisdiction.
- 21.12.6 If a Player or other Person retires while a results management process is underway, the Anti-Doping Organisation conducting the results management process retains jurisdiction to complete its results management process. If a Player or other Person retires before any results management process has begun, the Anti-Doping Organisation which would have had results management jurisdiction over the Player or other Person at the time the Player or other Person committed an anti-doping rule violation, has jurisdiction to conduct results management.

21.13 Responsibility for Doping Control

- 21.13.1 The Board is responsible for conducting or arranging Doping Controls including, but not limited to, determination of the Event Period, Sample collection, result management, the conduct of investigations and disciplinary proceedings and the imposition of sanctions for anti-doping rule violations, including cases where there has been no Doping Control carried out, in respect of:
- (a) Rugby World Cup Qualifying and Finals Tournaments;
 - (b) Rugby World Cup Sevens Qualifying and Finals Tournaments;
 - (c) IRB Sevens World Series;
 - (d) Women's Rugby World Cup Qualifying and Finals Tournaments;
 - (e) Under 20 Junior World Championship;
 - (f) Such other Matches or tournaments as the Board shall from time to time determine;
 - (g) Such other occasions where the Board conducts Out of Competition Doping Controls.
- 21.13.2 For Matches, International Tournaments and International Matches organised by the IRB which shall be deemed to include the Rugby World Cup, modified and/or additional procedures and rules to those set out in Regulation 21.20 may be adopted by the Tournament Organiser or other body designated by the IRB.
- 21.13.3 Subject to Regulation 21.13.4 below, in all other cases (except where Doping Control is carried out under the rules of another sporting body approved by the Board and the Member Unions concerned) the Union conducting or arranging the Doping Control, or in whose jurisdiction a Match is held, will be responsible for the conduct of the Doping Controls, result management, the conduct of investigations and disciplinary proceedings and the imposition of sanctions for anti-doping rule violations.
- 21.13.4 Responsibility for conducting or arranging Doping Controls including, but not limited to, determination of the Event Period, Sample collection, result management, the conduct of investigations and disciplinary proceedings and the imposition of sanctions for anti-doping rule violations, including cases where there has been no Doping Control carried out, in respect of;
- (a) International Matches and;
 - (b) International Tours, may subject to strict compliance with these Anti- Doping Regulations and Guidelines be delegated to the Host Union; and
- In respect of:
- (c) International Tournaments (save as set out in Regulation 21.13.1 and 21.13.2 above); or
 - (d) other Tournaments,
- may, subject to strict compliance with these Anti-Doping Regulations and Guidelines, and the consent of the Unions concerned be delegated to the International Tournament Organiser or other Tournament Organisers (as the case may be).

21.14 Role of Unions

Implementing the Anti-Doping Regulations

- 21.14.1 These Anti-Doping Regulations shall apply to the Board, each Union in membership of the Board and each of their constituents. Each Union is responsible for ensuring (and must ensure) that;
- (a) It has in place anti-doping regulations in conformity with these Regulations and that all national level testing on Players complies with these Anti-Doping Regulations.

- (b) These Anti-Doping Regulations shall also be incorporated either directly or by reference into each Member Unions' rules. All Member Unions shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Regulations.
 - (c) Each Member Union shall seek to obtain the written acknowledgement of all Players subject to Doping Control and Player Support Personnel for such Players. A standard acknowledgment and agreement form is set out in Schedule 4 of these Regulations.
 - (d) In any event, the regulations of each Member Union shall specifically provide that all Players, Player Support Personnel and other Persons under the jurisdiction of the Member Union shall be bound by these Anti-Doping Regulations.
 - (e) It takes appropriate action to inform each and every one of its members, Players and Persons of these Anti-Doping Regulations and the Union's anti-doping regulations. Unions must further inform their members, Players and Persons that they must comply with the Board's Anti-Doping Regulations and the anti-doping regulations of the Union under whose jurisdiction they are participating.
- 21.14.2 The Board may at its absolute discretion withhold some or all of its funding to Member Unions that are not in compliance with Regulation 21. Each Union must ensure, (and is responsible for ensuring), that it takes appropriate action to inform each and every one of its members, Players and Persons of these Anti-Doping Regulations and the Union's anti-doping regulations. Unions must further inform their members, Players and Persons that they must comply with the Board's Anti-Doping Regulations and the anti-doping regulations of the Union under whose jurisdiction they are participating.

When an Anti-Doping Rule Violation Arises

- 21.14.3 Where an anti-doping rule violation arises out of a Doping Control conducted or arranged by a Member Union or Tournament Organiser, or a Member Union or Tournament Organiser believes or becomes aware that another anti-doping rule violation may have been committed by one of its members or a Player or Person under its jurisdiction, that Member Union or Tournament Organiser shall;
- (a) deal with the matter in accordance with its own anti-doping procedures which shall be in compliance with these Regulations; and
 - (b) shall notify the Board and the Home Union of the Player or Person concerned.
- 21.14.4 As a minimum requirement, each Player or Person alleged to have committed an anti-doping rule violation shall have the right to a hearing before a suitably qualified disciplinary body established by his Union before a final decision is reached unless that Player or Person waives that right. Where the Player or Person so waives this right they may make submissions in writing in relation to the applicable sanctions, which may be imposed in accordance with this Regulation. The disciplinary body shall consist of not less than three individuals, one of whom shall have knowledge of Doping Control procedures and the Code. The disciplinary body shall deal with the matter in accordance with the national law and the regulations of the Member Union concerned which shall be in compliance with these Regulations. All decisions by the disciplinary body must be produced in writing and incorporate the reasoning behind the findings and decisions.
- 21.14.5 Member Unions and/or Tournament Organisers must keep the Board fully apprised as to the status of pending cases and provide the results of all hearings within 72 hours of a final written decision having been made. The Board shall have the right to attend Member Union and Tournament Organiser hearings as an observer and shall in the event of an appeal to CAS or reference to any other arbitral body have the right to participate in, including but not limited to, making submissions, representations, adducing evidence and calling witnesses in such proceedings.
- 21.14.6 Hearings held by Member Unions, Tournament Organisers and/or any other body purporting to hear cases involving anti-doping rule violations shall be completed expeditiously and in all cases within 3 months of the date of notification of the "A" Sample or date of admission or date the alleged anti-doping rule violation came to the attention of the Member Union and/or Tournament Organiser (save were the Board has determined there are exceptional circumstances) of the completion of the results management process or other applicable investigation procedure. Hearings held may be conducted on an expedited process.
- 21.14.7 If the completion of the hearing is delayed beyond 3 months (save were the Board has determined there are exceptional circumstances), the Board may elect to bring the case directly before a Board Judicial Committee at the responsibility and at the expense of the Union or Tournament Organiser concerned. As a minimum requirement decisions by Unions or Tournament Organisers in relation to anti-doping rule violations shall be subject to a review process substantially in compliance with the process set out in Regulations 21.24 to 21.27. Thereafter the appeal procedures set out in Regulation 21.28 may be applied.

National Anti-Doping Judicial Bodies

- 21.14.8 Where a Member Union elects to utilise the services of a national anti-doping judicial body, the Member Union shall ensure that the following pre-conditions are complied with:
- (a) All anti-doping cases whether arising out of an Adverse Analytical Finding or otherwise shall be determined in accordance with Regulation 21 or the anti-doping rules of the Member Union which shall be in compliance with Regulation 21;
 - (b) The first instance hearing of all anti-doping cases arising out of an Adverse Analytical Finding or otherwise shall be considered by an independent judicial panel of the Member Union or national sports resolution body of the country of the Member Union subject always to IRB approval in accordance with Regulation 21.20;
 - (c) The jurisdiction of the Board and the Member Unions to be represented and participate as a party to any Member Union anti-doping cases (including those heard before any national sports resolution body), shall be specifically recognised at each stage of the Member Union's anti-doping judicial process including without limitation referrals from the Board pursuant to Regulation 21.29.1;
 - (d) Where the services of a national sports resolution body are utilised by a Member Union (whether on appeal or in accordance with (b) above), the Member Union shall ensure that:
 - (i) such body shall recognise the remit of the Board to review every decision of the Member Union and/or the national sports resolution body acting on behalf of the Member Union and as appropriate to accept the decision of such body and/or the Member Union or remit the decision to the applicable review body;
 - (ii) such body shall recognise the remit of the Board to review every appeal decision of the Member Union and/or the national sports resolution body acting on behalf of the Member Union and as appropriate to accept the appeal decision of such body and/or the Member Union or refer the appeal decision for consideration to CAS.

Notification

- 21.14.9 When a Member Union or Tournament Organiser (as the case may be) receives an Adverse Analytical Finding or where a Union or Tournament Organiser believes, or becomes aware, that an anti-doping rule violation may have been committed, that Member Union or Tournament Organiser must notify the CEO of the Board immediately. The CEO (or his designee, being the IRB Anti-Doping Manager) shall be entitled to receive from a Union or Tournament Organiser such additional information, as he may consider necessary in relation to any alleged anti-doping rule violation. In any event, the CEO (or his designee) is entitled to receive from and shall be provided with a full report of all hearings including (without limitation) the written decision of the hearing body(ies) incorporating the reasoning behind the findings and decisions in respect of anti-doping rule violations by the relevant Member Union, national anti-doping judicial body appointed by the Member Union or Tournament Organiser (as the case may be) as soon as practicable and in any event within 72 hours of a final written decision having been made.
- 21.14.10 Subject to Regulations 21.13.3 and 21.13.4 where the conduct of a Doping Control results in an Adverse Analytical Finding or other anti-doping rule violation (involving a Player and/or Person) or where an anti-doping rule violation arises other than through the conduct of a Doping Control in respect of a Player who is not a member of the Union that conducted or was responsible for arranging the Doping Control, then that Union that had jurisdiction over the Player and/or Person (as the case may be) at the time the test was conducted or investigation into the alleged anti doping rule violation commenced shall report the results of such Doping Controls to the Union that normally exercises jurisdiction over such Player and/or Person (as the case may be) and to the Board.
- The Player or Person may elect to have his own Union (being the Union for which he was playing at the time the test was conducted or investigation into the alleged anti doping rule violation commenced) conduct the appropriate investigation and hearing procedures (and where an anti-doping rule violation is found to have been committed, impose the applicable sanctions) if, and only if in the case where there has been an Adverse Analytical Finding, the Player acknowledges in writing, that no issue will be taken at the hearing as to the:
- (a) Qualifications or authority of any official of any Doping Control/collection Agency or WADA Accredited Laboratory;
 - (b) Sample collection procedures;
 - (c) Custody or transmission of any Sample; and
 - (d) Analysis of any Sample by a WADA Accredited Laboratory.

21.14.11 Where a Player or Person elects to have his own Union conduct the appropriate investigation and hearing pursuant to Regulation 21.14.10, such election by a Player or Person must be confirmed to his Union within 14 days of being notified of the Adverse Analytical Finding and/or the alleged anti-doping violation. The Player's or Person's own Union must notify the visited Union of any such election. If a Player or Person does not elect to have the hearing procedures carried out by his own Union, then the visited Union where the Doping Control was conducted shall have jurisdiction and shall conduct the investigation and hearing procedures (and where an anti-doping rule violation is found to have been committed, impose the applicable sanctions).

21.15 Admissions

21.15.1 A Player or Person may choose for the purposes of dispensing with the disciplinary process to admit that he has committed an anti-doping rule violation at any time including an admission of an anti-doping rule violation which is not the subject of a Sample.

21.15.2 Any such admission shall be evidenced in writing for the purposes of this provision by the Player or Person making such admission.

21.16 Investigations

21.16.1 The Board or its designee may carry out investigations into the activities of any Player, Person, Member Union, Association, Rugby Body or Club who it has reasonable cause to believe may have committed an anti-doping rule violation. Any such Player, Person, Union, Association, Rugby Body or Club shall co-operate with any such Board investigation.

21.16.2 A Player, Person, Member Union, Association, Rugby Body or Club under investigation for an alleged anti-doping rule violation by the Board, a Member Union or Tournament Organiser may be Provisionally Suspended and not allowed to participate in any aspect of the game pending the outcome of such investigation and resolution of the case.

21.16.3 Without limiting the effect of Regulation 21.19, solely in circumstances where the Board or its designee considers that further investigation is required to determine whether an anti-doping rule violation may have been committed, the following procedures shall apply, subject to such modifications and additional procedures as the Board may consider necessary having regard to the facts and circumstances of the particular case and other relevant circumstances:

- (a) Any investigation shall be carried out as soon as reasonably practicable after the Board becomes aware of the alleged anti-doping violation.
- (b) The Board or its designee may request that additional information be provided and may also call upon such assistance, expert and/or specialist advice including (without limitation) legal advice as it considers appropriate, whether in the form of witness testimony or otherwise.
- (c) The Board or its designee shall determine whether they believe that an anti-doping violation may have been committed.
- (d) Where it is decided that there are no grounds to conclude that an anti-doping violation may have been committed no further action will be taken and any Provisional Suspension shall be automatically lifted.
- (e) As soon as it is determined that an anti-doping violation may have been committed, the Board or its designee shall notify the applicable party concerned. The applicable party shall be provisionally suspended and not be allowed to participate in any aspect of the Game pending resolution of the case. In addition the applicable party shall be notified that the matter shall be referred to a Board Judicial Committee.

21.17 Confidentiality

21.17.1 Where an anti-doping rule violation may have been committed, the Board and the Union or Tournament Organiser concerned shall take reasonable steps to maintain confidentiality until the testing and analysis has been completed, the Judicial Committee hearing decision has been reached and the Player, Person or entity and his Union have been informed.

21.18 Authorised Doping Control Bodies

21.18.1 The Board, Member Union or Tournament Organiser (as the case may be) may appoint a doping control / governmental Agency, NADO or any other third party that they deem suitable to collect Samples.

- 21.18.2 All Samples collected, whether by or for the Board, Member Union, Tournament Organiser or any other third party shall be analysed at a WADA Accredited Laboratory.
- 21.18.3 All Samples collected by the Board or its designee, and the results of the analysis of such Samples, shall remain the property of the Board.
- 21.18.4 WADA's Independent Observer Program may operate in respect of International Tournaments organised by the IRB.(as set out in IRB Regulation 21.13.1).

21.19 Provisional Suspension

- 21.19.1 When the Board, Union or Tournament Organiser (as the case may be) receives an Adverse Analytical Finding in respect of a Player's "A" Sample or when the Board, Union or Tournament Organiser believes or becomes aware that an anti-doping rule violation whether or not it involves the provision of a Sample, may have been committed, that Player or Person and/or other entity shall, subject to Regulations 21.20.1 and 21.20.2, in the case of an "A" Sample Adverse Analytical Finding and subject to Regulation 21.16.3, in the case where there is no Sample, be Provisionally Suspended by the Board, Tournament Organiser and/or his Union pending the resolution of the case.

21.20 Due Process

Preliminary Review

- 21.20.1 When the Board receives an Adverse Analytical Finding in respect of a Player's "A" Sample the Board shall arrange for a preliminary review of the case to be undertaken by a representative or representatives of the Board's Anti-Doping Advisory Committee to establish if, pursuant to Regulation 21.5, a TUE has been granted that explains the Adverse Analytical Finding or if there is any apparent departure from the International Standard for Testing and/or if there is any apparent departure from the International Standard for Laboratories as evidenced by the documents in respect of the particular case under consideration provided by the Laboratories that undermines the validity of the Adverse Analytical Finding. Such preliminary review shall, ordinarily, be completed within 3 days. The representative or representatives undertaking the preliminary review may make further enquiries or investigations as it or they consider appropriate solely in relation to the existence or otherwise of a TUE or apparent departures from the International Standards for Testing and/or if there is any apparent departure from the International Standard for Laboratories as evidenced by the documents in respect of the particular case under consideration provided by the Laboratories. If the review does reveal an applicable therapeutic use exemption (TUE) or departure from the International Standard for Testing and/or applicable provisions of the International Standard for Laboratories on the foregoing basis that caused the Adverse Analytical Finding, then the entire test shall be considered negative and the Player and his Member Union shall be informed.
- 21.20.2 If, following such preliminary review, it is decided that an anti-doping rule violation may have been committed, the Board shall notify the Player concerned and/or his Union. The procedures set out in Regulation 21.19.1 above shall apply in respect of any Provisional Suspension of the Player concerned.

"A" Sample Analysis

- 21.20.3 Every Player whose "A" Sample gives rise to an Adverse Analytical Finding shall have the right to request that his "B" Sample be analysed to determine whether that Sample gives rise to an Adverse Analytical Finding which discloses the same Prohibited Substance(s) or use of a Prohibited Method detected in the main "A" Sample. Any such request must be made within 10 days of the notification to the Player that his main "A" Sample discloses the presence of a Prohibited Substance or use of a Prohibited Method. Player notification under this Regulation 21.20.3 shall be deemed to commence from the date the Board receives confirmation from the Player's Union that the Player has been notified of the Adverse Analytical Finding. Where applicable, arrangements for the analysis of the "B" Sample shall be made as soon as reasonably practicable.
- 21.20.4 A Player may accept the results of the "A" Sample Adverse Analytical Finding by advising the Board (or his Union) within 14 days of receiving notification of the "A" Sample Adverse Analytical Finding. Notwithstanding such acceptance, the Board may still, at its discretion, make arrangements to have the "B" Sample analysed. The Player concerned shall be informed of his entitlement to a hearing before a Board Judicial Committee.
- 21.20.5 A Player who has neither accepted the results of the "A" Sample Adverse Analytical Finding, nor requested that his "B" Sample be analysed within 21 days of receiving notification of the "A" Sample Adverse Analytical Finding shall be deemed to have accepted the results of the "A" Sample Adverse Analytical Finding. The Player concerned shall be informed of his entitlement to a hearing before a Board Judicial Committee.

"B" Sample Analysis

- 21.20.6 If a Player requests that his "B" Sample be analysed it shall be at his own expense

- 21.20.7 At any "B" Sample analysis, the Player whose Sample is being analysed and/or his representative are entitled to be present at their own expense. A representative of the Player's Union and a representative of the Board may also be present.
- 21.20.8 If the "B" Sample analysis does not give rise to an Adverse Analytical Finding, which discloses the same Prohibited Substance(s) or use of a Prohibited Method detected in the main "A" Sample the entire Doping Control shall be considered negative. The Player who provided the Sample and/or his Union shall be notified and no further action will be taken. Any Provisional Suspension imposed shall be lifted.
- 21.20.9 Where the "B" Sample analysis gives rise to an Adverse Analytical Finding, which discloses the same Prohibited Substance(s) or use of a Prohibited Method detected in the main "A" Sample the Player concerned and his Union shall be notified. The Player shall be informed of his entitlement to a hearing before a Board Judicial Committee.

Atypical Finding

- 21.20.10 In certain circumstances laboratories are directed to report the presence of Prohibited Substances that may also be produced endogenously as Atypical Findings that should be investigated further. Upon receipt of an "A" Sample Atypical Finding, the Board shall conduct a review in accordance with 21.20.1 to determine whether; (a) an applicable therapeutic use exemption (TUE) has been granted, or (b) there is any apparent departure from the International Standard for Testing or otherwise that caused the Atypical Finding.
- (a) If the review does reveal an applicable therapeutic use exemption (TUE) or departure from the International Standard for Testing that caused the Atypical Finding, then the entire test shall be considered negative and the Player and his Member Union shall be informed.
- (b) If the review does not reveal an applicable therapeutic use exemption (TUE) or departure that caused the Atypical Finding, the Board shall conduct the investigation required by the International Standards. After the investigation is completed, the Player, his Member Union, NADO and WADA shall be notified as to whether or not the Atypical Finding will be brought forward as an Adverse Analytical Finding.
- 21.20.11 The Board will not provide notice of an Atypical Finding until it has completed its investigation and decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exist:
- (a) If the Board determines the B Sample should be analysed prior to the conclusion of its investigation under 21.20.10, the Board may conduct the B Sample analysis after notifying the Player, with such notice to include a description of the Atypical Finding and the information described below:
- (i) the Adverse Analytical Finding;
- (ii) the anti-doping rule violated;
- (iii) the Player's right to promptly request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived;
- (iv) the scheduled date, time and place for the B Sample analysis if the Player or Board chooses to request an analysis of the B Sample;
- (v) the opportunity for the Player and/or the Player's representative to attend the B Sample opening and analysis within the time period specified in the International Standard for Laboratories if such analysis is requested; and
- (vi) the Player's right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratories.
- (b) If the Board receives a request, either from a Major Event Organization shortly before one of its international events or a request from a Member Union responsible for meeting an imminent deadline for selecting Team members for an International Match, International Tour or International Tournament, to disclose whether any Player identified on a list provided by the Major Event Organization or Member Union has a pending Atypical Finding, the Board shall so identify any such Player after first providing notice of the Atypical Finding to the Player.

Hearing Procedures

- 21.20.11 If a Player or Person, having been notified of his entitlement to a hearing before a Board Judicial Committee, does not request a hearing within 14 days of being so notified then that Player, Person or entity shall be deemed to have waived his right to a hearing and shall be deemed to have accepted that he has committed an anti-doping rule violation. In which case the Player or Person shall have 7 days in which to make submissions in writing in relation to the sanctions to be applied. In the absence of a response the Player or Person shall then be subject to the prescribed sanction under Regulation 21.22 without reduction.

- 21.20.12 Where the matter is referred to a Board Judicial Committee the Player, Person or entity concerned shall:
- (a) be notified that the matter has been referred to a Board Judicial Committee;
 - (b) be provided with relevant reports and documentation in relation to the anti-doping rule violation (including the WADA accredited laboratory documentation where applicable); and
 - (c) be invited, together with any legal representative he may wish to appoint, to attend a hearing before the Board Judicial Committee to present relevant material and submissions.
- 21.20.13 The hearing before the Board Judicial Committee shall be held without unnecessary delay and shall be expedited where the circumstances warrant it.

21.21 Judicial Committees Dealing with Anti-Doping Rule Violations

- 21.21.1 The Board's CEO shall appoint a panel of individuals comprising specialists with knowledge of doping in sport and the WAD Code (the "Anti-Doping Judicial Panel"). The Panel shall comprise of such numbers as the Board CEO shall think fit but in any event shall include the members of the Anti-Doping Advisory Committee. The Chairman of the Judicial Panel (appointed pursuant to Regulation 18) or his designee, shall, appoint Board Judicial Committees and Post Hearing Review Bodies from members of the Anti-Doping Judicial Panel to resolve, hear and adjudicate at first instance and on appeal in cases involving any alleged breaches of Regulation 21.
- 21.21.2 A Board Judicial Committee, appointed in accordance with Regulation 21.21.1, to hear cases involving anti-doping rule violations shall ordinarily comprise three (3) members. The appointed members shall be independent of the Board, have had no prior involvement with the case and shall not have the same nationality as the Player or other Person alleged to have committed an anti-doping rule violation:
- (a) A senior legal practitioner who shall act as Chairman; and
 - (b) An experienced medical practitioner; and
 - (c) Either a second person from category (a) or (b) above or an ex-Player or Rugby Football administrator.
- 21.21.3 If a member of the Judicial Committee is unable or unwilling, for whatever reason, to hear the case, then the Board may, at its absolute discretion:
- (a) appoint a replacement; or
 - (b) appoint a new Judicial Committee; or
 - (c) allow the remaining members of the Judicial Committee to hear the case.
- 21.21.4 Judicial Committees shall be entitled to call on experts to provide specialist advice, including legal advice.
- 21.21.5 Judicial Committees may request that a Board representative attend and present information in relation to the anti-doping rule violation.
- 21.21.6 Subject to Regulation, 21.3 Judicial Committees shall have the power to regulate their own procedure, in each case. However, subject to this power to regulate their own procedure Judicial Committees shall conform generally with the procedural guidelines set out below
- (a) As soon as reasonably practicable following the referral of the matter the Judicial Committee Chairman, or his designee, shall notify the Player, Person or entity of the date, place and time of the hearing. The Player, Person or entity shall be informed that he is required to attend the hearing.
 - (b) A Player, Person or entity who is alleged to have committed an anti-doping rule violation shall be entitled to be represented by an official of his Union, Rugby Body/Club, or by legal counsel. Where necessary an independent interpreter shall be present at a hearing of the Judicial Committee.
 - (c) In the interests of time and minimising inconvenience a Player, Person or entity whose hearing is pending can be required by the Judicial Committee, prior to the hearing, to supply it with full particulars of the case that will be presented on his behalf at the hearing.
 - (d) The Judicial Committee shall have the power to postpone or adjourn proceedings.
 - (e) The Judicial Committee shall be entitled to receive such evidence as it thinks fit (including evidence in writing), notwithstanding the evidence may not be legally admissible and shall be entitled to attach such weight to that evidence as it sees fit.

- (f) Generally the Judicial Committee shall apply the Best Evidence Rule. This means that first hand accounts from persons present at the hearing as to their observations / knowledge of the alleged anti-doping rule violation in question should be preferred. Hearsay evidence may be accepted. However, caution will be exercised before hearsay evidence is accepted in preference to first hand evidence and generally less weight is likely to be given to hearsay evidence. Further, as a general rule, Judicial Committees should not permit the introduction of opinion evidence other than expert opinion evidence. Expert opinion evidence is only likely to be permitted when the evidence falls outside the every day knowledge of members of the Committee.
 - (g) The Judicial Committee shall be entitled to determine whether witnesses that give evidence are able to remain in the room in which the hearing is being heard after their evidence has been given.
 - (h) The Judicial Committee shall endeavor to ensure that proceedings are not heard in the absence of the Player, Person or entity subject to the proceedings. However, the non-attendance of a Player, Person or entity or his representative, after notice of the hearing has been provided, will not prevent the Judicial Committee from proceeding with the hearing in his absence. In arriving at its decision, the Judicial Committee may, however, take into account any written statement submitted by the Player, Person or entity or his representatives.
 - (i) At any hearing the Judicial Committee will not be bound by Judicial Rules governing the procedure or the admissibility of evidence, provided that the hearing is conducted in a fair manner with a reasonable opportunity for the Person who is alleged to have committed an anti-doping rule violation to submit evidence, address the Judicial Committee and present his case.
 - (j) In respect of any hearing in relation to an anti-doping rule violation before a Judicial Committee the following will apply:
 - (i) The hearing shall be held in private;
 - (ii) Decisions may be made by majority; and
 - (iii) The Judicial Committee's deliberations on its decision shall take place in private.
- 21.21.7 The decision of the Judicial Committee shall be advised to all parties as soon as practicable after the conclusion of the hearing. When it considers it appropriate, the Judicial Committee may deliver a short oral decision at the conclusion of the hearing with its reasons to be put in writing and communicated to the parties at a later date, or it may reserve its decision. The decision of the Judicial Committee shall be binding upon notification to the Player, Person or entity concerned and/or his Union.
- 21.21.8 In the event that the Board Judicial Committee establishes that an anti-doping rule violation has been committed, the Judicial Committee that heard the evidence shall impose sanctions on the Player, Person or entity concerned in accordance with Regulation 21.22. The Board Judicial Committee shall also invalidate other Player awards including forfeiture of any medals and prizes.
- 21.21.9 A Player's, Person's or entities' costs associated with any proceedings before a Judicial Committee dealing with an anti-doping rule violation shall ordinarily be borne by the Player, Person or entity, including travel/accommodation costs of the Player, Person or entity, his representatives and his witnesses, as well as his legal costs.
- 21.21.10 A Judicial Committee dealing with an anti-doping rule violation may, in its discretion, make an award of costs against the Player, Person or entity in respect of costs incurred by the Judicial Committee or other costs in relation to the investigation and/or proceedings where a sanction is imposed on the Player, Person or entity by the Judicial Committee.
- 21.21.11 Notwithstanding the provisions of Regulations 21.21.9 and 21.21.10 above, the Judicial Committee shall retain absolute discretion in relation to the awarding of costs associated with the case and may make such order as to costs as they see fit.
- 21.21.12 Where a Player or Person is adversely affected by a decision of the Judicial Committee in relation to an anti-doping rule violation, the Player or Person shall be advised by the Judicial Committee of his right to a request a review of the decisions to the Post Hearing Review Board.
- 21.21.13 Any deviation or deviations from the procedures set out in this Regulation 21.21 shall not invalidate any finding or decision of a Board Judicial Committee unless it was such as to cast real doubt on the reliability of such finding or decision.
- 21.21.14 The minimum requirements for first instance hearings held under the jurisdiction of Unions, Tournament Organisers or NADO's in relation to alleged anti-doping rule violations are set out in Regulations 21.14.4 to 21.14.10. The procedural guidelines set out in Regulation 21.21 may also be applied to such first instance hearings.

21.22 Sanctions

Imposition of Ineligibility for Prohibited Substances and Prohibited Methods

21.22.1 The period of Ineligibility imposed for a violation of Regulation 21.2.1 (Presence of Prohibited Substance or its Metabolites or Markers), Regulation 21.2.2 (Use or Attempted Use of Prohibited Substance or Prohibited Method) and Regulation 21.2.6 (Possession of Prohibited Substances and Methods) shall be as follows, unless the conditions for eliminating or reducing the period of Ineligibility, as provided in Regulation 21.22.3 and 21.22.4, or the conditions for increasing the period of Ineligibility, as provided in Regulation 21.22.9, are met:

First violation: Two (2) years' Ineligibility.

Ineligibility for Other Anti-Doping Rule Violations

21.22.2 The period of Ineligibility for anti-doping rule violations other than as provided in Regulation 21.22.1 shall be as follows:

- (a) For violations of Regulation 21.2.3 (Refusing or Failing to Submit to Sample Collection) or Regulation 21.2.5 (Tampering with Doping Control), the Ineligibility period shall be two (2) years unless the conditions provided in Regulation 21.22.4, or the conditions provided in Regulation 21.22.9, are met.
- (b) For violations of Regulation 21.2.7 (Trafficking or Attempted Trafficking) or Regulation 21.2.8 (Administration or Attempted Administration of Prohibited Substance or Prohibited Method), the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility unless the conditions provided in Regulation 21.22.4 are met. An anti-doping rule violation involving a Minor shall be considered a particularly serious violation and, if committed by Player Support Personnel for violations other than Specified Substances referenced in Regulation 21.4.5, shall result in lifetime Ineligibility for Player Support Personnel. In addition, significant violations of Regulations 21.2.7 or 21.2.8 which may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.
- (c) For violations of Regulation 21.2.4 (Whereabouts Filing Failures and/or Missed Tests), the period of Ineligibility shall be at a minimum one (1) year and at a maximum two (2) years based on the Player's degree of fault.

Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances.

21.22.3 Where a Player or other Person can establish how a Specified Substance entered his body or came into his Possession and that such Specified Substance was not intended to enhance the Player's sport performance or mask the Use of a performance-enhancing substance, the period of Ineligibility found in Regulation 21.22.1 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of Ineligibility from the Game, and at a maximum, two (2) years of Ineligibility.

To justify any elimination or reduction, the Player or other Person must produce corroborating evidence in addition to his word which establishes to the comfortable satisfaction of the hearing panel the absence of intent to enhance sport performance or mask the Use of a performance enhancing substance. The Player's or other Person's degree of fault shall be the criterion considered in assessing any reduction of the period of Ineligibility.

Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

21.22.4 **No Fault or Negligence:**

If a Player establishes in an individual case that he bears No Fault or Negligence, the otherwise applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in a Player's Sample in violation of Regulation 21.2.1 (presence of Prohibited Substance), the Player 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 Regulation 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 Regulation 21.22.10.

21.22.5 **No Significant Fault or Negligence:**

If a Player or other Person establishes in an individual case that he 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 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 Player's Sample in violation of Regulation 21.2.1 (presence of Prohibited Substance), the Player must also establish how the Prohibited Substance entered his or her system in order to have the period of Ineligibility reduced.

21.22.6 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations:

The Board Judicial Committee (or the judicial body of the Member Unions or Tournament Organisers with results management responsibility for an anti-doping rule violation) may prior to the final appellate decision under Regulation 21.27 or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case where the Player or other Person has provided Substantial Assistance to the Board Judicial Committee (or the judicial body of the Member Unions or Tournament Organisers), criminal authority or professional disciplinary body which results in Board discovering or establishing an anti-doping rule violation by another Person or which results in a criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another Person.

After a final appellate decision under Regulation 21.27 or the expiration of the time to appeal, the Board Judicial Committee (or the judicial body of the Member Unions or Tournament Organisers) may only suspend a part of the applicable period of Ineligibility with the approval of WADA and the Board. 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 Player or other Person and the significance of the Substantial Assistance provided by the Player 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 Regulation must be no less than 8 years.

If the Board Judicial Committee (or the judicial body of the Member Unions or Tournament Organisers) suspends any part of the period of Ineligibility under this Regulation, the Board Judicial Committee (or the judicial body of the Member Unions or Tournament Organisers) shall promptly provide a written justification for its decision to each Anti-Doping Organisation having a right to appeal the decision. If the Board Judicial Committee (or the judicial body of the Member Unions or Tournament Organisers) subsequently reinstates any part of the suspended period of Ineligibility because the Player or other Person has failed to provide the Substantial Assistance which was anticipated, the Player or other Person may appeal the reinstatement pursuant to Regulation 21.27.2.

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

- 21.22.7 Where a Player 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 Regulation 21.2.1, before receiving first notice of the admitted violation pursuant to Regulation 21.20 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.

Where a Player or Other Person Establishes Entitlement to Reduction in Sanction Under More than One Provision of this Article.

- 21.22.8 Before applying any reduction or suspension under Regulations 21.22.5, 21.22.6 or 21.22.7, the otherwise applicable period of Ineligibility shall be determined in accordance with Regulations 21.22.1, 21.22.2 and Regulation 21.22.9. If the Player or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under two or more of Regulations 21.22.5, 21.22.6 or 21.22.7, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

Aggravating Circumstances Which May Increase the Period of Ineligibility.

- 21.22.9 If the Board Judicial Committee (or the judicial body of the Member Unions or Tournament Organisers) establishes in an individual case involving an anti-doping rule violation other than violations under Regulation 21.2.7 (Trafficking or Attempted Trafficking) and 21.2.8 (Administration or Attempted Administration) that aggravating circumstances are present which justify the imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased up to a maximum of four (4) years unless the Player or other Person can prove to the comfortable satisfaction of the hearing panel that he did not knowingly commit the anti-doping rule violation.

A Player or other Person can avoid the application of this Regulation by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by an Anti-Doping Organization.

21.22.10 Multiple Violations.

A. Second Anti-Doping Rule Violation.

For a Player's or other Person's first anti-doping rule violation, the period of Ineligibility is set forth in Regulation 21.22.1 and 21.22.2 (subject to elimination, reduction or suspension under Regulation 21.22.3 or 21.22.4, or to an increase under Regulation 21.22.9). For a second anti-doping rule violation the period of Ineligibility shall be within the range set forth in the table below.

Second Violation First Violation	RS	FFMT	NSF	St	AS	TRA
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	life	life	life	life

Definitions for purposes of the second anti-doping rule violation table:

RS (Reduced sanction for Specified Substance under Regulation 21.22.3): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Regulation 21.22.3 because it involved a Specified Substance and the other conditions under Article 10.4 were met.

FFMT (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Regulation 21.22.2(c) (Filing Failures and/or Missed Tests).

NSF (Reduced sanction for No Significant Fault or Negligence): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Regulation 21.22.5 because No Significant Fault or Negligence under Regulation 21.22.5 was proved by the Player.

St (Standard sanction under Regulation 21.22.1 or 21.22.2(a)): The anti-doping rule violation was or should be sanctioned by the standard sanction of two (2) years under Regulation 21.22.1 or 21.22.2(a).

AS (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Regulation 21.22.9 because the Anti-Doping Organization established the conditions set forth under Regulation 21.22.9.

TRA (Trafficking or Attempted Trafficking and Administration or Attempted Administration): The anti-doping rule violation was or should be sanctioned by a sanction under Regulation 21.22.2(b)

B. Application of Regulation 21.22.6 and 21.22.7 to Second Anti-Doping Rule Violation.

Where a Player or other Person who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of Ineligibility under Regulation 21.22.6 or 21.22.7, the hearing panel shall first determine the otherwise applicable period of Ineligibility within the range established in the table in Regulation 21.22.10, and then apply the appropriate suspension or reduction of the period of Ineligibility. The remaining period of Ineligibility, after applying any suspension or reduction under Regulation 21.22.6 or 21.22.7, must be at least one-fourth of the otherwise applicable period of Ineligibility.

C. Third Anti-Doping Rule Violation.

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 Regulation

21.22.3 or involves a violation of Regulation 21.2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of Ineligibility shall be from eight (8) years to life ban.

D. Additional Rules for Certain Potential Multiple Violations

- (i) For purposes of imposing sanctions under Regulation 21.22., an anti-doping rule violation will only be considered a second violation if the Board or a Member Union or Tournament Organiser can establish that the Player or other Person committed the second anti-doping rule violation after the Player or other Person received notice pursuant to Regulation 21.20, or after the Board or its Member Union or Tournament Organiser made reasonable efforts to give notice, of the first anti-doping rule violation; if the Board or its Member Union or Tournament Organiser 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; however, the occurrence of multiple violations may be considered as a factor in determining Aggravating Circumstances (Regulation 21.22.9).
- (ii) If, after the resolution of a first anti-doping rule violation, the Board or a Member Union or Tournament Organiser discovers facts involving an anti-doping rule violation by the Player or other Person which occurred prior to notification regarding the first violation, then the Board or a Member Union or Tournament Organiser shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time.

To avoid the possibility of a finding of Aggravating Circumstances on account of the earlier-in-time but later-discovered violation, the Player or other Person must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he is first charged. The same rule shall also apply when the Board discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

E. Multiple Anti-Doping Rule Violations During Eight-Year Period.

For purposes of Regulation 21.22, each anti-doping rule violation must take place within the same eight-year period in order to be considered multiple violations.

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

21.22.11 In addition to any Provisional Suspension or Ineligibility period imposed on Player who has been found to have committed an anti-doping rule violation, unless fairness requires otherwise, he shall also be subject to forfeiture of any medals and/or prizes.

- (a) As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the Player must first repay all prize money forfeited under this Regulation.
- (b) Allocation of Forfeited Prize Money.

Forfeited prize money shall be reallocated to reimburse the collection expenses of the Board or Member Union or Tournament Organiser that performed the necessary steps to collect the prize money back, then to reimburse the expenses of the Board or Member Union or Tournament Organiser that conducted results management in the case, with the balance, if any, allocated to anti-doping education.

Commencement of Ineligibility Period

21.22.12 Except as provided below, 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.

- (a) **Delays Not Attributable to the Player or other Person.**

Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Player or Person, Board or Member Union or Tournament Organiser imposing the sanction may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred.

- (b) **Timely Admission.**

Where the Player or other Person promptly (which, in all events, for a Player means before the Player competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule

violation by the Board or Member Union or Tournament Organiser, 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 Regulation is applied, the Player or other Person shall serve at least one-half of the period of Ineligibility going forward from the date the Player or other Person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.

- (c) If a Provisional Suspension is imposed and respected by the Player then the Player shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed.
- (d) If a Player voluntarily accepts a Provisional Suspension in writing from the Board or Member Union or Tournament Organiser and thereafter refrains from competing, the Player 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 Player's voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Regulation 21.17.
- (e) 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 Player elected not to compete or was suspended by his Team.

21.22.13 Status During Ineligibility

A. Prohibition Against Participating During Ineligibility.

- (i) No Player or Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a Match and/or Tournament (international or otherwise) or activity (other than authorised anti-doping education or rehabilitation programmes) authorised or organised by the Board or any Member Union or Tournament Organiser. Such participation includes but is not limited to coaching, officiating, selection, team management, administration or promotion of the Game, playing, training as part of a team or squad, or involvement in the Game in any other capacity in any Union in membership of the IRB.
- (ii) A Player or other Person subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate in local sport events in a sport other than rugby football, but only so long as the local sport event is not at a level that could otherwise qualify such Player or other Person directly or indirectly to compete in (or accumulate points toward) a national Match or Tournament or International Match or Tournament.
- (iii) A Player or other Person subject to a period of Ineligibility shall remain subject to Testing.

B. Violation of the Prohibition of Participation During Ineligibility.

Where a Player or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Regulation 21.22.13A, the medals and any prizes arising out of such participation shall be forfeited and the period of Ineligibility which was originally imposed shall start over again as of the date of the violation. The new period of Ineligibility may be reduced under Regulation 21.22.5 if the Player or other Person establishes he bears No Significant Fault or Negligence for violating the prohibition against participation. The determination of whether a Player or other Person has violated the prohibition against participation, and whether a reduction under Regulation 21.22.5 is appropriate, shall be made by the Board or Member Union or Tournament Organiser whose results management led to the imposition of the initial period of Ineligibility.

C. Withholding of Financial Support during Ineligibility.

In addition, for any anti-doping rule violation not involving a reduced sanction for Specified Substances as described in Regulation 21.11.3, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by the Board and/or Member Unions and/or Tournament Organisers.

21.22.14 Public Disclosure

- (a) All anti-doping rule violations found to have been committed shall be publicly announced by the Board, Member Union or Tournament Organiser responsible for the results management of the case.
- (b) The identity of any Player or other Person who commits an anti-doping rule violation shall be publicly announced only after notice has been provided to the Player or other Person. This shall be no later than

twenty days after it has been determined in a hearing that such 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. The Board, Member Union or Tournament Organiser responsible for results management shall publicly report the anti-doping rule violated, name the Player or Person committing the violation, the Prohibited Substance or Prohibited Method involved and the Consequences imposed. The Board, Member Union or Tournament Organiser responsible for result management may also publish as they think fit, parts of or the entire hearing decision. The Board, Member Union or Tournament Organiser responsible for result management must also publicly report within twenty days appeal decisions concerning anti-doping rule violations.

- (c) In any case where it is determined, after a hearing or appeal, that the Player or other Person did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the Player or Person who is the subject of the decision the Board, Member Union or Tournament Organiser responsible for results management shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the Player or other Person may approve.
- (d) Neither the Board, its Member Unions or WADA accredited laboratory (or their officials) shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except (as appropriate) in response to public comments attributed to the Player other Person or their representatives.
- (e) For purposes of Regulation 21.22.14 publication shall be accomplished at a minimum by placing the required information on the Board, Member Union or Tournament Organiser's website and leaving the information up for at least one year.

21.22.15 Reinstatement Testing

As a condition to regaining eligibility at the end of a specified period of Ineligibility, a Player must, during any period of Provisional Suspension or Ineligibility, make himself available for Out of Competition Testing by the Board, the applicable Member Union, and any other Anti-Doping Organisation having Testing jurisdiction, and must, comply with whereabouts requirements of Regulation 21.10. If a Player subject to a period of Ineligibility retires from sport and is removed from Out of Competition Testing pools and later seeks reinstatement, the Player shall not be eligible for reinstatement until the Player has notified the Board and the applicable Member Union and any other Anti-Doping Organisation having Testing jurisdiction and has been subject to Out of Competition Testing for a period of time equal to the longer of the period set forth in Regulation 21.12.3 or the period of Ineligibility remaining as of the date the Player had retired.

21.23 Consequences to Teams

21.23.1 Testing of Team Sports

Where more than one member of a Team has been notified of a possible anti-doping rule violation under Regulation 21.20 in connection with a Match, or Tournament or International Tour, the Team shall be subject to appropriate Target Testing by the Board and/or Member Union and/or Tournament Organiser.

21.23.2 Consequences for Team Sports

If more than two members of a Team are found to have committed an anti-doping rule violation during the Match, or Tournament or International Tour, the entity with jurisdiction over the Match, Tournament or International Tour shall impose an appropriate sanction on the Team (e.g. loss of points, Disqualification from a Match, or Tournament or International Tour and/or other sanction) in addition to any Consequences imposed upon the individual Player(s) committing the anti-doping rule violations.

21.23.3 Additional Consequences for Team Sports

In relation to any particular Match, and/or Tournament and/or International Tour under its jurisdiction, the Board, Member Union and/or Tournament Organiser may impose stricter Consequences than those set out in Regulation 21.23.2.

21.24 Referral to Post-Hearing Review Body

Post-Hearing Review

- 21.24.1 A Player or Person or other entity who has been found by a Board Judicial Committee to have committed an anti-doping rule violation shall be entitled to have the finding and/or sanction referred to the Post-Hearing Review

Body. In circumstances where the Player has been subject to a period of Ineligibility then pending the decision of the Post-Hearing Review Body, the Player or Person shall not be entitled to participate in the Game or in any activities, such participation includes but is not limited to coaching, officiating, selection, team management, administration or promotion of the Game, playing, training as part of a team or squad, or involvement in the Game in any other capacity in any Union in membership of the IRB. The Board shall also be entitled to refer a case dealt with by a Board Judicial Committee to the Post-Hearing Review Body whether a Player or Person in the case concerned has been found to have committed an anti-doping rule violation or otherwise.

- 21.24.2 A referral to the Post-Hearing Review Body must be made within 7 days from the date of notification of the decision of the Board Judicial Committee. A notice of review signed by the party seeking review must be lodged with the Board CEO within 7 days of the decision of the Board Judicial Committee and shall specify:
- (a) the name of the party seeking the review;
 - (b) the decision to be the subject of the review;
 - (c) the date of the decision; and
 - (d) the specific grounds for the referral request. Except as provided, no specific form of a notice of review is required.

21.25 Post-Hearing Review Body

- 21.25.1 The Post-Hearing Review Body shall be made up of (3) three members all of whom shall have knowledge of doping in sport and the Code and shall ordinarily comprise:
- (a) a senior legal practitioner who shall act as Chairman; and
 - (b) an experienced medical practitioner; and
 - (c) either a second person from category (a) or (b) above or an ex-Player or Rugby Football administrator.
- 21.25.2 If a Member of the Post-Hearing Review Body is unable or unwilling, for whatever reason, to conduct the review, then the following steps may be taken:
- (a) appointment of a replacement; or
 - (b) appoint of a new Post-Hearing Review Body;
 - (c) allow the remaining members of the Post-Hearing Review Body to conduct the review.
- 21.25.3 The Post-Hearing Review Body shall determine the basis upon which any review will proceed. It may, however, in its discretion rehear the whole or any part of the evidence given before the Board Judicial Committee as it considers appropriate. Pending the decision of the Post-Hearing Review Body the decision of the Board Judicial Committee remains in full force and effect.
- 21.25.4 Where any question of fact arises on an review before the Post-Hearing Review Body it may be determined by reference to the record of proceedings before the Board Judicial Committee. However, the Post-Hearing Review Body, in its discretion, may rehear or receive written evidence in respect of the whole or any part of the evidence given before the Board Judicial Committee as it considers appropriate.
- 21.25.5 The Post-Hearing Review Body shall have the power to conduct and regulate the review proceedings as it sees fit having regard to the circumstances of the case. Although the Post-Hearing Review Body is entitled to regulate its own procedure it shall conform to the procedures stated in these Regulations and with the Procedural Guidelines set out below:
- (a) The review will be conducted in a timely fashion;
 - (b) The right of the parties to be represented by counsel at their own expense; and
 - (c) The provision of a timely, written, reasoned, decision.
- 21.25.6 The Post-Hearing Review Body shall be entitled to call on experts to provide specialist advice, including legal advice.
- 21.25.7 The Post-Hearing Review Body will have full discretionary power to hear and receive such further evidence as it thinks fit, provided it is established by the appellant that such evidence was not, on reasonable enquiry, available at the time of the original hearing.
- 21.25.8 In any case where a witness required by the Post-Hearing Review Body refuses and fails to attend before the Post-Hearing Review Body, the Post-Hearing Review Body may decide whether or not to allow the evidence of that witness to be given in any other form.

- 21.25.9 Save where the Post-Hearing Review Body decides to hear the entire case de novo (in which circumstances the applicable first instance standards and burdens shall apply), the party seeking review shall have the burden of proving that the decision being challenged should be overturned or varied.
- 21.25.10 The Post-Hearing Review Body may request that a Board representative attend the Post-Hearing Review.
- 21.25.11 The decision of the Post-Hearing Review Body shall be advised to the parties as soon as practicable after the conclusion of the hearing. When it considers it appropriate, the Post-Hearing Review Body may deliver a short oral decision at the conclusion of the hearing with its reasons to be put in writing and communicated to the parties at a later date, or it may reserve its decision.
- 21.25.12 Costs associated with any proceedings before the Post-Hearing Review Body shall, ordinarily, be borne by the party seeking review. The Post-Hearing Review Body shall, however, have full discretion in relation to the costs of Post-Hearing Review Body proceedings and may order any party or parties to pay some or all of the costs of proceedings under this Regulation 21 including the cost of holding the review, the cost of any interpreters and/or the legal and/or travel/accommodation costs of the members of the Post-Hearing Review Body, and/or the parties.
- 21.25.13 In exercising its jurisdiction the Post-Hearing Review Body shall have power to quash, suspend, vary or increase the decisions and/or sanction reviewed, subject always to the provisions of Regulation 21.22.

21.26 Member Union Post-Hearing Review Procedures

- 21.26.1 In respect of cases involving anti-doping rule violations under the jurisdiction of Member Unions or Tournament Organisers following a first instance hearing and/or decision, Member Unions, Tournament Organisers and NADOs shall establish an independent post hearing review body and implement procedures in compliance with Regulations 21.24 to 21.25 above.
- 21.26.2 Member Unions, Tournament Organisers and NADOs must ensure that as a minimum requirement the parties having the right to refer a case to the post hearing review body of the Member Union, Tournament Organiser or NADO (as the case may be) shall include the Player or Person subject to the decision being reviewed, the Member Union or Tournament Organiser (as the case may be), the Board and WADA. The written decision of the post hearing review body shall be notified to the Board within 72 hours of it being communicated to the Player or Person concerned.

21.27 Appeals

Decisions Subject to Appeal

- 21.27.1 Decisions made under Regulation 21.25 and 21.26 of these Anti-Doping Regulations may be appealed as set forth below. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorised in Regulations 21.25 and 21.26 must be exhausted except as provided in Regulation 21.27.1(a) below:

(a) **WADA Not Required to Exhaust Internal Remedies.**

Where WADA has a right to appeal under Regulation 21.27 and no other party has appealed a final decision within the Board's or Member Unions or Tournament Organisers process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the Board's or Member Unions or Tournament Organisers process.

Appeals from Decisions Regarding Anti-Doping Rule Violations and Consequences

- 21.27.2 A decision that an anti-doping rule violation was committed, a decision imposing Consequences for an anti-doping rule violations, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Regulation 21.22.13B (prohibition of participation during Ineligibility); a decision that the Board or its Member Union or Tournament Organiser lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; a decision by the Board or Member Union or Tournament Organiser not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Regulation 21.16; may be appealed exclusively as provided in this Regulation 21.27.2.

(a) **Appeals Involving International Level Players**

In cases arising from competition in an International Match, series of International Matches or International Tournament or International Tour and other cases of Doping Control initiated by the Board or in cases involving International Level Players, the decision may be appealed exclusively to CAS in accordance with

the provisions applicable before such court and which will resolve definitively the dispute in accordance with the code of sports related arbitration.

(b) **Appeals Involving National Level Players**

In respect of decisions made pursuant to Regulation 21.26 by the applicable Member Union, Tournament Organiser or NADO post hearing review body, WADA, the Board and the Player, Person or entity concerned shall be entitled to appeal the case to CAS in accordance with the provisions applicable before such court and which will resolve definitively the dispute in accordance with the code of sports related arbitration. For the avoidance of doubt before any appeal to CAS all internal procedures of the applicable body must be exhausted.

(c) **Persons Entitled to Appeal – International Level Players**

In cases under Regulation 21.27.2(a), the following parties shall have the right to appeal to CAS: (a) the Player 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) the Board and any other Anti-Doping Organisation under whose rules a sanction could have been imposed; (d) the National Anti-Doping Organisation of the Person's country of residence; 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.

(d) **Persons Entitled to Appeal – National Level Players**

In cases under Regulation 21.26, the following parties shall have the right to appeal to CAS: (a) the Player 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) the Board and any other Anti-Doping Organisation under whose rules a sanction could have been imposed; (d) the National Anti-Doping Organisation of the Person's country of residence; (e) WADA.

Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Board, Member Union and any other Anti-Doping Organisation whose decision is being appealed and the information shall be provided if CAS so directs.

(e) The Board has the right to appear, attend and/or participate as a party in any appeal to CAS involving an anti-doping rule violation. For the avoidance of doubt, in relation to any proceedings and/or appeals referred to and/or to be dealt with by CAS, the Board shall be entitled to be a party, make representations, make submissions, adduce evidence and call witnesses if it so elects.

(f) Where the Board appeals a case to CAS, the Member Union of the Player or Person concerned may be represented at the CAS hearing in an observer capacity. Any alteration to this status will be subject to the rules of the CAS.

21.27.3 **Failure to Render a Timely Decision by an Anti-Doping Organization.**

Where, in a particular case, the Anti-Doping Organisation 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 Board or its Member Unions or Tournament Organisers 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 that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorneys fees in prosecuting the appeal shall be reimbursed to WADA by the Anti-Doping Organisation.

Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

21.27.4 Decisions by WADA reversing the grant or denial of a TUE may be appealed exclusively to CAS by the Player, Board, or NADO which granted or denied the exemption. Decisions to deny TUEs, and which are not reversed by WADA, may be appealed by International Level Players to CAS and by other Players to the appointed TUE appeal body established in the country of their Union. Where such a body does not exist in the country of their Union, the non-International Level Players may appeal to WADA. If the appointed TUE appeal body reverses the decision to deny a TUE that decision may be appealed to CAS by WADA.

When the Board, Member Union or NADO fails to take action on a properly submitted TUE application within a reasonable time, the Board, Member Union or NADO's failure to decide may be considered a denial for purposes of the appeal rights provided in this Regulation.

Appeal from Decisions Pursuant to Regulations 21.9.4 and 21.28.3

21.27.5 Decisions by the Board pursuant to Regulations 21.9.4 and 21.28.3 may be appealed exclusively to CAS by the Member Union concerned.

Time for Filing Appeals to CAS

- 21.27.7 Save for WADA, the time to file an appeal to CAS shall be twenty-one (21) days from the date of receipt of the written decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal in accordance with these Regulations but which was not a party to the proceedings having lead to the decision subject to appeal:
- (a) Within fourteen (14) 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 complete file on which such body relied;
 - (b) If such a request is made within the fourteen-day period, then the party making such request shall have twenty-one (21) days from receipt of the complete file to file an appeal to CAS.
- 21.27.8 The above notwithstanding, the filing deadline for an appeal or intervention filed by WADA shall be the later of:
- (a) Twenty-one (21) days after the last day on which any other party in the case could have appealed, or
 - (b) Twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

21.28 Mutual Recognition

- 21.28.1 Any decision of the Board or a decision of a Member Union or Tournament Organiser where such decision is recognised and accepted by the Board in connection with a violation of these Anti-Doping Regulations and the anti-doping regulations of Member Unions and Tournament Organisers (which must be compliant with these Regulations) shall be recognised by all Member Unions and Tournament Organisers which shall take all necessary action to render such results effective.
- 21.28.2 The IRB may as appropriate recognise sanctions or penalties imposed by public authorities in respect of doping related matters whether specifically defined hereunder or otherwise, and may recognise and/or impose (as the case may be) appropriate sports based sanctions, including without limitation the sanctions provided for in these Regulations.
- 21.28.3 Subject to the right to appeal provided in Regulation 21.27, Testing, therapeutic use exemptions and hearing results or other final adjudications of any Signatory which are consistent with the Code and are within that Signatory's authority, shall be recognised and respected by all other Signatories.
- 21.28.4 The Board and its Member Unions shall recognise the same actions of other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.

21.29 Reporting Requirements

- 21.29.1 Without limiting the reporting and notification requirements set out in Regulation 21.14.5 and 21.14.6 each Union or Tournament Organiser (as the case may be) shall submit to the Board's CEO a full report of the proceedings and conclusions of all hearings resulting from anti-doping rule violations arising out of or within its jurisdiction within 72 hours of the final written decision on the anti-doping rule violation having been made. Such cases shall be considered by the IRB Anti-Doping Manager who, on behalf of the Board shall be entitled to (a) request the case file, (b) accept the result and decision or (c) refer the matter to representatives of the Board's Anti-Doping Advisory Committee who on behalf of the Board may accept the result and decision or subject to these Regulations refer the matter to the applicable review body or appeal the matter to CAS. Any review following a referral to the Board's Anti-Doping Advisory Committee shall be undertaken as expeditiously as possible, but in any event shall not be constrained by time limits. Both the IRB Anti-Doping Manager or representatives of the Board's Anti-Doping Advisory Committee may take such other steps and/or make such other recommendations to the Board as it deems appropriate.
- 21.29.2 If the CEO of the Board or his nominee believes that a Union is not applying, or in a particular case did not apply, these Regulations and the Guidelines, or failed to apply these Regulations properly or in good faith, that Union renders itself liable to disciplinary action.
- 21.29.3 The Board shall publish annually a general statistical report of its Doping Control activities during the calendar year with a copy provided to WADA and the Board may periodically publish testing data received from Member Unions
- 21.29.4 The Member Unions shall report to the Board at the end of every year the results of all Doping Controls within their jurisdiction sorted by Player and identifying each date on which the Player was tested, the entity conducting the test, and whether the test was In-Competition or Out of Competition.
- 21.29.5 The Board shall provide to WADA information supplied by Member Unions, Tournament Organisers and/or NADOs in relation to these Regulations and the regulations of the Union and Tournament Organiser concerned.

The Board shall in the case of an Adverse Analytical Finding or anti-doping rule violation notify WADA upon completion of the initial hearing before a Board Judicial Committee and upon notification by a Member Union or Tournament Organiser or NADO of the findings/decisions of its hearing bodies.

21.29.6 The Board will report to WADA on its compliance with the Code every second year.

21.30 Statute of Limitations

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

21.31 Data

21.31.1 Any person who submits data and/or medical information to the Board in accordance with these Regulations agrees that such information may be utilised by the Board, Member Unions, WADA, NADOs or other relevant entities for the purposes of the implementation of the Anti-Doping Regulations.

21.31.2 Any person who submits data and/or medical information to the Board in accordance with these Regulations agrees that such information may be stored electronically (whether in a database or otherwise) by the IRB, Member Unions, WADA, NADOs or other relevant entities for the purposes of the implementation of the Anti-Doping Regulations.

21.31.3 Whereabouts information provided pursuant to these Regulations shall be shared with WADA and other Anti-Doping Organisations for the purposes of Doping Control.

21.31.4 The Board, each Member Union and Tournament Organiser shall procure that it obtains the consent of every Player that their personal anti-doping data relating to the Doping Control process (including test distribution planning, Sample collection and handling, laboratory analysis, result management, hearings and appeals), Therapeutic use Exemptions and/or player whereabouts can be processed (for example transmitted, disclosed, used and/or stored) by and amongst the Board, Member Unions, WADA, NADOs and/or other Anti Doping Organisations in electronic form including but not limited to as part of the ADAMS database system.² A Player/Athlete Information Notice relating to data provided for use by WADA and/or as part of the ADAMS a database system (including ADAMS) is located at www.irb.com and in Schedule 5.

21.32 Exceptional Circumstances

21.32.1 In exceptional circumstances where it has grounds to believe that there has been a misapplication of the applicable anti-doping regulations and acting on the advice of the Anti-Doping Advisory Committee, the Board shall be entitled to require as it deems fit that the relevant Union(s) provisionally suspend such Players or other Person(s) from any involvement in the sport pending the final determination of the matter.

21.32.2 It is the responsibility of each Union in membership of the IRB to ensure that in such circumstances it is able by reference to its anti-doping regulations or otherwise, to effect and/or recognise such Provisional Suspension of the Players or other Person(s) concerned.

21.33 Unforeseen Circumstances

In the event that a doping related incident arises for which there is no provision in this Regulation 21 then the CEO of the Board, or his nominee may take such action that he considers appropriate in the circumstances in accordance with general principles of natural justice and fairness.

21.34 General

21.34.1 Any deviation or deviations from the Anti-Doping Regulations and/or the Guidelines does not invalidate any finding, decision or positive test result unless such deviation or deviations are such to cast material doubt on any finding, decision or Adverse Analytical Finding.

² ADAMS is the Anti-Doping Administration and Management System which has been developed to enable athletes and anti-doping organisations to enter and share data related to doping control. ADAMS is an on-line, web-based system, which allows restricted sharing of data only with those

- 21.34.2 (a) Representatives of the Anti-Doping Advisory Committee shall on behalf of the Board and on behalf of all Unions recognise anti-doping rule violations arising out of anti-doping programmes carried out by Signatories to the Code.
- (b) The ADAC may, on behalf of the Board and all Unions, recognise anti-doping rule violations arising out of anti-doping programmes of a sporting body other than the Board, Unions or Tournament Organisers, or Signatories (or by a member of another sporting body), under rules and procedures different from the Board, as long as the applicable rules and procedures are consistent with the provisions of the WADA Code.
- (c) Unions shall recognise anti-doping rule violations committed under the rules of another sporting body and make provision to ensure that such Persons are unable to play, coach, train or provide any other assistance in any other capacity in connection with the Game. This is applicable at any level of the Game and for the same period of ineligibility sanctioned under the sport whose jurisdiction the anti-doping rule violation was committed. For the avoidance of doubt, the burden is on a person who is subject to a suspension imposed under the rules of another sporting body to prove that he should be entitled to play the Game on the grounds that the suspension he has received was improperly imposed.
- 21.34.3 The Board may amend these Anti-Doping Regulations from time to time.
- 21.34.4 After 1 January 2010, the Board shall do everything possible to award World Championships only to countries where the government has ratified, accepted, approved or acceded to the UNESCO Convention.

21.35 Transitional Provisions

- 21.35.1 These Anti-Doping Rules shall come into full force and effect on 1 January 2009 (the "Effective Date"). They shall not apply retrospectively to matters pending before the Effective Date; provided, however, that:
- (a) Any case pending prior to the Effective Date, or brought after the Effective Date based on an anti-doping rule violation that occurred prior to the Effective Date, shall be governed by the predecessor to this Regulation 21 in force at the time of the anti-doping rule violation, subject to any application of the principle of *lex mitior* by the hearing panel determining the case.
- (b) Where a period of Ineligibility imposed by the IRB, Member Union and/or Tournament Organiser under and/or in accordance with Regulation 21 in force prior to the Effective Date has not yet expired as of the Effective Date, the Person who is Ineligible may apply to the IRB, Member Union or Tournament Organiser (who had results management responsibility at the time of the imposition of the original period of Ineligibility) for a reduction in the period of Ineligibility in light of the amendments made to Regulation 21 as from the Effective Date. To be valid, such application must be made before the period of Ineligibility has expired.
- (c) Subject always to Regulation 21.22.10E, anti-doping rule violations committed under rules in force prior to the Effective Date shall be taken into account as prior offences for the purposes of determining sanctions under Regulation 21.22.10. Where such pre-Effective Date anti-doping rule violation involved a substance that would be treated as a Specified Substance under Regulation 21, for which a period of Ineligibility of less than two years was imposed, such violation shall be considered a Reduced Sanction violation for purposes of Regulation 21.22.10A.

SCHEDULE 1

1. Doping Control Procedural Guidelines (“Guidelines”)

- (a) These Guidelines are in compliance with the WADA International Standard for Testing and should be followed as far as is reasonably practicable. However, any departure from the procedures set out in these Guidelines shall not invalidate a finding of an anti-doping rule violation unless such departure undermines the validity of such a finding.

2. Doping Control Station

- (a) For In Competition Doping Control the Member Union or Tournament Organiser hosting the Match/Tournament shall provide a Doping Control Station.
 - (i) The Doping Control Station shall be secure and comprise of a waiting room, a processing area and a toilet (WC). The processing area shall be separate to the waiting area and should be private. The toilet should also be within the Doping Control Station.
 - (ii) The Doping Control Station shall not be shared with any other functional area supporting the Game.
 - (iii) The Doping Control Station shall be furnished to enable Sample collection to be carried out. This is the responsibility of the hosting Member Union or Tournament Organiser.
 - (iv) The Doping Control Officer (DCO) or the Board or the Tournament Organiser (as the case may be) shall provide the Sample collection equipment necessary to conduct the Doping Control session.
 - (v) Security shall be provided on the entrance to the Doping Control Station or the DCO shall require a set of keys to the Doping Control Station for the duration of the testing session.
 - (vi) No photography, video or tape recordings may be taken inside the Doping Control Station during the Sample collection or sealing procedure.
 - (vii) No media are permitted in the Doping Control Station while the Doping Control program is in operation.
 - (viii) A range of sealed, chilled non-alcoholic drinks should be available in the waiting area of the Doping Control Station to allow Players to hydrate. These drinks should also be offered to the selected Players at the time of notification.
 - (ix) The host Member Union / Tournament Organiser shall be responsible for ensuring that the Doping Control Station is clearly identified; that the facilities are clean and that the necessary furniture and fit out of the area in which Testing will take place has been provided and is acceptable. The DCO shall review this on their arrival at the Doping Control Station.

3. Authorised Doping Control Officials

- (a) For In Competition Testing at a Match, a Sample collection team should at a minimum consist of one DCO and four Chaperones. If additional selections or multiple Matches are taking place then a suitable number of DCO's and Chaperones should be appointed.
- (b) Chaperones must be of the same gender as those Players being tested and must be over the age of twenty one.
- (c) The DCO shall carry an identification card and/or a letter authorising them to act as authorised Doping Control officials and confirming their entitlement to collect Samples from Players. Such identification should be made available to a Player when that Player is notified of his selection for a test. Chaperones are at a minimum required to carry a letter of authorisation.
- (d) The DCO, Chaperones and any Anti-Doping Commissioner shall be issued with tournament accreditation (where existing) that will grant them access to the venue(s), training grounds and to areas within the venue(s) and training grounds in which they may require access to in order to carry out their duties.
- (e) The DCO, Chaperone or Anti-Doping Commissioner who may have an interest in the outcome of the collection or testing of a Sample from any Player who might provide a Sample at a testing session shall not be appointed to the notification, Sample collection or Sample processing of that Player/s. Sample collection staff are deemed to have an interest in the collection of a Sample if they are:
 - (i) Involved in the planning of the sport for which Testing is being conducted; or
 - (ii) Related to, or involved in the personal affairs of, any Player who might provide a Sample at that session.

IRB Regulation 21 Schedule 1

- (f) All Sample collection staff shall have undertaken suitable training in relation to their role and activities of their position.
- (g) DCO's may personally perform any activities involved in the Sample Collection Session, with the exception of blood collection unless particularly qualified.

4. Selection of Players In Competition

- (a) The selection of Players for In Competition Testing may be random or targeted.

Random Selection

- (b) Using the numbered card system or equivalent. The selection process should, ordinarily, take place within a one (1) hour time period prior to the commencement of the Match
- (c) The random selection draw of Players will take place in the Doping Control Station or in a private pre-agreed location by all parties involved.
- (d) The DCO will arrange for the random draw to be made by the two team managers or their delegated representatives. The Anti-Doping Commissioner may also be present.
- (e) The DCO shall provide a set of cards for each team numbered from 1 to the number corresponding to the total number of Players and replacements/substitutes participating in the Match or Tournament as appearing on the official team sheet / Match list.
- (f) Each set of cards shall then be rearranged or shuffled and placed down as to expose only the reverse side, which does not show any number. Each team manager shall select four cards of their own choice. On each card the team manager shall sign and record the name of their team. The selected cards shall be left face down so the numbers of the selected Players remains confidential.
- (g) Each team manager shall also mark two of the four cards selected with "R1" and "R2" in addition to the team manager's signature and the name of their team. These "reserve" cards may be used in the case of a selected Player being seriously injured and requiring immediate hospitalisation. For the avoidance of doubt if a selected Player is injured or is replaced for any reason prior to the start of a Match they shall remain selected for testing unless they require immediate hospitalisation. If the Player does require immediate hospitalisation then one of the reserve selections shall be used.
- (h) At no stage are the selections, whether random or targeted, to be made known to the team manager or any other party outside of the authorised Sample collection team until the end of the Match. If the team manager or his delegated representative wish to see the random selection cards drawn for their team the Anti-Doping Commissioner or DCO shall show them the selected cards post Match.

Target Selection

- (i) The Board, host Member Union, Tournament Organiser or DCO shall have the right to request, without justifying the reason, that any Player undergo Testing at any time during an IRB tournament or designated event. This may be a target selection of a Player(s) rather than using the random selection process or may be in addition to any random selection(s) made. Such target selections may also be specific to one or more team(s). No reason is required to be provided by the Board, host Member Union, Tournament Organiser or DCO justifying why Target Testing is occurring for a Player(s). However, the team manager shall ordinarily be notified by the DCO or the Anti-Doping Commissioner prior to the end of the Match that Target Testing is occurring but the identity of the targeted Players will not be advised until the end of the Match.
- (j) A Player may be subject to Doping Control on more than one occasion during any IRB tournament or designated event or Tournament Organiser event.
- (k) Where a Player selected to undertake Doping Control is certified by the Match doctor to have been so seriously injured during the Match as to require hospitalisation, then that team's reserve "R" Player selected at the time of the random draw shall undertake the drug test in place of the originally selected Player.
- (l) The Match doctor shall provide a brief written report to the DCO outlining the reasons for the Players hospitalisation and his inability to provide a Sample for Doping Control.

5. Notification of Selection In Competition

- (a) The Chaperone shall be advised of their selected Player from when the Match begins. The DCO and Chaperones shall be located in a position within the Match venue where they have good vision of the selected Players during the Match.

IRB Regulation 21 Schedule 1

- (b) As soon as reasonably practicable after the conclusion of the Match and in a discrete manner the Chaperones shall identify the selected Players and notify them individually that they are required to submit to Doping Control. All tests are to be conducted as No Advance Notice subject to (c) below.
- (c) The DCO or Chaperone shall consider whether a third party is required to be notified prior to the notification of the Player for example when the Player is a Minor or in situations where an interpreter is required for notification or when assistance from a third party is required to identify the selected Player.
- (d) A Player selected for Doping Control shall be handed a Doping Control form by a Chaperone confirming that the Player is required to submit to Doping Control. The Player shall acknowledge and accept notification of their selection by signing the Doping Control form as soon as the Player has read the Doping Control form.
- (e) The Chaperone shall record the time of notification.
- (f) A Chaperone shall accompany the Player selected from the time of notification until such time as the Player is handed over to the DCO in the processing area of the Doping Control Station. A Chaperone shall keep the Player under continuous, direct supervision.
- (g) Players should attend the Doping Control Station as soon as possible following notification that they have been selected for Doping Control. In any event, the Player shall arrive at the Doping Control Station as soon as they have completed their post Match activities which must be within one (1) hour of being notified. The time of arrival should be recorded by the Chaperone or DCO on the Doping Control form.

6. Players Rights and Responsibilities

- (a) The Player has the right to:
 - (i) Have a representative and if available an interpreter present in the Doping Control Station (except for when the Player is passing a urine Sample);
 - (ii) Request additional information about the Sample collection process.
 - (iii) Request a delay in reporting to the Doping Control Station for valid reasons.
- (b) Under the direct supervision of a Chaperone and within one (1) hour of notification a Player may:
 - (i) attend a victory ceremony;
 - (ii) fulfil media commitments;
 - (iii) perform a warm-down;
 - (iv) receive necessary medical attention;
 - (v) attend a team meeting;
 - (vi) change out of his playing uniform;
 - (vii) locate a representative and/or interpreter;
 - (viii) obtain the relevant identification;
 - (ix) complete a training session if selected for Out of Competition Testing;
 - (x) any other exceptional circumstances which may be justified, and which shall be documented.
- (c) Once a Player has arrived at the Doping Control Station he shall be expected to remain until the Sample collection, Sample division and sealing procedures have been concluded and the relevant documentation completed.
- (c) The Anti-Doping Commissioner or in the event there is no Anti-Doping Commissioner present the DCO may grant permission for the Player to leave the Doping Control Station temporarily after arrival to perform one of the above activities listed in (b) but only if the Player;
 - (i) identifies the purpose of their request to leave the Station;
 - (ii) returns to the Doping Control Station within the specified time allocated;
 - (iii) is continuously chaperoned and kept under direct observation during any temporary permitted departure from the Doping Control Station; and
 - (iv) does not urinate during this permitted absence period.
- (e) Where team meetings occur within the one (1) hour notification period that require the presence of the selected Players, it shall be a requirement that each Player's Chaperone is present at the team meeting to ensure the selected Players are kept under direct observation. Any Person who restricts the DCO or Chaperone from gaining entry to the team changing room or meeting room to notify or escort a selected Player for the purposes of Doping Control may be in breach of these Regulations and shall be subject to disciplinary action.

IRB Regulation 21 Schedule 1

- (f) It is a Player's responsibility to ensure that:
 - (i) he is aware of and complies with the IRB Anti-Doping Regulations;
 - (ii) he remains within direct observation of the DCO/Chaperone at all times from the point of notification by the DCO/Chaperone until the completion of the Sample collection procedure;
 - (iii) he complies with the notification, Sample collection and sealing procedures;
 - (iv) the Sample he provides shall be the first Sample passed post notification. The Player must not pass urine in the shower or otherwise prior to providing a Sample to the DCO in the Doping Control Station;
 - (v) any food or fluids consumed prior to providing the Sample is done at the Player's own risk. The Player should avoid excessive hydration as this may have implications to the suitability of their Sample or the laboratory and may require them to provide an additional Sample/s until the urine is within the required range of the laboratory;
 - (vi) he produces identification to identify himself, this may be by way of photo, third party or other appropriate means accepted by the DCO. In cases where the Player's identity cannot be confirmed the Board, Member Union, Tournament Organiser and or the DCO shall decide whether it is appropriate to follow up a possible failure to comply;
 - (vii) he arrives at the Doping Control Station within one (1) hour of notification to provide his Sample. If the Player delays reporting to the Doping Control Station and arrives later than one (1) hour from the time of notification the Chaperone/DCO accompanying the Player, or avoids or attempts to avoid being kept under direct supervision of the Chaperone, the DCO shall document the reasons for the delay and any circumstances regarding the Player's behaviour while being chaperoned. The DCO shall proceed to collect a Sample from the Player and may require an additional Sample to be provided by the Player or may file a potential breach of Regulation 21.2.5 based on the circumstances;
 - (viii) he controls the Sample until it is sealed in the urine Sample collection kit save where he gives the DCO approval to carry out the division and sealing process;
 - (ix) the sealed urine Sample collection kit is secure and the Sample kit/bottle numbers are identified correctly on the Doping Control form;
 - (x) he receives a copy of the notification and/or the Doping Control form.

7. Testing of Minors

- (a) Players who are Minors may be accompanied by a representative throughout the entire Sample collection session. The Player's representative shall not witness the passing of a urine Sample unless requested to do so by the Minor. The objective is to ensure that the DCO is observing the Sample provision correctly. Even if the Minor declines a representative the DCO/Anti-Doping Commissioner shall consider whether a third party should be present during notification and/or the collection of the Sample from the Player.
- (b) Should a Minor decline to have a representative present during the Sample collection session, this should be clearly documented by the DCO on the Doping Control form. Such decline does not invalidate the test. If a Minor declines the presence of a representative, a representative of the Sample collection team in addition to the DCO must be present.
- (c) Should a Minor be subject to Out of Competition Testing, the preferred venue for Testing to take place is a location where the presence of an adult is most likely, e.g. training venue or Player's place of residence.
- (d) If no adult is present at the Testing of a Player Out of Competition who is a Minor, the DCO shall accommodate the Player by locating a representative in order to proceed with Testing.

8. Failure to Comply With a Request for Doping Control

- (a) If a Player refuses to sign the notification/Doping Control form confirming that he has been notified, and/or evades the notification and/or refuses to report to the Doping Control Station after notification, the Chaperone/DCO shall use his best endeavours to inform the Player of the consequences of refusing or failing to comply. Station If the Player still refuses after being advised of the consequences, the Chaperone should then immediately report this to the DCO/Anti-Doping Commissioner who shall use their best endeavours to further inform the Player of his obligation to submit to Doping Control and attempt to collect a Sample.

IRB Regulation 21 Schedule 1

- (b) If the Player still fails or refuses to sign the notification form and/or fails to report to the Doping Control Station he shall be deemed to have failed or refused to submit to Doping Control and to have thereby committed an anti-doping rule violation.
- (c) The Chaperone shall note this on the notification or Doping Control form and sign it. The DCO will provide a written report on the actions involving the Players refusal or failure to comply. Such report and accompanying documents shall be forwarded to the Board, Member Union, and/or Tournament Organiser as soon as possible.
- (d) The Board, Member Union or Tournament Organiser shall conduct an investigation into the alleged failure to comply in accordance with Regulation 21.16

9. Arrival at the Doping Control Station

- (a) Only the following persons shall be authorised to attend the Doping Control Station:
 - (i) The Players selected for testing;
 - (ii) The Player's representative, if any;
 - (iii) The Players interpreter (if appropriate);
 - (iv) The Doping Control Officer;
 - (v) The Chaperones; and
 - (vi) The Anti-Doping Commissioner.
 - (vii) WADA Independent Observer
- (b) The Player may consume fluids provided in the Doping Control Station which shall be sealed.

10. Sample Collection Equipment

- (a) Only Sample collection equipment systems which, at a minimum, meet the following criteria shall be utilised. Such equipment shall;
 - (i) Have a unique numbering system incorporated into all bottles, containers, tubes or other items used to seal the Sample;
 - (ii) Have a sealing system that is tamper evident;
 - (iii) Ensure the identity of the Player is not evident from the equipment itself; and
 - (iv) Is clean and sealed prior to use by the Player.

11. Providing a Urine Sample

- (a) The Player shall be requested to provide a minimum urine Sample of 90ml however the Player should be urged to provide a greater amount if possible.
- (b) When the Player believes that he is ready to provide a urine Sample he shall move from the waiting area to the processing area of the Doping Control Station. The DCO shall ensure that the Player is informed of the requirements of Sample collection. The Player shall be offered a choice of Sample Collection equipment. The DCO shall instruct the Player to select a sealed Sample collection vessel. The Player should break the seal of the Sample collection vessel, remove and check that the vessel is clean. If the Player is not satisfied with the Sample collection vessel he may select another. If the Player is not satisfied with any of the Sample collection vessels available for selection, this shall be recorded by the DCO.

If the DCO does not agree with the Player that all of the Sample collection vessels are unsatisfactory, the DCO shall instruct the Player to proceed with the Sample collection session.

If the DCO agrees with the Player that all of the Sample collection vessels available for the selection are unsatisfactory, the DCO shall terminate the collection of the Player's urine Sample and this shall be recorded by the DCO.

The Player and the DCO shall then proceed to the toilet area. The Chaperone shall remain in the processing area with the Players representative and/or interpreter or the Players representative and/or interpreter shall be asked to return to the waiting room until the Player has provided his Sample if a second Sample collection team member is not present.

IRB Regulation 21 Schedule 1

- (c) No one other than the DCO and the Player shall be present in the toilet when the urine is being provided by the Player.
- (d) To ensure authenticity of the Sample, the Player shall be required to remove such items of clothing as is necessary to allow the DCO an unobstructed view of the Player urinating into the collection vessel. The DCO shall record the witnessing of the Sample in writing on the Doping Control form.
- (e) The DCO who witnesses the passing of the Sample shall be of the same gender as the Player providing the Sample.
- (f) The DCO/Chaperone should where practicable ensure that the Player thoroughly washes his hands or is provided with surgical gloves prior to the provision of a Sample.
- (g) When the Player signifies to the DCO that he has finished providing his Sample, the Player and the DCO shall return to the processing area. The Player shall keep control of the Sample at all times until the Sample is sealed. The DCO shall keep the collection vessel in sight at all times. Additional assistance may be provided in exceptional circumstances to any Player by the Player's representative or DCO during the Sample collection session where authorised by the Player and agreed to by the DCO/Anti-Doping Commissioner.
- (h) Any behaviour by the Player and/or persons associated with the Player or anomalies with the potential to compromise the Sample collection shall be recorded in detail by the DCO. If appropriate the Board, Member Union or Tournament Organiser shall institute the investigation of a possible failure to comply or Tampering or Attempted Tampering with any part of Doping Control.
- (i) If there are doubts as to the origin or authenticity of the Sample, the Player shall be asked to provide an additional Sample, the DCO shall document in detail the circumstances around the refusal, and the Board, Member Union or Tournament Organiser shall institute a possible failure to comply.

12. Division and Sealing the Urine Sample

- (a) Upon returning to the processing area, the quantity of urine shall be measured by the DCO. If the quantity of urine is less than 90ml the partial Sample procedure set out in section 18 of this Schedule 1 shall apply.
- (b) If the collection vessel contains approximately 90ml or more of urine, the Player shall select a sealed urine Sample kit. The Player should check the security of the kit prior to opening it. If there is any evidence of tampering the Player should select a new urine Sample kit. The Player will then be invited to break the security seal and remove the contents of the kit.
- (c) The following procedures must be carried out in the presence of the Player and the Players Representative, if any, and the DCO. The Player may request that the DCO carry out the Sample division and sealing procedures, if this is the case, the DCO shall note this on the Doping Control form.
- (d) The urine Sample kit should contain two clean bottles. One bottle shall be marked Sample "A" and one bottle Sample "B" and will contain corresponding code numbers. The Player and his representative, if any, should check that the Sample bottle codes correspond. The Sample bottle codes should also correspond to the external code number on the urine Sample kit. If either does not correspond then a new urine Sample kit should be selected. The DCO shall record the Sample number on the Doping Control form if the numbers correspond.
- (e) The Player's Sample shall then be divided between the "A" and the "B" Sample bottles. It is recommended that the "A" Sample contain approximately two thirds of the urine (a minimum of 60ml) provided and the "B" Sample contain the remaining third (a minimum of 30ml). If a large volume of urine is provided then each bottle shall be filled up to the maximum level permitted in each bottle. However, any shortfall in the amount of urine in either bottle after division shall not invalidate a test provided there is sufficient urine for the analysis to be adequately performed.
- (f) The DCO shall instruct the Player to leave a small amount of urine in the collection vessel so that the specific gravity of the Sample can be measured in accordance with section 13.
- (g) Both the "A" and "B" bottles shall be tightly sealed by the Player. The DCO shall check in full view of the Player that the "A" and "B" bottles have been properly sealed and there is no leakage.

13. Specific Gravity Test

- (a) The DCO shall test the residual urine in the collection vessel to determine if the Sample has suitable specific gravity for analysis. The specific gravity is a measure of how concentrated or dilute the Sample is.

IRB Regulation 21 Schedule 1

- (b) The DCO shall measure the specific gravity of a Player's urine using the residual volume of the urine remaining in the collection vessel after the Sample has been sealed.
- (c) The specific gravity criteria for acceptance of the Sample shall be as follows:
 - (i) not less than 1.010 - if using urine analysis strips;
 - (ii) not less than 1.005 - if using a refractometer.
- (d) If the Sample does not meet the required specifications the DCO shall inform the Player that he is required to provide a further sample.
- (e) The Player shall remain under continuous observation while waiting to provide additional Sample/s.
- (f) The Player shall be encouraged not to hydrate any further as this may delay the production of a suitable Sample.
- (g) When the Player is able to provide an additional Sample, the DCO shall repeat the procedures for collection of the Sample as outlined in section 10 of this Schedule.
- (h) The DCO should continue to collect additional Samples until the requirement for suitable specific gravity for analysis is met, or until the Anti-Doping Commissioner or DCO determines that there are exceptional circumstances which mean that for logistical reasons it is impossible to continue with the Sample Collection Session. Such exceptional circumstances shall be documented accordingly by the Anti-Doping Commissioner or DCO.
- (i) The DCO shall record that the Samples collected belongs to a single Player and the order in which the Samples were provided.
- (j) If it is determined that none of the Player's Samples meets the specific gravity requirements for analysis and the DCO determines that for logistical reasons it is impossible to continue with the Sample collection session, the DCO may end the Sample collection session. In such circumstances, if appropriate the ADO may investigate a possible anti-doping rule violation.
- (k) The DCO shall send to the laboratory for analysis all Samples which were collected, irrespective of whether or not they meet the specific gravity requirements.
- (l) If the Player refuses to provide a further Sample(s) he should be notified that such refusal may constitute an anti-doping rule violation.

14. Residual Urine

The DCO shall ensure that the Player has been given the option of requiring that any residual urine that will not be sent for analysis is discarded in full view of the Player.

15. Research of Urine Post Analysis by Laboratory

- (a) Prior to any research being conducted on any remaining urine once the analysis process has been completed by the laboratory the following conditions must have been met:
 - (i) the Player has given his consent for any such research to take place on his remaining urine once all laboratory procedures have been completed;
 - (ii) the mandatory storage time at the laboratory has expired and;
 - (iii) the removal of any identity code/s in relation to the Sample.

16. Declaration of Medication or Other Substances

- (a) The Player shall be asked by the DCO to declare any medications (including but not limited to non systemic Glucocorticosteroids) or any other substance the Player has taken during the previous 7 days. This declaration should be recorded on the Doping Control form.
- (b) If the Player declares more medications than the Doping Control form has space for the DCO shall record the remainder of the medications on a new Doping Control form and attach it to the first Doping Control form. The second Doping Control form should be completed in the same way as the first with the exception of the additional declared medications. If the Player declines to make such a declaration this should also be recorded on the Doping Control form.

IRB Regulation 21 Schedule 1

- (c) The DCO shall provide the Player with the opportunity to document any concerns he may have about the way in which the Sample collection procedures were conducted. Any such comments should be recorded on the Doping Control form. If there is insufficient space the Player may document these on a separate piece of paper and sign and date it. The DCO shall provide a copy of the Players additional comments and attach the original to the Doping Control form.

17. Signing Off the Doping Control Form

- (a) The DCO shall ask the Player and his representative if any, to check all the information on the Doping Control form and if satisfied both the Player and his representative, if any, should sign the form. If the Player indicates his satisfaction with the Sample collection procedures on the Doping Control form this shall amount to conclusive evidence that such procedures were conducted properly.
- (b) The DCO shall then check and sign the Doping Control form noting any irregularities or comments that he may have on the form.
- (c) The DCO will then provide a copy of the completed Doping Control form to the Player who is then free to leave the Doping Control Station.

18. Partial Sample

- (a) If insufficient urine has been provided by a Player i.e. less than 90ml, the Players Sample will be securely stored temporarily in a partial Sample kit by the DCO until such time as he provides further urine to meet the minimum requirements.
- (b) On returning from the toilet to the processing area the DCO shall instruct the Player to select a partial Sample kit. The Player should check the security of the kit prior to opening it. If there is any evidence of tampering the Player should select a new partial Sample kit.
- (c) The Player shall then open the partial kit and check that the bottle is clean before pouring the urine from the collection vessel into the partial Sample kit bottle. The Player shall then close the bottle and seal it as directed by the DCO. The DCO shall then check in full view of the Player that the container has been properly sealed and check that there is no leakage.
- (d) The identity of the insufficient Sample shall be recorded on the Doping Control form along with the time of Sample collection, volume of urine and the Players signature.
- (e) The Doping Control form and partial Sample shall be kept secure by the DCO until the Player is ready to provide another Sample. The Player shall return to the waiting area and remain under continuous observation by a Chaperone/DCO pending provision of his further Sample. The Player shall be given the opportunity to hydrate.
- (f) When the Player is ready to provide more urine, a new sealed collection vessel should be selected by the Player. The Player shall be advised of the amount of urine required to meet the minimum 90ml level. The Player should again provide his Sample in accordance with section 11 of this Schedule.
- (g) When the DCO is satisfied that the minimum volume have been met and before removing the seal to open the sealed partial Sample, the DCO and the Player should check the code number of the partial kit/bottle in which the Player's partial Sample is stored against the code number recorded on the Doping Control form. The Player and DCO shall ensure that the seal has not been tampered with. Any irregularity with the integrity of the seal/s will be recorded by the DCO and investigated if required.
- (h) The DCO shall then direct the Player to break the seal and combine the urine collected from the Player in the previous collection and add this urine to the subsequent collection in the collection vessel. The total volume shall be checked by the DCO to determine if the minimum requirements have been met. If the Sample is still insufficient in volume, the partial Sample sealing and recording procedures shall be repeated.
- (i) Once a combined urine volume of 90ml has been provided the standard division and sealing procedures should be followed as set out in section 12 of this Schedule.

19. Transportation of Samples to the Laboratory

- (a) The sealed Samples should be securely stored pending their dispatch to a WADA accredited laboratory (or as otherwise approved by WADA) for analysis.
- (b) All Samples shall be sent by a courier (to ensure that the Samples and related documentation will be transported in a manner that protects the integrity, identity and security of the shipment). Samples shall always be transported to the WADA accredited laboratory (or as otherwise approved by WADA), as soon as reasonably practicable after the completion of the Sample collection session.
- (c) Samples shall be transported in a manner which minimises the potential for Sample degradation due to factors such as time delays and extreme temperature variations. Refrigeration or freezing of Samples may be required prior to transport by the courier if the Samples were collected in a country that does not have regular courier services or if the laboratory where the Samples are to be analysed is a large distance away from the point of dispatch.
- (d) All Samples forwarded to WADA accredited laboratories (or as otherwise approved by WADA) shall be placed in suitable transport containers or bags. Copies of each Players Doping Control form, which shall only contain details of the Sample code, declared medications and other relevant information for the laboratory and which does not reveal the identity of the Player shall accompany the Samples to the laboratory.
- (e) A summary of all Sample codes collected shall be recorded on the relevant document and shall also be forwarded to the WADA accredited laboratory (or as otherwise approved by WADA) with the sealed Samples.
- (f) If sending the Samples to a WADA accredited laboratory (or as otherwise approved by WADA) outside of the country of where the Samples were collected a customs declaration may be required to accompany the Samples.

20. WADA Accredited Laboratory

- (a) The Board, Member Union or Tournament Organiser shall ensure that the WADA accredited laboratory (or as otherwise approved by WADA) where the Samples are being analysed confirms receipt of the Samples sent, that the Samples delivered correspond with the accompanying paperwork and that there is no evidence of any tampering of the Samples. If there is any evidence of tampering then the Board, Member Union or Tournament Organiser shall consider whether the Sample shall be voided.
- (b) The WADA accredited laboratory (or as otherwise approved) shall proceed to analyse the "A" Sample for prohibited substances as per the current WADA Prohibited List.

21. Result Management

- (a) If the "A" Sample returns a negative result then the WADA accredited laboratory (or as otherwise approved by WADA) shall report this to the Board, Member Union or Tournament Organiser (as the case may be). The Board, Member Union and/or /Tournament Organiser shall then notify the Player's Union of the result. The Union should then notify the Player of this result.
- (b) If the "A" Sample returns an Adverse Analytical Finding then procedures set out in the IRB Regulation 21.20 shall apply.
- (c) In line with the WADA International Standard for Laboratories the Board shall be notified of all Adverse Analytical Findings for the sport of rugby union regardless of whether the Board coordinated the Testing.

22. Out of Competition Testing

- (a) Under the Board's Out of Competition programme the Board may select any Player under membership of a Member Union to undergo Testing at any time or place regardless of whether that Player is part of a Registered Testing Pool or Testing Pool.
- (b) The Board may appoint a Sample collection agency to conduct Out of Competition Testing on behalf of the Board.
- (c) Such Testing shall where possible be conducted with No Advance Notice by an authorised Doping Control Official.

IRB Regulation 21 Schedule 1

- (d) Out of Competition testing may take place during a rugby football season or out-of-season and may occur at a training ground, residential accommodation or any other place where the Player is likely to be found and/or has indicated in his Whereabouts Filing.

23. Selection of Players Out of Competition

- (a) A Player may be selected for Out of Competition testing by either random selection or targeted by the Board, Member Union, Tournament Organiser or other authorised Anti-Doping Organisation.

24. Notification of Players Out of Competition

- (a) A Player shall be notified for Out of Competition Doping Control by “No Advance Notice” notification, where the DCO or Chaperone appears unannounced and notifies the selected Player in person. The selected Player is then kept under direct observation until the Sample is sealed and appropriate documentation completed. Advance notice notification, shall only occur in the most exceptional circumstances.
- (b) Where a DCO appointed by the Board to conduct No Advance Notice Out of Competition Doping Control, the DCO or Chaperone should give the Player a reasonable time to complete any activity in which he is engaged subject to the DCO’s authorisation and agreed time period. Such activity should be within the DCO/ Chaperones clear and continuous view.
- (c) No Advance Notice Doping Control should commence as soon as reasonably practicable after a Player has been notified. In the case where the selected Player is participating in a team training session, the Player may complete the session under direct view of a DCO or Chaperone before presenting for Doping Control.
- (d) The DCO shall unless advised otherwise attempt to notify the Player(s) selected for Doping Control at all their nominated whereabouts locations (prior to visiting the one hour location if the Player is in a Registered Testing Pool) in an attempt to collect a Sample. If the Player is not present at any of the nominated whereabouts locations the DCO shall attempt to discover in a reasonable and discrete manner the location of the Player without alerting the Player.
 - The DCO shall stay at all locations other than the one hour location for a reasonable amount of time but no less than 30 minutes (unless reliable intelligence indicates an alternative location for the Player at that time). The DCO shall stay at the one hour location from the time of arrival until the expiry of the one hour period.’
 - If the DCO is unable to locate the Player after visiting all nominated whereabouts locations and any other location that may have been obtained from reliable intelligence in the process of attempting to locate the Player then the DCO shall complete an Unsuccessful Attempt Report.
 - The DCO shall If the DCO is unable to locate the Player (RPT only) at the one hour location then he shall complete an Unsuccessful Attempt Report.
- (e) When a DCO makes contact with the Player who is subject to Out of Competition Doping Control he should show the Player at a minimum:
 - (i) A valid form of photo identification; and
 - (ii) A letter from the Board, Member Union, Tournament Organiser containing the name(s) of the DCO and authorising the DCO(s) to conduct Doping Control on its behalf.
- (f) When a Chaperone makes contact with the Player who is subject to Out of Competition Doping Control he should show the Player at a minimum:
 - (i) A letter from the Board, Member Union or Tournament Organiser authorising the Chaperone to assist with conducting Doping Control on its behalf.
- (g) Prior to undertaking the Sample collection the DCO shall request the Player to produce photo identification or satisfy himself of the identity of the Player to be tested as further outlined in Section 6 (f)(vi) of this Schedule.
- (h) The DCO shall make every effort to collect the urine Samples as discreetly as possible and with maximum privacy.
- (i) If the Doping Control facilities are not suitable at the location where notification took place the DCO may conduct Doping Control on the selected Player at another location. The DCO will make this decision. The Player may not leave the location where notification occurred unless the DCO permits. The Player must be accompanied by the DCO or Chaperone at all times if the testing session is to be relocated.

IRB Regulation 21 Schedule 1

- (j) If the Player wishes to leave the location against the DCO's direction to the contrary the DCO shall inform the Player that he is required to provide a Sample for Out of Competition testing at the current location and outline the possible consequences of not complying with a request to provide a Sample and that it may constitute an anti-doping rule violation in accordance with the IRB Anti-Doping Regulations. If the Player still does not comply, then a failure to comply shall be recorded. The DCO shall compile a written report relating to the circumstances of the failure to comply.
- (k) In all other respects the Sample collection process shall, as far as reasonably practicable, take place in accordance with the Doping Control Procedural Guidelines for In Competition testing.

25. Collection of Blood Samples

- (a) Blood sampling may be performed prior to, after or separately to any required urine Sample collection procedure in either In or Out of Competition.
- (b) The DCO shall ensure that the Player is informed of the requirements for blood Sample collection.
- (c) The DCO/Chaperone and the Player shall proceed to the area where the Sample will be provided.
- (d) The DCO or Blood Collection Official shall ensure the Player is offered as comfortable conditions including being in a relaxed position for at least 10 minutes prior to providing a Sample.
- (e) The DCO shall instruct the Player to choose a blood sampling kit from a selection of at least two sealed kits. Blood sampling kits shall consist of either an "A" sample tube, or an "A" sample tube and a "B" sample tube (if the sample consists solely of blood, then a "B" sample shall be collected and used as a confirmation, if required). The DCO will instruct the Player to check that all the seals on the selected equipment are intact and that the equipment has not been tampered with. If the Player is not satisfied with a selected kit, the Player may select another. If the Player is not satisfied with any of the equipment available for selection, this fact shall be recorded by the DCO. If the DCO does not agree with the Player's opinion that all the equipment available for selection is unsatisfactory, the DCO shall instruct the Player to proceed with the Sample collection session. If the DCO agrees with the reasons put forward by the Player that all the equipment for selection is unsatisfactory, the DCO shall terminate the collection of the Player's blood sample and this shall be recorded by the DCO.
- (f) When the blood Sample collection kit has been selected, the DCO and the Player shall check that all code numbers match and that this code number is accurately recorded by the DCO on the Doping Control form.
- (g) If the Player or DCO finds that the numbers are not the same, the DCO shall instruct the Player to choose another kit in accordance with section (e) above. The DCO shall record the matter.
- (h) Blood sample collections shall only be conducted by suitably qualified medical personnel or by a qualified phlebotomist.
- (i) The Blood Collection Official shall clean the skin with a sterile disinfectant wipe or swab in a location unlikely to adversely affect the Player or his performance and, if necessary, apply a tourniquet. The Blood Collection Official shall take the blood sample from a superficial vein into the tube. No blood sample shall be taken from any part of the Player's body other than from the arm or hand. The tourniquet, if applied, shall be immediately removed after the venipuncture has been made.
- (j) The amount of blood removed shall be adequate to satisfy analytical requirements for the Sample analysis to be performed.
- (k) If the amount of blood that can be removed from the Player at the first attempt is insufficient, the Blood Collection Official shall repeat the procedure. The maximum number of attempts shall be three. Should all attempts fail, then the Blood Collection Official shall inform the DCO. The DCO shall terminate the collection of the blood Sample and record this and the reasons for terminating the collection.
- (l) The Blood Collection Official shall apply a dressing to the puncture site/s.
- (m) The Blood Collection Official shall dispose of any used blood sampling equipment not required for completing the Sample Collection session in accordance with the required local standards for handling blood.
- (n) Each tube in which the blood is drawn into shall be marked with a code number. This code number should be recorded by the relevant official on the Player's Doping Control form and the Player should ensure that the code number on the tube corresponds to that entered by the official on the form. The Player shall insert the tube/s into the Sample collection kit as directed by the DCO and then be sealed. The Player and the DCO shall check that the sealing of the kit is satisfactory.

IRB Regulation 21 Schedule 1

- (o) The sealed sample shall be stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station to the WADA accredited laboratory or as otherwise approved by WADA. Station
- (p) If the Sample requires further on-site processing, such as centrifugation or separation of serum, the Player shall remain to observe the Sample until final sealing in a secure, tamper evident kit.
- (p) Where the IRB carries out blood sampling, it may also require that the Player provides a urine Sample. If the Player refuses to provide a urine Sample, he may be deemed to have refused to submit to Doping Control and may be subject to sanctions under IRB Regulation 21.22. The urine sample shall be collected in accordance with the guidelines provided within this Schedule.
- (q) Further procedures relating to the collection of blood Samples shall be in accordance with the WADA Models for Best Practice – Guidelines for Blood Sample Collection which can be located on the WADA website www.wada-ama.org under Models of Best Practice.

SCHEDULE 2

THE 2009 PROHIBITED LIST WORLD ANTI-DOPING CODE

Valid 1 January 2009

The use of any drug should be limited to medically justified indications.

All *Prohibited Substances* shall be considered as "Specified Substances" except Substances in classes S1, S2, S.4.4 and S6.a, and *Prohibited Methods* M1, M2 and M3.

SUBSTANCES AND METHODS PROHIBITED AT ALL TIMES (IN- AND OUT-OF-COMPETITION)
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PROHIBITED SUBSTANCES

S1. ANABOLIC AGENTS

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

a. Exogenous* AAS, including:

1-androstendiol (5 α -androst-1-ene-3 β ,17 β -diol); **1-androstendione** (5 α -androst-1-ene-3,17-dione); **bolandiol** (19-norandrostenediol); **bolasterone**; **boldenone**; **boldione** (androsta-1,4-diene-3,17-dione); **calusterone**; **clostebol**; **danazol** (17 α -ethynyl-17 β -hydroxyandrost-4-eno[2,3-d]isoxazole); **dehydrochlormethyltestosterone** (4-chloro-17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); **desoxymethyltestosterone** (17 α -methyl-5 α -androst-2-en-17 β -ol); **drostanolone**; **ethylestrenol** (19-nor-17 α -pregn-4-en-17-ol); **fluoxymesterone**; **formebolone**; **furazabol** (17 β -hydroxy-17 α -methyl-5 α -androstano[2,3-c]-furazan); **gestrinone**; **4-hydroxytestosterone** (4,17 β -dihydroxyandrost-4-en-3-one); **mestanolone**; **mesterolone**; **metenolone**; **methandienone** (17 β -hydroxy-17 α -methylandrosta-1,4-dien-3-one); **methandriol**; **methasterone** (2 α , 17 α -dimethyl-5 α -androstane-3-one-17 β -ol); **methyldienolone** (17 β -hydroxy-17 α -methylestra-4,9-dien-3-one); **methyl-1-testosterone** (17 β -hydroxy-17 α -methyl-5 α -androst-1-en-3-one); **methylnortestosterone** (17 β -hydroxy-17 α -methylestr-4-en-3-one); **methyltrienolone** (17 β -hydroxy-17 α -methylestra-4,9,11-trien-3-one); **methyltestosterone**; **mibolerone**; **nandrolone**; **19-norandrostenedione** (estr-4-ene-3,17-dione); **norboletone**; **norclostebol**; **norethandrolone**; **oxabolone**; **oxandrolone**; **oxymesterone**; **oxymetholone**; **prostanazol** (17 β -hydroxy-5 α -androstano[3,2-c] pyrazole); **quinbolone**; **stanozolol**; **stenbolone**; **1-testosterone** (17 β -hydroxy-5 α -androst-1-en-3-one); **tetrahydrogestrinone** (18 α -homo-pregna-4,9,11-trien-17 β -ol-3-one); **trenbolone** and other substances with a similar chemical structure or similar biological effect(s).

b. Endogenous** AAS when administered exogenously:

androstenediol (androst-5-ene-3 β ,17 β -diol); **androstenedione** (androst-4-ene-3,17-dione); **dihydrotestosterone** (17 β -hydroxy-5 α -androst-3-one); **prasterone** (dehydroepiandrosterone, DHEA); **testosterone** and the following metabolites and isomers:

5 α -androstane-3 α ,17 α -diol; 5 α -androstane-3 α ,17 β -diol; 5 α -androstane-3 β ,17 α -diol; 5 α -androstane-3 β ,17 β -diol; androst-4-ene-3 α ,17 α -diol; androst-4-ene-3 α ,17 β -diol; androst-4-ene-3 β ,17 α -diol; androst-5-ene-3 α ,17 α -diol; androst-5-ene-3 α ,17 β -diol; androst-5-ene-3 β ,17 α -diol; 4-androstenediol (androst-4-ene-3 β ,17 β -diol); 5-androstenedione (androst-5-ene-3,17-dione); epi-dihydrotestosterone; epitestosterone; 3 α -hydroxy-5 α -androstan-17-one; 3 β -hydroxy-5 α -androstan-17-one; 19-norandrosterone; 19-noretiocholanolone.

[Comment to class S1.1b:

Where an anabolic androgenic steroid is capable of being produced endogenously, a Sample will be deemed to contain such Prohibited Substance and an Adverse Analytical Finding will be reported where the concentration of such Prohibited Substance or its metabolites or markers and/or any other relevant ratio(s) in the Athlete's Sample so deviates from the range of values normally found in humans that it is unlikely to be consistent with normal endogenous production. A Sample shall not be deemed to contain a Prohibited Substance in any such case where an Athlete proves that the concentration of the Prohibited Substance or its metabolites or markers and/or the relevant ratio(s) in the Athlete's Sample is attributable to a physiological or pathological condition.

In all cases, and at any concentration, the Athlete's Sample will be deemed to contain a Prohibited Substance and the laboratory will report an Adverse Analytical Finding if, based on any reliable analytical method (e.g. IRMS), the laboratory can show that the Prohibited Substance is of exogenous origin. In such case, no further investigation is necessary.

When a value does not so deviate from the range of values normally found in humans and any reliable analytical method (e.g. IRMS) has not determined the exogenous origin of the substance, but if there are indications, such as a comparison to endogenous reference steroid profiles, of a possible Use of a Prohibited Substance, or when a laboratory has reported a T/E ratio greater than four (4) to one (1) and any reliable analytical method (e.g. IRMS) has not determined the exogenous origin of the substance, further investigation shall be conducted by the relevant Anti-Doping Organization by reviewing the results of any previous test(s) or by conducting subsequent test(s).

When such further investigation is required the result shall be reported by the laboratory as atypical and not as adverse. If a laboratory reports, using an additional reliable analytical method (e.g. IRMS), that the Prohibited Substance is of exogenous origin, no further investigation is necessary, and the Sample will be deemed to contain such Prohibited Substance. When an additional reliable analytical method (e.g. IRMS) has not been applied, and the minimum of three previous test results are not available, a longitudinal profile of the Athlete shall be established by performing three no-advance notice tests in a period of three months by the relevant Anti-Doping Organization. The result that triggered this longitudinal study shall be reported as atypical. If the longitudinal profile of the Athlete established by the subsequent tests is not physiologically normal, the result shall then be reported as an Adverse Analytical Finding.

In extremely rare individual cases, boldenone of endogenous origin can be consistently found at very low nanograms per milliliter (ng/mL) levels in urine. When such a very low concentration of boldenone is reported by a laboratory and the application of any reliable analytical method (e.g. IRMS) has not determined the exogenous origin of the substance, further investigation may be conducted by subsequent test(s).

For 19-norandrosterone, an Adverse Analytical Finding reported by a laboratory is considered to be scientific and valid proof of exogenous origin of the Prohibited Substance. In such case, no further investigation is necessary.

Should an Athlete fail to cooperate in the investigations, the Athlete's Sample shall be deemed to contain a Prohibited Substance.】

2. Other Anabolic Agents, including but not limited to:

Clenbuterol, selective androgen receptor modulators (SARMs), tibolone, zeranol, zilpaterol.

For purposes of this section:

** "exogenous" refers to a substance which is not ordinarily capable of being produced by the body naturally.*

*** "endogenous" refers to a substance which is capable of being produced by the body naturally.*

S2. HORMONES AND RELATED SUBSTANCES

The following substances and their releasing factors, are prohibited:

- 1. Erythropoiesis-Stimulating Agents (e.g. erythropoietin (EPO), darbepoietin (dEPO), hematide);**
- 2. Growth Hormone (GH), Insulin-like Growth Factors (e.g. IGF-1), Mechano Growth Factors (MGFs);**
- 3. Chorionic Gonadotrophin (CG) and Luteinizing Hormone (LH) in males;**
- 4. Insulins;**
- 5. Corticotrophins;**
and other substances with similar chemical structure or similar biological effect(s).

[Comment to class S2:

Unless the Athlete can demonstrate that the concentration was due to a physiological or pathological condition, a Sample will be deemed to contain a Prohibited Substance (as listed above) where the concentration of the Prohibited Substance or its metabolites and/or relevant ratios or markers in the Athlete's Sample satisfies positivity criteria established by WADA or otherwise so exceeds the range of values normally found in humans that it is unlikely to be consistent with normal endogenous production.

If a laboratory reports, using a reliable analytical method, that the Prohibited Substance is of exogenous origin, the Sample will be deemed to contain a Prohibited Substance and shall be reported as an Adverse Analytical Finding.】

S3. BETA-2 AGONISTS

All beta-2 agonists including their D- and L-isomers are prohibited.

Therefore, formoterol, salbutamol, salmeterol and terbutaline when administered by inhalation also require a Therapeutic Use Exemption in accordance with the relevant section of the International Standard for Therapeutic Use Exemptions.

Despite the granting of a Therapeutic Use Exemption, the presence of salbutamol in urine in excess of 1000 ng/mL will be considered as an *Adverse Analytical Finding* unless the *Athlete* proves, through a controlled pharmacokinetic study, that the abnormal result was the consequence of the use of a therapeutic dose of inhaled salbutamol.

S4. HORMONE ANTAGONISTS AND MODULATORS

The following classes are prohibited:

1. **Aromatase inhibitors** including, but not limited to: **anastrozole, letrozole, aminoglutethimide, exemestane, formestane, testolactone.**
2. **Selective estrogen receptor modulators (SERMs)** including, but not limited to: **raloxifene, tamoxifen, toremifene.**
3. **Other anti-estrogenic substances** including, but not limited to: **clomiphene, cyclofenil, fulvestrant.**
4. **Agents modifying myostatin function(s)** including but not limited to: **myostatin inhibitors.**

S5. DIURETICS AND OTHER MASKING AGENTS

Masking agents are prohibited. They include:

Diuretics, probenecid, plasma expanders (e.g. intravenous administration of **albumin, dextran, hydroxyethyl starch** and **mannitol**) and other substances with similar biological effect(s).

Diuretics include:

Acetazolamide, amiloride, bumetanide, canrenone, chlorthalidone, etacrynic acid, furosemide, indapamide, metolazone, spironolactone, thiazides (e.g. **bendroflumethiazide, chlorothiazide, hydrochlorothiazide**), **triamterene**, and other substances with a similar chemical structure or similar biological effect(s) (except drosperinone and topical dorzolamide and brinzolamide, which are not prohibited).

[Comment to class S5:

A Therapeutic Use Exemption is not valid if an *Athlete's* urine contains a diuretic in association with threshold or sub-threshold levels of an exogenous *Prohibited Substance(s)*.]

PROHIBITED METHODS

M1. ENHANCEMENT OF OXYGEN TRANSFER

The following are prohibited:

1. Blood doping, including the use of autologous, homologous or heterologous blood or red blood cell products of any origin.
2. Artificially enhancing the uptake, transport or delivery of oxygen, including but not limited to perfluorochemicals, efaproxiral (RSR13) and modified haemoglobin

products (e.g. haemoglobin-based blood substitutes, microencapsulated haemoglobin products).

M2. CHEMICAL AND PHYSICAL MANIPULATION

1. *Tampering*, or attempting to tamper, in order to alter the integrity and validity of *Samples* collected during *Doping Controls* is prohibited. These include but are not limited to catheterisation, urine substitution and/or alteration.
2. Intravenous infusions are prohibited except in the management of surgical procedures, medical emergencies or clinical investigations.

M3. GENE DOPING

The transfer of cells or genetic elements or the use of cells, genetic elements or pharmacological agents to modulating expression of endogenous genes having the capacity to enhance athletic performance, is prohibited.

Peroxisome Proliferator Activated Receptor δ (PPAR δ) agonists (e.g. GW 1516) and PPAR δ -AMP-activated protein kinase (AMPK) axis agonists (e.g. AICAR) are prohibited.

<p style="text-align: center;">SUBSTANCES AND METHODS PROHIBITED IN-COMPETITION</p>
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In addition to the categories S1 to S5 and M1 to M3 defined above, the following categories are prohibited in competition:

PROHIBITED SUBSTANCES

S6. STIMULANTS

All stimulants (including both their D- & L- optical isomers where relevant) are prohibited, except imidazole derivatives for topical use and those stimulants included in the 2009 Monitoring Program*.

Stimulants include:

a: Non Specified Stimulants:

Adrafinil; amfepramone; amiphenazole; amphetamine; amphetaminil; benzphetamine; benzylpiperazine; bromantan; clobenzorex; cocaine; cropropamide; crotetamide; dimethylamphetamine; etilamphetamine; famprofazone; fencamine; fenetylline; fenfluramine; fenproporex; furfenorex; mefenorex; mephentermine; mesocarb; methamphetamine(D-); methylenedioxyamphetamine; methylenedioxymethamphetamine; p-methylamphetamine; modafinil; norfenfluramine; phendimetrazine; phenmetrazine; phentermine; 4-phenylpiracetam (carphedon); prolintane.

A stimulant not expressly listed in this section is a Specified Substance.

b: Specified Stimulants (examples):

Adrenaline^{**}; cathine^{***}; ephedrine^{****}; etamivan; etilefrine; fenbutrazate; fencamfamin; heptaminol; isometheptene; levmetamphetamine; meclofenoxate; methylephedrine^{****}; methylphenidate; nikethamide; norfenefrine; octopamine; oxilofrine; parahydroxyamphetamine; pemoline; pentetrazol; phenpromethamine; propylhexedrine; selegiline; sibutramine; strychnine; tuaminoheptane and other substances with a similar chemical structure or similar biological effect(s).

* The following substances included in the 2009 Monitoring Program (bupropion, caffeine, phenylephrine, phenylpropanolamine, pipradol, pseudoephedrine, synephrine) are not considered as *Prohibited Substances*.

** **Adrenaline** associated with local anaesthetic agents or by local administration (e.g. nasal, ophthalmologic) is not prohibited.

*** **Cathine** is prohibited when its concentration in urine is greater than 5 micrograms per milliliter.

**** Each of **ephedrine** and **methylephedrine** is prohibited when its concentration in urine is greater than 10 micrograms per milliliter.

S7. NARCOTICS

The following narcotics are prohibited:

Buprenorphine, dextromoramide, diamorphine (heroin), fentanyl and its derivatives, hydromorphone, methadone, morphine, oxycodone, oxymorphone, pentazocine, pethidine.

S8. CANNABINOIDS

Cannabinoids (e.g. hashish, marijuana) are prohibited.

S9. GLUCOCORTICOSTEROIDS

All glucocorticosteroids are prohibited when administered by oral, intravenous, intramuscular or rectal routes.

In accordance with the International Standard for Therapeutic Use Exemptions, a declaration of use must be completed by the *Athlete* for glucocorticosteroids administered by intraarticular, periarticular, peritendinous, epidural, intradermal and inhalation routes, except as noted below.

Topical preparations when used for auricular, buccal, dermatological (including iontophoresis/phonophoresis), gingival, nasal, ophthalmic and perianal disorders are not prohibited and neither require a Therapeutic Use Exemption nor a declaration of use.

SUBSTANCES PROHIBITED IN PARTICULAR SPORTS

P1. ALCOHOL

Alcohol (ethanol) is prohibited *In-Competition* only, in the following sports. Detection will be conducted by analysis of breath and/or blood. The doping violation threshold (haematological values) is 0.10 g/L.

- Aeronautic (FAI)
- Archery (FITA, IPC)
- Automobile (FIA)
- Boules (IPC bowls)
- Karate (WKF)
- Modern Pentathlon (UIPM) for disciplines involving shooting
- Motorcycling (FIM)
- Ninepin and Tenpin Bowling (FIQ)
- Powerboating (UIM)

P2. BETA-BLOCKERS

Unless otherwise specified, beta-blockers are prohibited *In-Competition* only, in the following sports.

- Aeronautic (FAI)
- Archery (FITA, IPC) (also prohibited *Out-of-Competition*)
- Automobile (FIA)
- Billiards and Snooker (WCBS)
- Bobsleigh (FIBT)
- Boules (CMSB, IPC bowls)
- Bridge (FMB)
- Curling (WCF)
- Golf (IGF)
- Gymnastics (FIG)
- Motorcycling (FIM)
- Modern Pentathlon (UIPM) for disciplines involving shooting
- Ninepin and Tenpin Bowling (FIQ)
- Powerboating (UIM)
- Sailing (ISAF) for match race helms only
- Shooting (ISSF, IPC) (also prohibited *Out-of-Competition*)
- Skiing/Snowboarding (FIS) in ski jumping, freestyle aerials/halfpipe and snowboard halfpipe/big air
- Wrestling (FILA)

Beta-blockers include, but are not limited to, the following:

Acebutolol, alprenolol, atenolol, betaxolol, bisoprolol, bunolol, carteolol, carvedilol, celiprolol, esmolol, labetalol, levobunolol, metipranolol, metoprolol, nadolol, oxprenolol, pindolol, propranolol, sotalol, timolol.

SCHEDULE 3(a)
INTERNATIONAL STANDARD FOR THERAPEUTIC USE EXEMPTIONS

3.2 Defined Terms from the International Standard for TUEs

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

TUE: is a therapeutic use exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file before the Use of the substance in sports.

Retroactive TUE: is a therapeutic use exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file after a laboratory has reported an Adverse Analytical Finding (AAF).

TUEC: Therapeutic Use Exemption Committee is the Panel established by the relevant Anti-Doping Organization.

WADA TUEC: WADA Therapeutic Use Exemption Committee is the Panel established by WADA.

PART TWO: STANDARDS FOR GRANTING THERAPEUTIC USE EXEMPTIONS

4.0 Criteria for Granting a Therapeutic Use Exemption

A therapeutic use exemption (TUE) may be granted to a Player permitting the Use of a Prohibited Substance or Prohibited Method contained in the Prohibited List. An application for a TUE will be reviewed by a Therapeutic Use Exemption Committee (TUEC). The TUEC will be appointed by the Board, Member Union, or NADO. An exemption will be granted only in strict accordance with the following criteria:

- 4.1** The Player should submit an application for a TUE no less than twenty-one (21) days before he needs the approval (for instance a Match or Tournament).
- 4.2** The Player would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld in the course of treating an acute or chronic medical condition.
- 4.3** The therapeutic Use of the Prohibited Substance or Prohibited Method would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition. The Use of any Prohibited Substance or Prohibited Method to increase “low-normal” levels of any endogenous hormone is not considered an acceptable therapeutic intervention.
- 4.4** There is no reasonable therapeutic alternative to the Use of the otherwise Prohibited Substance or Prohibited Method.
- 4.5** The necessity for the Use of the otherwise Prohibited Substance or Prohibited Method cannot be a consequence, wholly or in part, of prior non-therapeutic Use of any substance from the Prohibited List.
- 4.6** The TUE will be cancelled by the granting body, if:
 - a. The Player does not promptly comply with any requirements or conditions imposed by the TUEC granting the exemption.

IRB Regulation 21 Schedule 3(a)

- b. The term for which the TUE was granted has expired.
- c. The Player is advised that the TUE has been withdrawn.

[Comment: Each TUE will have a specified duration as decided upon by the TUEC. There may be cases when a TUE has expired or has been withdrawn and the Prohibited Substance subject to the TUE is still present in the Player's body. In such cases, the Anti-Doping Organisation conducting the initial review of an adverse analytical finding (being the Board, Member Union or NADO) will consider whether the finding is consistent with expiry or withdrawal of the TUE.]

4.7 An application for a TUE will not be considered for retroactive approval except in cases where:

- a. Emergency treatment or treatment of an acute medical condition was necessary, or
- b. due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit, or a TUEC to consider, an application prior to Doping Control, or
- c. the conditions set forth under 7.13 apply.

[Comment: Medical emergencies or acute medical situations requiring administration of an otherwise Prohibited Substance or Prohibited Method before an application for a TUE can be made, are uncommon. Similarly, circumstances requiring expedited consideration of an application for a TUE due to imminent competition are infrequent].

5.0. Confidentiality of Information

5.1 The TUE applicant must provide written consent for the transmission of all information pertaining to the application to members of the TUEC and, as required, other independent medical or scientific experts, or to all necessary staff involved in the management, review or appeal of TUEs.

Should the assistance of external, independent experts be required, all details of the application will be circulated without identifying the Player concerned. The applicant must also provide written consent for the decisions of the TUEC to be distributed to other relevant Anti-Doping Organisations under the provisions of the Code.

5.2 The members of the TUECs and the administration of the Anti-Doping Organisation involved will conduct all of their activities in strict confidence. All members of a TUEC and all staff involved will sign confidentiality agreements. In particular they will keep the following information confidential:

- a. All medical information and data provided by the Player and physician(s) involved in the Player's care.
- b. All details of the application including the name of the physician(s) involved in the process.

Should the Player wish to revoke the right of the TUEC or the WADA TUEC to obtain any health information on their behalf, the Player must notify their medical practitioner in writing of the fact. As a consequence of such a decision, the Player will not receive approval for a TUE or renewal of an existing TUE.

6.0 Therapeutic Use Exemption Committees (TUECs)

TUECs shall be constituted and act in accordance with the following guidelines:

6.1 TUECs should include at least three (3) physicians with experience in the care and treatment of athletes (and/or Players) and a sound knowledge of clinical, sports and exercise medicine. In order

IRB Regulation 21 Schedule 3(a)

to ensure a level of independence of decisions, the majority of the members of any TUEC should be free of conflicts of interest or political responsibility in relation to the Board, Member Union and/or NADO. All members of a TUEC will sign a conflict of interest agreement.

6.2 TUECs may seek whatever medical or scientific expertise they deem appropriate in reviewing the circumstances of any application for a TUE.

6.3 The WADA TUEC shall be composed following the criteria set out in Article 6.1. The WADA TUEC is established to review on its own initiative TUE decisions granted by Anti-Doping Organisations. As specified in Article 4.4 of the Code, the WADA TUEC, upon request by Players who have been denied TUEs by the Board, Member Union and/or NADO, will review such decisions with the power to reverse them.

7.0 Therapeutic Use Exemption (TUE) Application Process

7.1 A TUE will only be considered following the receipt of a completed application form that must include all relevant documents (see Schedule 3b– TUE form). The application process must be dealt with in accordance with the principles of strict medical confidentiality.

7.2 The TUE application form(s), as set out in Schedule 3b, can be modified by the Board, Member Unions and/or NADO's to include additional requests for information, but no sections or items shall be removed.

7.3 The TUE application form(s) may be translated into other language(s) by the Board, Member Unions and/or NADO's, but English or French must remain on the application form(s).

7.4 A Player may not apply to more than one of the Board, Member Union or its NADO for a TUE. The application must identify the Player's sport and, where appropriate, discipline and specific position or role.

7.5 The application must list any previous and/or current requests for permission to use an otherwise Prohibited Substance or Prohibited Method, the body to whom that request was made, and the decision of that body.

7.6 The application must include a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application. The arguments related to the diagnosis and treatment, as well as duration of validity, should follow the WADA "Medical Information to Support the Decision of TUECs". **For asthma, the specific requirement(s) set out in Annex 1 must be fulfilled.**

7.7 Any additional relevant investigations, examinations or imaging studies requested by the TUEC of the Anti-Doping Organisation before approval will be undertaken at the expense of the Player or his Member Union.

7.8 The application must include a statement by an appropriately qualified physician attesting to the necessity of the otherwise Prohibited Substance or Prohibited Method in the treatment of the Player and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of this condition.

7.9 The dose, frequency, route and duration of administration of the otherwise Prohibited Substance or Prohibited Method in question must be specified. In case of change, a new application should be submitted.

7.10 In normal circumstances, decisions of the TUEC should be completed within thirty (30) days of receipt of all relevant documentation and will be conveyed in writing to the Player by the relevant Anti-Doping Organisation (being the Board, Member Union or NADO). In case of a TUE application made in a reasonable time limit prior to a Match or Tournament the TUEC should use

IRB Regulation 21 Schedule 3(a)

its best endeavors to complete the TUE process before the start of the Match or Tournament. Where a TUE has been granted to a Player in an IRB Testing Pool, (whether a Registered Testing Pool or other Testing Pool), the Player and WADA will be provided promptly with an approval which includes information pertaining to the duration of the exemption and any conditions associated with the TUE.

7.11 (a) Upon receiving a request by a Player for review, the WADA TUEC will, as specified in Article 4.4 of the Code, be able to reverse a decision on a TUE denied by the Board, Member Union or NADO. The Player shall provide to the WADA TUEC all the information for a TUE as submitted initially to the TUEC accompanied by an application fee. Until the review process has been completed, the original decision remains in effect. The process should not take longer than thirty (30) days following receipt of all the information by WADA.

(b) WADA can, on its own initiative, undertake a review at any time.

7.12 If the decision regarding the granting of a TUE is reversed by WADA upon review, the reversal shall not apply retroactively and shall not disqualify the Player's results during the period that the TUE had been granted and shall take effect no later than fourteen (14) days following notification of the decision to the Player.

7.13 The Use of inhaled Beta - 2 Agonists:

a).

- *The Use of inhaled Beta- 2 Agonists as listed below reflects current clinical practice:*
- *formoterol;*
- *salbutamol;*
- *salmeterol; and/or*
- *terbutaline*

The Use of these substances should be declared on ADAMS (where reasonably feasible) and in accordance with the Code as soon as the product is used and must as well be declared on the Doping Control form at the time of Testing. Failure to declare will be taken into account in the result management process in particular in case of an application for a Retroactive TUE.

b) Players using the substances listed above by inhalation must have a medical file justifying this Use and meeting the minimum requirements outlined in Annex 1.

Depending upon the category of the Player, the medical file will be evaluated as follows:

In Advance TUE

c) For all Players included in the IRB Registered Testing Pool a TUE application including the information/test results (as specified in Annex 1) must be provided and approved by the TUEC of the Board before the Use of the substance occurs.

Retroactive TUE

d) For Players in the IRB Testing Pool or participating in a Match or Tournament directly organised by the Board but who are not included in the IRB Registered Testing Pool a Retroactive TUE application may be made in the case of an Adverse Analytical Finding, to the Board TUEC and must include the required medical file as outlined at Annex 1 of this Schedule. Such Retroactive TUE must be submitted to the Board TUEC within 30 days of the Player receiving notice of the Adverse Analytical Finding for the applicable substance as specified in 7.13 a) above.

e) For national-level Players who are not included in the IRB Registered Testing Pool, whether or not they are part of a national Registered Testing Pool, either a TUE, or a Retroactive TUE (in the case of an Adverse Analytical Finding) shall be submitted in accordance with the rules of the Player's Home Union or the NADO located in the country of their Home Union.

f) No Retroactive TUE will be granted if the requirements of Annex 1 are not met meaning that any Adverse Analytical Finding reported by the laboratory in these circumstances will result in an anti-doping rule violation.

IRB Regulation 21 Schedule 3(a)

- g) Any Player who is not part of the Registered Testing Pool may apply for a TUE in advance at any time if they wish to the appropriate TUEC of the Board, Member Union or NADO as applicable.
- h) Any Player who has applied for a TUE or a Retroactive TUE and who was denied such TUE may not use the substance for which the TUE or Retroactive TUE was sought without the prior granting of a TUE (no Retroactive TUE will be permitted). In these circumstances a failure by a Player to obtain a TUE may result in an anti-doping rule violation being committed.

8.0 Declaration of Use Process

- 8.1** It is acknowledged that some substances included on the List of Prohibited Substances are used to treat medical conditions frequently encountered in the athlete population. For monitoring purposes, these substances, for which the route of administration is not prohibited, will require a simple declaration of use. These are strictly limited to:

Glucocorticosteroids used by non systemic routes, namely intraarticular, periarticular, peritendinous, epidural, and intradermal injections and inhalation.

- 8.2** The declaration of Use for Glucocorticosteroids administered via non systemic routes as per 8.1 above should be done through ADAMS where reasonably feasible and in accordance with the Code by the Player at the same time as the Use starts. If ADAMS is not available to the Player he shall at a minimum declare the Use on the Doping Control form at the time of Testing. In either situation the diagnosis, name of the substance, dose and the name and details of the physician who administered the substance should be mentioned when making the declaration.

9.0 Clearinghouse

- 9.1** Anti-Doping Organisations are required to provide WADA with all TUEs approved for Players who are part of a national or international Registered Testing Pool, and all supporting documentation, in accordance with section 7.
- 9.2** The declarations of use should be available to WADA (ADAMS).
- 9.3.1** The clearinghouse shall guarantee strict confidentiality of all the medical information.

10.0 Transitional Provision

Abbreviated Therapeutic Use Exemptions (ATUEs) applied for prior to 31 December 2008 shall remain governed by the 2005 TUE Standard.

These ATUEs shall remain valid after 1 January 2009 until the earliest of:

- (i) The date on which they are cancelled by the competent TUEC following review in accordance with Article 8.6 of the 2005 TUE Standard;
- (ii) Their expiry date as mentioned on the ATUE Acknowledgement of Receipt or Certificate of Approval;
- (iii) 31 December 2009.

IRB Regulation 21 Schedule 3(a)

ANNEX 1:

Minimal requirements for the medical file to be used for the TUE process in the case of asthma and its clinical variants

The file must reflect current best medical practice to include:

- 1) A complete medical history of the Player's asthma condition.
- 2) A comprehensive report of the clinical examination with specific focus on the respiratory system.
- 3) A report of spirometry with the measure of the Forced Expiratory Volume in 1 second (FEV1).
- 4) If airway obstruction is present, the spirometry will be repeated after inhalation of a short acting Beta - 2 Agonist to demonstrate the reversibility of bronchoconstriction.
- 5) In the absence of reversible airway obstruction, a bronchial provocation test is required to establish the presence of airway hyper-responsiveness.
- 6) Exact name, speciality, business address (including telephone, e-mail, fax) of examining physician.

STANDARD THERAPEUTIC USE EXEMPTION (TUE)



APPLICATION FORM

Schedule 3b

IRB fax: +353 1 2409 289

e-mail: TUE@irb.com

In accordance with Section 4 of the WADA International Standard for Therapeutic Use Exemptions and IRB Regulation 21.5 any Player who wishes to apply for the use of a Prohibited Substances or Prohibited Method to treat a legitimate medical condition must apply to the relevant Therapeutic Use Exemption Committee (TUEC) via their national Union.

SECTION A - Player Information - PLEASE PRINT CLEARLY IN CAPITALS

First Name: _____	Surname: _____	Date of Birth: ____ / ____ / ____
Gender: Male <input type="checkbox"/> Female <input type="checkbox"/>	Contact Telephone Number - Mobile: <input type="text"/>	
National Union and level: _____ <small>(i.e. Nat 15's Squad/7's/U21's etc)</small>	Team/Club: _____	

SECTION B - Notifying Medical Practitioner and Medical Information

Name: _____	Medical Specialty: _____	
Business Address: _____		
Telephone Number - Business: <input type="text"/>	Fax Number: <input type="text"/>	Telephone Number - Mobile: <input type="text"/>
Email: _____		
Diagnosis with sufficient medical information (see note 1): _____ _____		
Has the national Unions Chief Medical Officer / Doctor been notified of this application? Yes <input type="checkbox"/> No <input type="checkbox"/>		

SECTION C - Medical Details

Prohibited Substance(s) (Generic Name) : _____ _____		
Dose of administration: _____	Route of Administration: _____	Frequency of administration: _____
Intended duration of treatment:	Once only <input type="checkbox"/>	Emergency <input type="checkbox"/> Weeks <input type="checkbox"/> Months <input type="checkbox"/> Years <input type="checkbox"/>
If a permitted medication can be used to treat the medical condition, provide clinical justification for requested use of prohibited medication: _____ _____		

SECTION D - Medical Practitioner's Declaration

I,..... certify that the above mentioned treatment is medically appropriate and that the use of alternative medication not on the Prohibited List would be unsatisfactory for this condition.	
Signature of Medical Practitioner: _____	Date: ____ / ____ / ____

SECTION E - Previous or Current TUE Applications

Have you submitted any previous TUE application: Yes <input type="checkbox"/> No <input type="checkbox"/>	What date?: ____ / ____ / ____
If Yes, for what substance/s? _____	
TUE Body who provided TUE Decision: _____	TUE Decision: Attach copy of previous TUE application and Certificate of Approval if for same Prohibited Substance

STANDARD THERAPEUTIC USE EXEMPTION (TUE)



APPLICATION FORM

Schedule 3b

IRB fax: +353 1 2409 289

e-mail: TUE@irb.com

SECTION F - Player's Declaration

I,..... certify that the information under Section A & B is accurate and that I am requesting approval to use a Prohibited Substance or Method from the WADA Prohibited List. I authorise the recording (whether electronically or otherwise) and/or storage by release of personal medical information to the Anti Doping Organisation, relevant Tournament Organisers as well as to WADA staff and to the WADA TUEC under the provisions of the Code. I understand that if I ever wish to revoke the right of the relevant TUEC or WADA TUEC to obtain my health information on my behalf, I must notify my medical practitioner in writing of that fact. I also understand that if I withdraw my consent to the release of my personal medical information, I may not receive approval for a TUE or the renewal of an existing TUE, since no TUE can be granted or renewed without the disclosure of comprehensive medical data.

I am aware that an application for a TUE requires the processing (for example transmission, disclosure, use and storage) of all data pertaining to such application through relevant anti-doping administration/data management systems including but not limited to ADAMS* to ensure harmonized, coordinated and effective anti-doping programs for detection, deterrence and prevention of doping. Signing this form will indicate that I have been so informed and that I give my express consent to such processing of data.

I understand and agree that my application for a TUE will only be considered following the submission in ADAMS or otherwise, by myself or by my Anti-Doping Organisation (ADO), of the present completed application form, as well as all relevant documents related to the application.

I understand and agree that my TUE related data will be made accessible through ADAMS and/or any other relevant anti-doping administration/data management system, to the authorized ADO, to WADA and to the Therapeutic Use Exemption Committee. I understand and agree that if a TUE is granted, such TUE and the related information will be sorted electronically in ADAMS (and/or in any other relevant anti-doping administration/data management system) for a minimum period of 8 years, the period of 8 years being the period within which an action can be commenced following a violation of an anti-doping rule contained in the WADA Code/IRB Regulation 21.

WADA, ADOs and Therapeutic Use Exemption Committees will not disclose any of my TUE related information beyond those persons within their organisation with a need to know for doping control purposes according to the Code.

RELEASE

I hereby release WADA as well as ADOs and TUE Committees from all claims, demands, liabilities, damages, costs and expenses that I may have arising in connection with the processing of my TUE related data through ADAMS and/or any other relevant anti-doping administration/data management system.

WITHDRAWAL OF CONSENT

I understand that I may at any time revoke my consent for the processing of my TUE related data through ADAMS and/or any other relevant anti-doping administration/data management system. I also understand that as a consequence of such withdrawal of consent, I will not receive approval for a TUE or a renewal of an existing TUE.

Player's Signature: _____

Date: ____ / ____ / ____

Parent's/Guardian's Signature: _____

Date: ____ / ____ / ____

(if a Player is a minor a parent or guardian shall sign together with or on behalf of the Player)

(Day/Month/Year)

* ADAMS is the Anti-Doping Administration and Management System, which has been developed to enable athletes and anti-doping organisations to enter and share data related to doping control. ADAMS is an on-line, web-based system, which allows restricted sharing of data only with those organisations with the right to access such data in accordance with the World Anti-Doping Code.

SECTION G – Application Notes

Note 1 *Diagnosis: Evidence confirming the diagnosis must be attached and forwarded with this application. The medical evidence should include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies (where applicable). Copies of the original reports or letters should be included where possible. Evidence should be as objective as possible in the clinical circumstances and in the case of non-demonstrable conditions independent supporting medical opinion will assist this application.*

INCOMPLETE APPLICATIONS WILL BE RETURNED AND WILL NEED TO BE RESUBMITTED.

IRB TUEC Contact Details

INTERNATIONAL RUGBY BOARD, Huguenot House, 35-38 St. Stephen's Green, Dublin 2, Ireland

Tel: +353 1 2409 212 **Fax:** +353 1 2409 289 **Email:** tue@irb.com

STRICTLY CONFIDENTIAL

SCHEDULE 4

ACKNOWLEDGMENT AND AGREEMENT FORM*

I, _____ of _____ Union/Club/Rugby Body hereby acknowledge and agree as follows:

1. I have received and had an opportunity to review the IRB [other] Anti-Doping Regulations.
2. I consent and agree to comply with and be bound by all of the provisions of the IRB's [other] Anti-Doping Regulations, including but not limited to, all amendments to the IRB [other] Anti-Doping Regulations and all International Standards incorporated in the IRB [other] Anti-Doping Regulations.
3. I acknowledge and agree that the IRB [other] has jurisdiction to impose sanctions as provided in the IRB's [other] Anti-Doping Regulations.
4. I also acknowledge and agree that any dispute arising out of a decision made pursuant to the IRB's Anti-Doping Regulations, after exhaustion of the process expressly provided for in those Regulations, may be appealed exclusively as provided in Regulation [21.27] [*Appeals] to an appellate body for final and binding arbitration, which in the case of International-Level Players [others] is the Court of Arbitration for Sport.
5. The governing law of the appeal heard by the Court of Arbitration for Sport shall be English law.
6. I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable.
7. I agree that I will submit a Therapeutic Use Exemption form if I am required to do so under the IRB [other] Anti-Doping Regulations;
8. I agree that my personal anti-doping data relating to the Doping Control process (including test distribution planning, Sample collection and handling, laboratory analysis, result management, hearings and appeals), Therapeutic Use Exemption and/or player whereabouts can be processed (for example transmitted, disclosed, used and/or stored) by and amongst my [Union / club / rugby body], the IRB, Member Unions, the World Anti Doping Agency (WADA), National Anti Doping Agencies and/or other Anti Doping Organisations (as applicable) in electronic form including but not limited to as part of the ADAMS¹ database system.
9. I have read and understand this Acknowledgement and Agreement.

Date _____

Print Name _____
(Last Name, First Name)

Date of Birth _____
(Day/Month/Year)

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

*This form may need to be modified for local use.

SCHEDULE 5

PLAYER'S INFORMATION NOTICE - Doping Control-related Data

1. In the context of doping control activities you will be asked to sign a "Player Consent Form" for the processing of "Doping Control-related data." This Information Notice explains in more detail how your Doping Control related data will be used and processed to ensure harmonized, coordinated and effective anti-doping programs for detection, deterrence and prevention of doping. The Player Consent Form should be read in conjunction with this Information Notice.

Categories of Data

2. Your Doping Control related data is all data related to the Doping Control process (including test distribution planning, sample collection and handling, laboratory analysis, results management, hearings and appeals) Therapeutic Use Exemptions and player whereabouts;
3. The laboratory analysis results include: detection of a prohibited substance, its metabolites or markers or any evidence of use of prohibited method identified on the prohibited list; detection of the presence of other substances not included in the prohibited list as may be directed by the World Anti-Doping Agency (WADA) pursuant to monitoring program described in Article 4.5 of the World Anti-Doping Code (Code); longitudinal profile of haematological parameters such as haemoglobin and red blood count over a specified period of time as well as T/E ratio; or results from other tests that may be developed in future to identify the presence of prohibited substances; and
4. Some of the data may constitute personal data, and be subject to legal protections under applicable national data privacy laws.

Responsible Entity

5. Your Doping Control related data will be collected by an Anti-Doping Organization (including the IRB) acting pursuant to the Code (the Testing Authority), or through an authorised collection authority and/or results management authority. The Testing Authority shall be principally responsible for the ensuring the protection of your data; and
6. The Testing Authority will use a data-management system (which may be in electronic form including but not limited to the ADAMS¹ system) to process and manage, including disclose to authorized recipients, your Doping Control related data.

Disclosures

7. Your Doping Control related data will be made available to authorised Anti-Doping Organizations -- for instance, designated national anti-doping organisations, international or national sporting federations, or major games organisers - in accordance with the Code and processed in accordance with the anti-doping provisions of the Code; and
8. Your Doping Control related data will also be made available, in part, to WADA, which will need to process certain information in order to fulfil its obligations and responsibilities under the Code;
9. WADA-accredited laboratories will need to receive your specimens and possibly other data relating to you; however, such laboratories will only be provided with de-identified, key-coded data and specimens that will not enable the laboratories to identify you;
10. The Anti-Doping Organisations, WADA and accredited laboratories will process your Doping Control related data only for the purpose of ensuring harmonized, coordinated and effective anti-doping programs in sport; and

¹ ADAMS is the Anti-Doping Administration and Management System which has been developed to enable athletes and anti-doping organisations to enter and share data related to doping control. ADAMS is an on-line, web-based system, which allows restricted sharing of data only with those organisations with the right to access such data in accordance with the World Anti-Doping Code.

IRB Regulation 21 Schedule 5

11. Anti-Doping Organisations, WADA, and accredited laboratories will not disclose any of your Doping Control related data other than to those persons within their organisation who require it for doping control purposes.

International Transfers

12. Your Doping Control related data may be made available to persons or parties, including WADA and Anti-Doping Organisations, located outside the country where you reside. In some other countries, data protection and privacy laws may not be equivalent to those in your own country; and
13. Your Doping Control related data will be held in electronic form including but not limited to ADAMS. ADAMS is a web-based database management tool hosted in data centres located in Canada and maintained by WADA on behalf of Anti-Doping Organisations using ADAMS. Strong technological, organisational and other security measures have been applied to ADAMS to maintain the security of the data it contains.

Your Rights

14. You may have certain rights under applicable laws in relation to your Doping Control related data, including rights to access and/or correct any inaccurate data, and remedies and rights of redress for any unlawful processing of your Doping Control related data; and
15. To the extent that you have any concerns about the processing of your Doping Control related data you may consult with the Testing Authority, WADA (www.wada-ama.org), and/or your federation or national anti-doping agency, as appropriate.

Retention

16. Your Doping Control related data will be stored in ADAMS (or other relevant administration/management system) for a minimum period of 8 years being the period within which an action can be commenced following a violation of an anti-doping rule contained in the Code/IRB Regulation 21.

Withdrawal of Consent

17. You understand that you may at any time revoke your consent for the processing of your data, although in that event, and as noted above, it still may be necessary for Anti-Doping Organisations and WADA to continue to process (including retain) certain parts of your Doping Control related data to fulfil obligations and responsibilities arising under the Code and applicable laws.
18. You also understand that your participation in organised sporting events is contingent upon your adherence at all times to the rules contained in the Code, including, among other things, your voluntary participation in anti-doping procedures set forth in the Code/IRB Regulation 21 and thus the processing of your Doping Control related data as described in this form.
19. You understand that the withdrawal of your consent to the processing of your Doping Control related data will be construed as a refusal to participate in those anti-doping procedures mandated by the Code/IRB Regulation 21. This could exclude you from further participation in Rugby Union, and may result in disciplinary or other sanctions being imposed upon you, such as disqualification from competitions in which you are scheduled to participate or the invalidation of results arising from prior competitions.

Release

20. By signing the Player Consent Form you will release WADA, as well as relevant Anti-Doping Organizations, from all claims, demands, liabilities, damages, costs and expenses that you may have arising in connection with the processing of your Doping Control related data through ADAMS, and/or any other relevant administration/management system.