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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

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**PART I : SECTION (I) — GENERAL**

**Government Notifications**

L. D. - B. 7/2017.

**CONVENTION AGAINST DOPING IN SPORT ACT, NO. 33 OF 2013**

Rules made by the Sri Lanka Anti - Doping Agency under Section 33 of the Convention Against Doping in Sport Act, No. 33 of 2013.

Colombo,  
17th February, 2020.

Chairperson,  
Sri Lanka Anti - Doping Agency.

RULES

**Application of Anti - Doping Rules**

1. These Rules may be cited as the Sri Lanka Anti - Doping Rules of 2020, and shall apply to -

(a) Every athlete or athlete support personnel who is a member or license holder or any member or a affiliate organization of any Sports Organization in Sri Lanka, including any club, team, association or league ;



- (b) Every athlete or athlete support personnel who participate in such capacity in any event, competition or other activity organized, convened, authorize or recognized by any Sports Organization in Sri Lanka or any member or affiliate organization of any Sports Organization in Sri Lanka, including any club, team, association or league irrespective of the place where such event, competition or other activity is held ;
- (c) Any athlete or athlete support personnel by virtue of an accreditation granted by any Government Sports Organization, a licence or other contractual arrangement, or otherwise, is subject to the jurisdiction of any Sports Organization in Sri Lanka, or of any member or affiliate organization of any Sports Organization in Sri Lanka, including any club, team, association or league, for the purpose of anti - doping ;
- (d) Every athlete or athlete support personnel who participate in any capacity in any activity organized, held, convened or authorized by any organizer of a National Event or of a National League that is not affiliated with a Sports Organization ;
- (e) Every athlete who does not fall under paragraphs (a), (b), (c) or (d) but who wishes to be eligible to participate in any international event or national event :

Provided that, such athlete shall be available for testing under these Anti - Doping Rules at least six months prior to being eligible for any such event ;

- (f) Any other person, including any athlete who is a national of or resident in Sri Lanka and every athlete who is present in Sri Lanka whether to compete, train or otherwise over whom the Code of the World Anti - Doping Agency gives the jurisdiction of the Sri Lanka Anti - Doping Agency.

2. Any person as specified in paragraphs (a) to (f) in rule 1 shall be deemed to have agreed to be bound by these Anti - Doping Rules and to have subject to the authority of Sri Lanka Anti - Doping Agency (hereinafter referred to as the "SLADA") to enforce these Rules and to the jurisdiction of the hearing panels specified in rule 34 and rules 69 to 79 to hear and determine cases and appeals brought under these rules, as a condition of their membership, accreditation or participation in any sport.

### **Anti - Doping Rule Violations**

3. The following shall constitute an Anti - Doping Rule violation :-

- (a) Presence of a prohibited substance or its metabolites or markers in an athlete's "A" sample, where the athlete waives the analysis of the "B" sample and the "B" sample is not analyzed or, where the athlete's "B" sample is analyzed and the analysis of the Athlete's "B" sample confirms the presence of the prohibited substance or its metabolites or markers found in the athlete's "A" sample ; or, where the athlete's "B" sample is split into two bottles and the analysis of the second bottle confirms the presence of the prohibited substances or its metabolites or marks found in the first bottle:

Provided that, the SLADA with results management responsibility may, at its discretion, choose to have the B sample analyzed even if the athlete does not request the analysis of the B sample ;

- (b) 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 an athlete's sample ;
- (c) Use or attempted use by an athlete of a prohibited substance or prohibited method ;
- (d) For the purpose of paragraphs (a), (b) and (c), -
- (i) It is the responsibility of each athlete to ensure that no prohibited substance enters his body and that no prohibited method is used. Accordingly it is not necessary that intent fault, negligence or knowing use on the athlete's part be demonstrated in order to establish an anti - doping rule violation for use of a prohibited substance or prohibited method ;

- (ii) The success or failure of the use or attempted use of a prohibited substance or prohibited method is not material. It is sufficient that the prohibited substance or prohibited method was used or attempted to be used for an anti-doping rule violation to be committed.
- (e) Evading of sample collection, or without compelling jurisdiction, refusing or failing to submit the sample collection after notification as authorized in these Anti - Doping Rules ;
- (f) Any combination of three missed tests or filing failures, as defined in the International Standard for Testing and Investigations, within a twelve - month period by an Athlete in a Registered Testing Pool ;
- (g) Tampering or attempted tampering with any part of doping control.

“Tampering” for the purpose of this paragraph includes, without limitation, intentionally interfering or attempting to interfere with a Doping Control Official, providing fraudulent information to an Anti - Doping Organization or intimidating or attempting to intimidate a potential witness ;

- (h) Possession of a prohibited substance or a prohibited method. This includes -
  - (i) Possession by an athlete in - competition of any prohibited substance or any prohibited method, or possession by an athlete out - of - competition of any prohibited substance or any prohibited method which is prohibited out - of - competition unless the athlete establishes that the possession is consistent with a Therapeutic Use Exemption (hereinafter referred to as the “TUE”) or other acceptable justification.
  - (ii) Possession by an athlete support personnel in -competition of any prohibited substance or any prohibited method, or possession by an athlete support personnel out - of - competition of any prohibited substance or any prohibited method which is prohibited out - of - competition in connection with an athlete, competition or training, unless the athlete support personnel establishes that the possession is consistent with a TUE granted to an athlete or other acceptable justification.

For the purpose of this paragraph, “acceptable justification” means a team doctor carrying prohibited substances for dealing with acute and emergency situations but does not include buying or possessing a prohibited substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician’s prescription.

- (i) Trafficking or attempted trafficking in any prohibited substance or prohibited method ;
- (j) Administration or attempted administration to any athlete in - competition of any prohibited substance or prohibited method, or administration or attempted administration to any athlete out - of - competition of any prohibited substance or any prohibited method that is prohibited out - of - competition ;
- (k) Assisting, encouraging, aiding, abetting, conspiring, covering up or any other intentional complicity involving a violation or attempted violation of an anti - doping rule or any violation by another person under rule 62 ;
- (l) Association by an athlete or other Person subject to the authority of the SLADA in a professional or sport - related capacity with any athlete support personnel who -
  - (i) If subject to the authority of an Anti - Doping Organization, is serving a period of ineligibility ; or
  - (ii) If not subject to the authority of an Anti - Doping Organization, and where ineligibility has not been addressed in a results management process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of any

anti - doping rule if Code - compliant rules had been applicable to such Person. The disqualifying status of such person shall be in force for the longer of six years from the criminal professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed.

(iii) Is serving as a front or intermediary for an individual described in paragraphs (i) and (ii).

For the purposes of this paragraph, it is necessary that the athlete or other person has previously been advised in writing by an Anti - Doping Organization with jurisdiction over such athlete or other person, or by the World Anti - Doping Agency (hereinafter referred to as the “WADA”), of the athlete support personnel's disqualifying status and the potential consequence of prohibited association and that the athlete or other person can reasonably avoid the association.

### **Proof of Doping**

4. The SLADA shall have the burden of establishing that an anti - doping rule violation has occurred. The standard of proof shall be whether the SLADA has established an anti - doping rule violation to the satisfaction of the hearing panel bearing in mind the gravity 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 Anti - Doping Rules place the burden of proof upon the athlete or other person alleged to have committed an anti - doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

### **Methods of Establishing Facts and Presumptions**

5. The SLADA, may establish an anti - doping rule violation under rule 3 (e) based on the athlete's admissions, the credible testimony of third persons, reliable documentary evidence, reliable analytical data from either an “A” or “B” Sample or conclusions drawn from the profile of a serious of the athlete’s blood or urine samples.

6. Any analytical method or decision limit approved by the WADA after consultation with the relevant laboratory accredited by the WADA and which have been the subject of peer review are presumed to be scientifically valid. Any athlete or other person seeking to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify the WADA of the challenge and the basis of the challenge. Court of Arbitration of Sports (CAS) on its own initiative may also inform the WADA of any such challenge. At the request of the WADA, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within ten days from the date of receipt of the notice of the WADA, and the World Anti - Doping Agency's receipt of the CAS file, the WADA shall also have the right to intervene as a party, appear *amicus curiae*, or otherwise provide evidence in such proceeding.

7. It is presumed that the WADA accredited laboratories, and other laboratories approved by the World Anti - Doping Agency, have conducted sample analysis and custodial procedures in accordance with the international standard for laboratories. The athlete or other person may rebut this presumption by establishing that a departure from the international standard for laboratories occurred which could reasonably have caused the adverse analytical finding. If the athlete or other person rebuts the preceding presumption by showing that a departure from the international standard for laboratories occurred which could reasonably have caused the adverse analytical finding, then the SLADA shall have the burden to establish that such departure did not cause the adverse analytical finding.

8. Departures from any other international standard or other anti - doping rule or policy set out in the Code or these Anti - Doping Rules which did not cause an Adverse Analytical Finding or other anti - doping rule violation shall not invalidate such evidence or results.

9. Where the athlete or other person establishes a departure from another international standard or other anti - doping rule or policy which could reasonably have caused an anti - doping rule violation based on an adverse analytical finding or other anti - doping rule violation, then the SLADA 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.

10. The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the athlete or other person to whom the decision pertained of those facts unless the athlete or other person establishes that the decision violated principles of natural justice.

11. The hearing panel in a hearing on an anti - doping rule violation may draw an inference adverse to the athlete or other person who is asserted to have committed an anti - doping rule violation based on the athlete's or other person's refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing and to answer questions from the hearing panel or the SLADA.

### **Prohibited Substances and Prohibited Methods**

12. Unless provided otherwise in the Prohibited List, the Prohibited List shall go into effect under these Anti - Doping Rules three months after such List being published by the WADA without requiring any further action by the SLADA. Any athlete or other person shall be bound by the Prohibited List. It shall be the responsibility of every athlete and every other person to familiarize themselves with the most up - to - date version of the Prohibited List.

13. For the purposes of the application of rule 41, every prohibited substance shall be considered a specified substance except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. However the category of specified substances shall not include prohibited methods.

14. The determination of the WADA of the prohibited substances and prohibited methods that will be included in the Prohibited List, the classification of substances into categories on the Prohibited List, and the classification of a substance as prohibited at all times or in - competition only, is final and shall not be subject to challenge by an athlete or other person based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

### **Therapeutic Use Exemptions (“TUEs”)**

15. (1) The presence of a prohibited substance or its metabolites or markers or the use or attempted use, possession or administration or attempted administration of a prohibited substance or prohibited method shall not considered an anti - doping rule violation if it is consistent with the provisions of a TUE granted in accordance with the International Standard for Therapeutic Use Exemptions.

(2) Unless otherwise specified by the SLADA in a notice posted on its website, any National-Level athlete who needs to use a prohibited substance or prohibited method for therapeutic purposes shall apply to the SLADA for a TUE as soon as the need arises and in any event (save in emergency or exceptional situations or where rule 15 of the International Standard for Therapeutic Use Exemptions applies) at least thirty days before the athlete's next competition, the SLADA shall appoint a panel to consider applications for the grant or recognition of TUEs. The TUE Committee shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the International Standard for Therapeutic Use Exemptions. Its decision shall be the final decision of the SLADA and shall be reported to the WADA and other relevant Anti - Doping Organizations through Anti - Doping Administration and Management System (hereinafter referred to as the “ADAMS”), and also to the athlete's Sports Organization, in accordance with the International Standard for Therapeutic Use Exemptions.

16. A TUE granted by the SLADA shall be valid at national level only and an athlete who is or becomes an International - Level Athlete shall -

- (a) Where the athlete already has a TUE granted by the SLADA for the substance or method in question, the Athlete may apply to his or her International Federation to recognize that TUE, in accordance with rule 22 of the International Standard for Therapeutic Use Exemptions. If that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the International Federation shall recognize it for purposes of international - level

Competition as well. If the International Federation considers that the TUE granted by the SLADA does not meet those criteria and so refuses to recognize it, the International Federation shall notify the International - Level Athlete and the SLADA promptly, with reasons. The International - Level Athlete and the SLADA shall have twenty one days from such notification to refer the matter to the WADA for review. If the matter is referred to the WADA for review in accordance with rule 18, the TUE granted by the SLADA remains valid for national - level competition and out - of - competition testing (but is not valid for international - level Competition) pending the decision of the WADA. If the matter is not referred to the WADA for review, the TUE becomes invalid for any purpose when the twenty one day review deadline expires.

In accordance with the requirements of the International Standard for Therapeutic Use Exemptions, the SLADA may assist its athletes to determine when they need to submit TUEs granted by the SLADA to an International Federation or Major Event Organization for recognition, and may guide and support those athletes through the recognition process.

- (b) If an International Federation refuses to recognize a TUE granted by the SLADA only because medical records or other information are missing that are needed to demonstrate satisfaction of the criteria in the International Standard for Therapeutic Use Exemptions, the matter shall not be referred to WADA instead, the file should be completed and re - submitted to the International Federation.
- (c) If the athlete does not already have a TUE granted by the SLADA for the substance or method in question, the athlete must apply directly to the International Federation for a TUE in accordance with the process set out in the International Standard for Therapeutic Use Exemptions. If the International Federation grants the athlete's application, it shall notify the athlete and the SLADA if the SLADA considers that the TUE granted by the International Federation does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has twenty one days from such notification to refer the matter to WADA for review. If the SLADA refers the matter to WADA for review, the TUE granted by the International Federation remains valid for international - level competition and out - of - competition testing (but is not valid for national - level competition) pending the decision of the WADA. If the SLADA does not refer the matter to the WADA for review, the TUE granted by the International Federation becomes valid for national - level competition as well when the twenty one day review deadline expires.

#### **Expiration, Cancellation, Withdrawal or Reversal of a TUE**

- 17. (1) A TUE granted pursuant to these Anti - Doping Rules -
  - (a) Shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality ;
  - (b) May be cancelled if the athlete does not promptly comply with any requirement or condition imposed by the TUE Committee upon grant of the TUE ;
  - (c) May be withdrawn by the TUE Committee if it is subsequently determined that the criteria for grant of a TUE is not in fact met ; or
  - (d) May be reversed on review by WADA or on appeal.
- (2) In such event, the athlete shall not be subject to any consequences based on his use or possession or administration of the prohibited substance or prohibited method in question in accordance with the TUE prior to the effective date of expiry, cancellation, withdrawal or reversal of the TUE. The review pursuant to rule 22 (3) of any subsequent adverse analytical finding shall include consideration of whether such finding is consistent with the use of the Prohibited Substance or Prohibited Method prior to that date, in which event to Anti - Doping Rule violation shall be asserted.

### **Reviews and Appeals of TUE Decisions**

18. (1) If the Sri Lanka Anti - Doping Agency denies an application for a TUE which has been approved by a doctor and submitted to SLADA, the relevant athlete may appeal to the national - level appeal body in terms of rules 70 and 75.

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

(3) Any TUE decision by an International Federation or by the SLADA where it has agreed to consider the application on behalf of an International Federation that is not reviewed by the WADA, or that is reviewed by the WADA but is not reversed upon review, may be appealed by the athlete or the SLADA exclusively to CAS, in accordance with rules 69 or 79.

(4) The athlete, the SLADA or the International Federation affected may appeal to CAS, in accordance with rules 69 to 79 against a decision by the WADA to reverse a TUE decision.

(5) A failure to take action within a reasonable time on a properly submitted application for grant recognition of a TUE or for review of a TUE decision shall be considered a denial of the application.

### **Testing and Investigations**

19. (1) Testing and investigations shall only be undertaken for anti - doping purposes. They shall be conducted in conformity with the provisions of the International Standard for Testing and Investigations and the specific protocols of the SLADA supplementing that international standard.

(2) Testing shall be undertaken to obtain analytical evidence as to the athlete's compliance or non - compliance with the strict Code prohibition on the presence or use of a prohibited substance or prohibited method. Test distribution planning, testing, post - testing activity and all related activities conducted by the SLADA shall be in conformity with the International Standard for Testing and Investigations. The SLADA shall determine the number of finishing placement tests, random tests and target tests to be performed in accordance with the criteria established by the International Standard for Testing and Investigations. All provisions of the International Standard for Testing and Investigations shall apply automatically in respect of all such testing.

(3) Investigations shall be undertaken -

(a) In relation to Atypical Findings, Atypical Passport Findings and Adverse Passport Findings, in accordance with rules 23 (5) to (9) and rule 24 respectively, gathering intelligence or evidence in order to determine whether an anti - doping rule violation has occurred under rules 3 (a), (b) or 3 (c) ; and

(b) In relation to other indications of potential anti - doping rule violations, in accordance with rule 26 and 27, gathering intelligence or evidence in order to determine whether an anti - doping rule violation has occurred under any of rule 3 (c) to 3 (k).

(4) The SLADA may obtain, access and process anti - doing intelligence from all available sources, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan Target Testing or to form the basis of an investigation into a possible anti - doping rule violation.

(5) Subject to the jurisdictional limitations for Event Testing set out in Article 5.3 of the Code, the SLADA shall have in - competition and out - of - competition testing authority over all of the athletes falling within the scope of rule 1.

(6) The SLADA may require any athlete including any athlete serving a period of ineligibility over whom it has testing authority to provide a sample at any time and at any place.

(7) If an International Federation or Major Event Organization delegates or contracts any part of testing to the SLADA, directly or through a Sports Organization, the SLADA may collect additional samples or direct the laboratory to perform additional types of analysis at the expense of the SLADA. If additional samples are collected or additional types of analysis are performed, the International Federation or Major Event Organization shall be notified.

(8) Where another Anti - Doping Organization with testing authority over an athlete who is subject to these Anti - Doping Rules conducts testing on that athlete, the SLADA and the athlete's Sports Organization shall recognize such testing in accordance with Article 15, and the SLADA may bring proceedings against the athlete pursuant to these Anti - Doping Rules for any anti - doping rule violation arising in relation to such testing.

(9) Except as provided for in Article 5.3 of the Code, only a single organization shall be responsible for initiating and directing testing at event venues during an event period. At international events held in Sri Lanka, the collection of samples shall be initiated and directed by the International Federation or any other international organization which is the ruling body for such event. At National Events held in Sri Lanka, the collection of samples shall be initiated and directed by the SLADA. At the request of the SLADA or the ruling body as the case may be, any testing during the event period outside of the event venues shall be coordinated with the SLADA or the relevant ruling body.

(10) If an Anti - Doping Organization which would otherwise have testing authority but is not responsible for initiating and directing testing at an event desires to conduct testing of athletes at the event venues during the event period, the Anti - Doping Organization shall first confer with the SLADA or the ruling body of the event to obtain permission to conduct and coordinate such testing. If the Anti - Doping Organization is not satisfied with the response of the SLADA or the ruling body of the event, the Anti - Doping Organization may ask the WADA for permission to conduct testing and to determine how to coordinate such testing, in accordance with the procedures set out in the International Standard for Testing and Investigations. The WADA shall not grant approval for such testing before consulting with and informing the SLADA or the ruling body for the Event. The decision of the WADA shall be final and not subject to appeal. Unless otherwise provided for in the authorization to conduct testing, such tests shall be considered out - of - competition tests. The results management for any such test shall be the responsibility of the Anti - Doping Organization initiating the test unless provided for otherwise in the rules of the ruling body of the event.

(11) Sports Organizations and the organizing committees for National Events shall authorize and facilitate the Independent Observer Program at such events.

(12) Where reasonably feasible testing shall be coordinated through the ADAMS or any other system approved by the WADA in order to maximize the effectiveness of the combined testing effort and to avoid unnecessary repetitive testing.

(13) The SLADA shall identify a Registered Testing Pool of those athletes who are required to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations. Each athlete in the Registered Testing Pool shall do the following, in each case in accordance with Annex I to the International Standard for Testing and Investigations -

- (a) Advise the SLADA of his whereabouts on a quarterly basis ;
- (b) Update that information as necessary so that it remains accurate and complete at all times ; and
- (c) Make himself available for Testing at such whereabouts.

(14) The SLADA shall make available through ADAMS a list which identifies those athletes included in its Registered Testing Pool either by name or by clearly defined, specific criteria. The SLADA shall coordinate with International Federations for the identification of such athletes and the collection of their whereabouts information. Where an athlete is included in an international Registered Testing Pool by his International Federation and in a National Registered Testing Pool by the SLADA,

the SLADA and the International Federation shall agree between themselves which of them shall accept that athlete's whereabouts filings. In no case an athlete shall be required to make whereabouts filings to more than one of them. The SLADA shall review and update as necessary its criteria for including the athletes in its Registered Testing Pool, and shall revise the membership of its Registered Testing Pool, from time to time, as appropriate in accordance with those criteria. Athletes shall be notified before they are included in a Registered Testing Pool and when they are removed from that pool.

(15) For the purpose of rule 3 (e), an athlete's failure to comply with the requirements of the International Standard for Testing and Investigations shall be deemed a Filing Failure or a Missed Test as defined in the International Standard for Testing and Investigations where the conditions set forth in the International Standard for Testing and Investigations for declaring a filing failure or missed test are met.

(16) An athlete in the Registered Testing Pool of the Sri Lanka Anti - Doping Agency shall continue to be subject to the obligation to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations unless and until -

- (a) the athlete gives a written notice to the SLADA that he has retired ; or
- (b) the SLADA had informed him that he no longer satisfies the criteria for inclusion in the Registered Testing Pool of the SLADA.

(17) Whereabouts information relating to an athlete shall be shared through ADAMS with the WADA and other Anti - Doping Organizations having authority to test that athlete, shall be maintained in strict confidence at all times, shall be used exclusively for the purposes set out in Article 5.6 of the Code, and shall be destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for these purposes.

### **Retired Athletes Returning to Competition**

20. (1) An athlete in the Registered Testing Pool who has given notice of retirement to the SLADA may not resume competing in International Events or National Events until he has given the SLADA a written notice of his intent to resume competing and has made himself available for testing for a period of six months before returning to competition, including complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations. The WADA, in consultation with SLADA and the athlete's International Federation, may grant an exemption to the six month written notice rule where the strict application of that rule would be manifestly unfair to an athlete. This decision may be appealed under Article 13. Any competitive results obtained in any event in violation of this rule shall be disqualified.

(2) If an athlete retires from sport while subject to a period of ineligibility, the athlete shall not resume competing in International Events or National Events until the athlete has given six months prior written notice or notice equivalent to the period of ineligibility remaining as of the date the athlete retired, if that period was longer than six months, to the SLADA and to his International Federation of his intent to resume competing and has made himself available for testing for that notice period, including complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations.

### **Principles to Analyze Samples**

21. (1) For the purposes of rule 3 (a) and (b), samples shall be analyzed only in laboratories accredited or otherwise approved by the WADA. The choice of the WADA accredited or the WADA approved laboratory used for the sample analysis shall be determined by the SLADA. Further, no sample shall be used for any research purpose without the consent of the athlete.

(2) Samples shall be analyzed to detect prohibited substances and prohibited methods and other substances as may be directed by the WADA pursuant to the Monitoring Program described in Article 4.5 of the Code or to assist in profiling relevant parameters in an athlete's urine, blood or other matrix, including DNA or genomic profiling ; or for any other legitimate anti - doping purpose. Samples also may be collected and stored for future analysis.

(3) The SLADA shall ask laboratories to analyze Samples in conformity with Article 6.4 of the Code and Article 4.7 of the International Standard for Testing and Investigations.

(4) Laboratories shall analyze samples and report results in conformity with the International Standard for Laboratories. To ensure effective testing, the Technical Document referred to in Article 5.4.1 of the Code will establish risk assessment - based sample analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze samples in conformity with those menus, except as follows :-

- (a) The SLADA may request that laboratories analyze its samples using more extensive menus than those described in the Technical Document.
- (b) The SLADA may request that laboratories analyze its sample using less extensive menus than those described in the Technical Document only if it has satisfied the WADA that, because of the particular circumstances of its country or of the sport in question, as set out in its test distribution plan, less extensive analysis would be appropriate.
- (c) As provided for in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze samples for prohibited substances or prohibited methods not included on the sample analysis menu described in the Technical Document or specified by the Testing Authority. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

(5) Any sample may be stored and subsequently subjected to further analysis for the purposes set out in paragraphs (2) and (3) -

- (a) By the WADA at any time ; or
- (b) By the SLADA, at any time before both the A and B Sample analytical results or “A” sample results where “B” sample analysis has been waived or will not be performed have been communicated by the SLADA to the athlete as the asserted basis for an anti - doping rule violation under rule 3 (1) (a) (b) and (c). Such further analysis of samples shall conform to the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

### **Responsibility for Conducting Results Management**

22. (1) The SLADA shall take responsibility for results management in respect of athletes and other persons under its anti - doping jurisdiction in accordance with the principles set out in Article 7 of the Code.

(2) For the purposes of determining responsibility for results management, where the SLADA elects to collect additional samples in the circumstances set out in rule 19 (7), then it shall be considered the Anti - Doping Organization that initiated and directed sample collection. However, where the SLADA only directs the laboratory to perform additional types of analysis at the expense of the SLADA, then the International Federation or Major Event Organization shall be considered the Anti - Doping Organization that initiated and directed Sample collection.

(3) Results management in respect of the results of tests initiated by the SLADA shall proceed as follows :

- (a) The results from all analyses must be sent to the SLADA in encoded form, in a report signed by an authorized representative of the laboratory. All communication shall be conducted confidentially and in conformity with the ADAMS.
- (b) Upon receipt of an Adverse Analytical Finding, the SLADA shall conduct a review to determine whether -
  - (i) An applicable TUE has been granted or will be granted as provided for in the International Standard for Therapeutic Use Exemptions ; or

- (ii) There is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Adverse Analytical Finding.
- (C) If the review of an Adverse Analytical Finding under Rule 22 (3) (b) reveals an applicable TUE or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, the entire test shall be considered negative and the athlete, the athlete's International Federations, the athlete's Sports Organization and the World Anti - Doping Agency shall be so informed.

### **Notification After Review Regarding Adverse Analytical Findings**

23. (1) If the review of an Adverse Analytical Finding under rule 22 (3) (b) does not disclose an applicable TUE or entitlement to a TUE as provided for in the International Standard for Therapeutic Use Exemptions, or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, the SLADA shall promptly notify the athlete, and simultaneously the athlete's International Federation, the athlete's Sports Organization and the WADA in the manner set out in rule 80 of -

- (a) The Adverse Analytical Finding ;
- (b) The anti - doping rule violated ;
- (c) The athlete's right to request the analysis of the "B" sample or, falling such request by the specified deadline, that the "B" sample analysis may be deemed waived.
- (d) The date, time and place scheduled for the "B" Sample analysis if the athlete or the SLADA chooses to request an analysis of the "B" sample ;
- (e) The opportunity for the athlete or the athlete's representative to attend the "B" sample opening and analysis in accordance with the International Standard for Laboratories ; and
- (f) The athlete's right to request copies of the "A" and "B" sample laboratory documentation package which includes information as required by the International Standard for Laboratories. If the SLADA decided not to bring forward the Adverse Analytical Finding as an anti - doping rule violation, it shall so notify the athlete, the athlete's International Federation, the athlete's Sports Organization and the WADA.

(2) Where requested by the athlete or the SLADA, arrangements shall be made to analyze the "B" sample in accordance with the International Standard for Laboratories. An athlete may accept the "A" sample analytical results by waiving the requirement for "B" sample analysis. The SLADA may nonetheless elect to proceed with the "B" sample analysis. The athlete or his representative shall be allowed to be present at the analysis of the "B" sample. Also, a representative of the SLADA, as well as a representative of the athlete's Sports Organization shall be allowed to be present.

(3) If the "B" sample analysis does not confirm the "A" sample analysis, then unless the SLADA takes the case forward as an anti-doping rule violation under rule 3 (2) (i) and (ii), the entire test shall be considered negative and the athlete, the athlete's International Federation, the athlete's Sports Organization and the WADA shall be so informed.

(4) If the "B" sample analysis confirms the "A" : sample analysis, the findings shall be reported to the athlete, the athlete's International Federation, the athlete's Sports Organization, and the WADA. Upon receipt of an Atypical Finding, the SLADA shall conduct a review to determine whether -

- (a) An applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions ; or

- (b) There is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Atypical Finding.

(5) If the review of an Atypical Finding under rule 23 (4) reveals an applicable TUE or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, the entire test shall be considered negative and the athlete, the athlete's International Federation and the WADA shall be so informed.

(6) If that review does not disclose an applicable TUE or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, the SLADA shall conduct the required investigation or cause it to be conducted. After the investigation is completed, either the Atypical Finding will be brought forward as an Adverse Analytical Finding, in accordance with rule 23 (1), or else the athlete, the athlete's International Federation, the athlete's Sports Organization and the WADA shall be notified that the Atypical Finding will not be brought forward as an Adverse Analytical Finding.

(7) The SLADA will not provide notice of an Atypical Finding until it has completed its investigation and has decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exists :--

- (a) If the SLADA determines the "B" sample should be analyzed prior to the conclusion of its investigation, it may conduct the "B" sample analysis after notifying the athlete, with such notice to include a description of the Atypical Finding and the information described in paragraphs (d) to (f).
- (b) If the SLADA is asked by a Major Event Organization shortly before one of its international events or by a sport organization responsible for meeting an imminent deadline for selecting team members for an international event, to disclose whether any athlete identified on a list provided by the Major Event Organization or sport organization has a pending Atypical Finding, the SLADA shall so advise The Major Event Organization or sports organization after first providing notice of the Atypical Finding to the athlete.

#### **Review of Atypical Passport Findings and Adverse Passport Findings**

24. Review of Atypical Passport Findings and Adverse Passport Findings shall take place as provided for in the International Standard for Testing and Investigations and International Standard for Laboratories. At such time as the SLADA is satisfied that an anti - doping rule violation has occurred, it shall promptly give the athlete and simultaneously the athlete's International Federation, the athlete's Sports Organization and the WADA notice of the anti - doping rule violation asserted and the basis of that assertion.

#### **Review of Whereabouts Failures**

25. The SLADA shall review potential filing failures and missed tests as defined in the International Standard for Testing and Investigations in respect of athletes who file their whereabouts information with the SLADA, in accordance with Annex I to the International Standard for Testing and Investigations. At such time as the SLADA is satisfied that an anti - doping rule violation under rule 4 (e) has occurred, it shall promptly give the athlete and simultaneously the athlete's International Federation, the athlete's Sports Organization, and the WADA notice that it is asserting a violation of rule 4 (e) and the basis of that assertion.

#### **Review of other Anti - Doping Rule Violations Not Covered by rules 22 (3) to 25**

26. The SLADA shall conduct any follow - up investigation required into a possible anti - doping rule violation not covered by rules 22 (3) to 25. At such time as the SLADA is satisfied that an anti - doping rule violation has occurred, it shall promptly give the athlete or other person (and simultaneously the athlete's International Federation, the athlete's Sports Organization, and the WADA) notice of the anti - doping rule violation asserted, and the basis of that assertion.

### **Identification of Prior Anti - Doping Rule Violations**

27. Before giving an athlete or other person notice of an asserted anti - doping rule violation as provided for above, the SLADA shall refer to ADAMS and contact the WADA and other relevant Anti - Doping Organizations to determine whether any prior rule violation exists.

### **Mandatory Provisional Suspension**

28. If analysis of an “A” sample had resulted in an Adverse Analytical Finding for a prohibited substance that is not a specified substances, or for a prohibited method, and a review in accordance with rule 22 (3) (b) does not disclose an applicable TUE or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, a Provisional Suspension shall be imposed upon or promptly after the notification specified in rules 22 (3), 23 (1) to (4) or 24.

### **Optional Provisional Suspension**

29. In case of an Adverse Analytical Finding for a specified substance, or in the case of any other anti - doping rule violations not covered by rule 28, the SLADA may impose a provisional suspension on the athlete or other person against whom the anti - doping rule violation is asserted at any time after the review and notification specified in rules 22 (3) to 26 and prior to the final hearing as specified in rules 34 to 39.

30. (1) Where a provisional suspension is imposed pursuant to rule 28 or rule 29, the athlete or other person shall be given either -

- (a) An opportunity for a provisional hearing either before or on a timely basis after imposition of the provisional suspension ; or
- (b) An opportunity for an expedited final hearing in accordance with rules 34 to 39 on a timely basis after imposition of the provisional suspension.

In addition to the above, the athlete or other person has a right to appeal from the provisional suspension in accordance with rule 69 (5) to 75 (save as set out in rule 32).

(2) The provisional suspension may be lifted if the athlete demonstrates to the hearing panel that the violation is likely to have involved a contaminated product. A decision of the hearing panel not to lift a mandatory provisional suspension on account of the athlete’s assertion regarding a contaminated product shall not be appealable.

(3) The provisional suspension shall be imposed or shall not be lifted unless the athlete or other person established that –

- (a) The assertion of an anti - doping rule violation has no reasonable prospect of being upheld ;
- (b) The athlete or other person has a strong arguable case that he bears No. Fault or Negligence for the anti - doping rule violation asserted, so that any period of ineligibility that might otherwise be imposed for such a violation is likely to be completely eliminated by application of rule 46 ; or
- (c) Some other facts exist that make it clearly unfair, in all of the circumstances, to impose a provisional suspension prior to a final hearing in accordance with rules 34 to 39.

(4) If a provisional suspension is imposed based on an “A” sample Adverse Analytical Finding and subsequent analysis of the “B” sample does not confirm the “A” sample analysis, then the athlete shall not be subject to any further provisional suspension on account of a violation of rule 4. In the circumstances where the athlete or the athlete’s team has been removed from a competition based on a violation of rule 4 and the subsequent “B” sample analysis does not confirm the

“A” sample finding, then if it is still possible for the athlete or team to be reinserted without otherwise affecting the competition, the athlete or team may continue to take part in the competition. In addition, the athlete or team may thereafter take part in other competitions in the same event.

(5) In all cases where an athlete or other person has been notified of an anti - doping rule violation but a provisional suspension has not been imposed on him, the athlete or other person shall be offered the opportunity to accept a provisional suspension voluntarily pending the resolution of the matter.

### **Resolution without a Hearing**

31. (1) An athlete or other person against whom an anti - doping rule violation is asserted may admit that violation at any time, waive a hearing, and accept the consequences that are mandated by these Anti - Doping Rules or where some discretion as to consequences exists under these Anti - Doping Rules that have been offered by the decision of the SLADA.

(2) Alternatively, if the athlete or other person against whom an anti - doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by the decision asserting the violation, then he shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the consequences that are mandated by these Anti - Doping Rules that have been offered by the SLADA.

(3) In cases where rule 31 (1) or rule 31 (2) applies, a hearing before a hearing panel shall not be required. Instead the SLADA shall promptly issue a written decision confirming the commission of the anti - doping rule violation and the consequences imposed as a result, and setting out the full reasons for any period of ineligibility imposed, including where applicable, a justification for why the maximum potential period of ineligibility was not imposed. The Sri Lanka Anti - Doping Agency shall send copies of that decision to other Anti - Doping Organizations with a right to appeal under rule 75, and shall publicly disclose that decision in accordance with rule 82 (2).

### **Notification of Results Management Decisions**

32. In all cases where the SLADA has asserted the commission of an anti - doping rule violation, withdrawn the assertion of an anti - doping rule violation, imposed a provisional suspension, or agreed with an athlete or other person on the imposition of consequences without a hearing, the SLADA shall give notice thereof in accordance with rule 81 (1) to other Anti - Doping Organizations with a right to appeal under rule 75.

### **Retirement from Sport**

33. If an athlete or other person retires while the SLADA is conducting the results management process, the SLADA retains jurisdiction to complete its results management process. If an athlete or other person retires before any results management process has begun, and the SLADA would have had results management authority over the athlete or other person at the time the athlete or other person committed an anti - doping rule violation, the SLADA has authority to conduct results management in respect of that anti - doping rule violation.

### **Hearing following Sri Lanka Anti - Doping Agency's Result Management**

34. (1) The SLADA Executive shall appoint a Doping Hearing Panel consisting of a Chairperson and two Vice - Chairpersons, each of whom shall be legal practitioners of not less than five years experience ; and three additional members, each of whom shall be, or has previously been, a sports administrator or an athlete, all of whom shall be appointed on the basis that they are in a position to hear the cases fairly and impartially. Each panel member shall serve a term of four years. If a panel member dies or resigns, the SLADA Executive may appoint another person to the panel to fill the resultant vacancy. The person so appointed shall be appointed for the remainder of the term of the member he is replacing.

(2) When the SLADA sends a notice to an athlete or other person asserting an anti - doping rule violation, and the athlete or other person does not waive a hearing in accordance with rule 31 (1) or rule 31 (2), then the case shall be referred to the Doping Hearing Panel for hearing and adjudication. Upon such referral, the Chairperson of the Doping Hearing Panel shall appoint one or more members of the Panel to hear and adjudicate the matter. The appointed members shall have had no prior involvement with the case. Each member, upon appointment, shall disclose to the Chairperson any circumstances likely to affect the impartiality with respect to any of the parties.

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

35. (1) Hearings shall be scheduled and completed within a reasonable time. Hearings held in connection with any event that is subject to these Anti - Doping Rules may be conducted by an expedited process where permitted by the hearing panel.

(2) The Doping Hearing Panel shall determine the procedure to be followed at the hearing ;

(3) The WADA and the Sports Organization of the athlete or other person may attend the hearing as observers. In any event, the SLADA shall keep the WADA fully apprised as to the status of pending cases and the result of every hearing ;

(4) The Doping Hearing Panel shall act in a fair and impartial manner towards all parties at all times.

### **Decisions of the Doping Hearing Panel**

36. At the end of the hearing, or on a timely basis thereafter, the Doping Hearing Panel shall issue a written, dated and signed decision either unanimously or by majority that includes the reasons for the decision and for any period of ineligibility imposed, including where applicable, a justification for why the greatest potential consequences were not imposed.

37. The decision shall be provided by the SLADA to the athlete or other person, to his Sports Organizations, and to Anti - Doping Organizations with a right to appeal under rule 75.

38. The decision may be appealed as provided for in rule 69 to 79. If no appeal is brought against the decision, then, if the decision is that an anti - doping rule violation was committed, the decision shall be publicly disclosed as provided in rule 82 (2) :

Provided that, if the decision is that no anti - doping rule violation was committed, then the decision shall only be publicly disclosed with the consent of the athlete or other person who is the subject of the decision. The SLADA 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 athlete or other person may approve. The principles contained rule 84 shall be applied in cases involving a minor.

### **Single Hearing before Court of Arbitration of Sport (CAS)**

39. Cases asserting anti - doping rule violations against International - Level athletes or National - Level athletes may be heard directly at the CAS, with no requirement for a prior hearing, with the consent of the athlete, the SLADA, the WADA, and any other Anti - Doping Organization that would have had a right to appeal a first instance hearing decision to CAS.

### **Automatic Disqualification of Individual Results**

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

### **Disqualification of Results in the Event during which an Anti - Doping Rule Violation Occurs**

41. An anti - doping rule violation occurring during or in connection with an event may, upon the decision of the ruling body of the event, lead to disqualification of all of the individual results obtained by the athlete in that event with all consequences, including forfeiture of all medals, points and prizes, except as provided in rule 43.

42. Factors to be included in considering whether to disqualify other results in an event might include, the seriousness of the athlete's anti - doping rule violation and whether the athlete tested negative in the other competitions.

43. If the athlete establishes that he bears No Fault or Negligence for the violation, the athlete's individual results in the other competitions shall not be disqualified, unless the athlete's results in competitions other than the competition in which the anti - doping rule violation occurred were likely to have been affected by the athlete's anti -doping rule violation.

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

44. The period of ineligibility for a violation of rule 4 (a) and (b), rule 3 (1) (d) or rule 4 (g) (i) and (ii) shall be as follows, subject to potential reduction or suspension pursuant to rules 46, 47 and 48 to 52 :-

- (a) The period of ineligibility shall be four years where -
  - (i) The anti - doping rule violation does not involve a specified substance, unless the athlete or other person can establish that the anti - doping rule violation was not intentional.
  - (ii) The anti - doping rule violation involves a specified substance and the SLADA may establish that the anti - doping rule violation was intentional.
- (b) where the provisions of rule 44 (a) and (b) does not apply, the period of ineligibility shall be two years.
- (c) For the purpose of rules 44 and 45, the term "intentional" requires that the athlete or other person engaged in conduct which he knew constituted an anti - doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti - doping rule violation and manifestly disregarded that risk. An anti - doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited in competition shall be rebuttably presumed to be not "intentional" if the substance is a specified substance and the athlete can establish that the prohibited substance was used out - of - competition. An anti - doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited in - competition shall not be considered "intentional" if the substance is not a specified substance and the athlete can establish that the prohibited substance was used out - of - competition in a context unrelated to sport performance.

#### **Ineligibility for other Anti - Doping Rule Violations**

45. The period of ineligibility for anti - doping violations other than as provided in rule 44 shall be as follows, unless rule 47 or 48 to 52 are applicable :-

- (a) For violations of rule 4 (d) or rule 4 (f), the period of ineligibility shall be four years unless, in the case of failing to submit to sample collection, the athlete can establish that the commission of the anti - doping rule violation was not intentional as defined in rule 44 (c), in which case the period of ineligibility shall be two years.
- (b) For violations of rule 4 (e) the period of ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the athlete's degree of fault. The flexibility between two years and one year of ineligibility in this rule is not available to athletes where a pattern of last minute whereabouts changes or other conduct raises a serious suspicion that the athlete was trying to avoid being available for testing.
- (c) For violations of rule 4 (h) or 4 (i), the period of ineligibility shall be a minimum of four years up to lifetime ineligibility, depending on the seriousness of the violation. Any violation under rule 4 (h) or 4 (i) involving a minor shall be considered a serious violation and, if committed by athlete support personnel for violations other than for specified substances, shall result in lifetime ineligibility for athlete support personnel. In addition, significant violations of rule 4 (h) or 4 (i) which may also violate non - sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.

- (d) For violations of rule 4 (g), the period of ineligibility imposed shall be not less than of two years and not more than four years, depending on the seriousness of the violation.
- (e) For violations of rule 4 (k), the period of ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the athlete or other person's degree of fault and other circumstances of the case.

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

46. If an athlete or other person establishes in an individual case that he bears No Fault or Negligence, then the otherwise applicable period of ineligibility shall be eliminated.

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

47. (1) Reduction of Sanctions for specified substances or contaminated products for violations of rule 3 (1), 3 (1) (i) (i) or rule 3 (h) are as follows:-

(a) **Specified Substances** - Where the anti-doping rule violation involves a specified substance, and the athlete or other person can establish No Significant Fault or Negligence, then the period of ineligibility shall be, at a minimum, a reprimand and no period of ineligibility, and at a maximum, two years of ineligibility, depending on the athlete's or other person's degree of fault,

(b) **Contaminated Products** - In cases where the athlete or other person can establish No Significant Fault or Negligence and that the detected prohibited substance came from a contaminated product, then the period of ineligibility shall be, at a minimum, a reprimand and no period of ineligibility, and at a maximum, two years Ineligibility, depending on the athlete's or other person's degree of fault.

(2) If an athlete or other person establishes in an individual case where rule 47 (1) is not applicable, that he bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in rules 48 to 52, the otherwise applicable period of ineligibility may be reduced based on the athlete or other person's degree of fault, but the reduced period of ineligibility may not be less than one-half of the period of ineligibility otherwise applicable. If the otherwise applicable period of ineligibility is a lifetime, the reduced period under this rule may be no less than eight years.

48. (1) The SLADA may, prior to a final appellate decision under rule 69 to 79 or the expiration of the time to appeal, suspend a part of the period of ineligibility imposed in an individual case in which it has results management authority where the athlete or other person has provided substantial assistance to an Anti-Doping Organization, criminal authority or professional disciplinary body which may result in -

(a) The Anti-Doping Organization discovering or bringing forward an anti-doping rule violation by another person; or

(b) A criminal or professional disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another person and the information provided by the person providing substantial assistance is made available to SLADA. After a final appellate decision under rule 69 to 79 or the expiration of time to appeal, the SLADA may only suspend a part of the otherwise applicable period of ineligibility with the approval of the WADA and the applicable International Federation. The extent to which the otherwise applicable period of ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the athlete or other person and the significance of the substantial assistance provided by the athlete or other person to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of ineligibility may be suspended. If the otherwise applicable period of ineligibility is a lifetime, the non-suspended period under this rule shall be no less than eight years. If the athlete or other person fails to continue to cooperate and to provide the complete

and credible substantial assistance upon which a suspension of the period of ineligibility was based, the SLADA shall reinstate the original period of ineligibility. If the SLADA decides to reinstate a suspended period of ineligibility or decides not to reinstate a suspended period of ineligibility that decision may be appealed by any person entitled to appeal under rule 69 to 79.

- (2) To further encourage athletes and other persons to provide substantial assistance to Anti-Doping Organizations, at the request of the SLADA or at the request of the athlete or other person who has, or has been asserted to have, committed an anti-doping rule violation, the WADA may agree at any stage of the results management process, including after a final appellate decision under rule 69 to 79, to what it considers to be an appropriate suspension of the otherwise-applicable period of ineligibility and other consequences. In exceptional circumstances, the WADA may agree to suspensions of the period of ineligibility and other consequences for substantial assistance greater than those otherwise provided in this Rule, or even no period of ineligibility, or no return of prize money or payment of fines or costs. The approval of the WADA shall be subject to reinstatement of sanction, as otherwise provided in this rule. Notwithstanding rule 69 to 79, the decision of the WADA in the context of this rule may not be appealed by any other Anti-Doping Organization.

49. If the SLADA suspends any part of an otherwise applicable sanction because of substantial assistance, then notice providing justification for the decision shall be provided to the other Anti-Doping Organizations with a right to appeal under rule 75 as provided in rule 81 in unique circumstances where the WADA determines that it would be in the best interest of anti-doping, the WADA may authorize the SLADA to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the substantial assistance agreement or the nature of substantial assistance being provided.

#### **Admission of an Anti-Doping Rule Violation in the Absence of other Evidence**

50. Where an athlete or other person voluntarily admits the commission of an anti-doping rule violation before having received notice of a Sample collection which could establish an anti-doping rule violation or, in the case of an anti-doping rule violation other rule 3 (1), before receiving first notice of the admitted violation pursuant to rules 23 to 33 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.

#### **Prompt Admission of an Anti-Doping Rule Violation after being confronted with a violation sanctionable under rule 44 (a) and (b) or rule 45 (a)**

51. An athlete or other person potentially subject to a four-year sanction under rule 44 (a) and (b) or rule 45 (a) for evading or refusing sample collection or tampering with sample collection, by promptly admitting the asserted anti-doping rule violation after being confronted by the SLADA, and also upon the approval and at the discretion of both the WADA and the SLADA, may receive a reduction in the period of ineligibility down to a minimum of two years, depending on the seriousness of the violation and the athlete or other person's degree of fault.

#### **Application of Multiple Grounds for Reduction of a Sanction**

52. Where an athlete or other person establishes entitlement to reduction in sanction under more than one provision of rule 46, 47 or 48 to 52, before applying any reduction or suspension under rules 48 to 52, the otherwise applicable period of ineligibility shall be determined in accordance with rules 44, 45, 46 and 47. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of ineligibility rules 48 to 52, then the period of ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of ineligibility.

#### **Multiple Violations**

53. (1) Where an athlete or other person has committed a second anti-doping rule violation, the period of ineligibility for such athlete or other person shall be the greater of:

- (a) Six months;
- (b) One-half of the period of ineligibility imposed for the first anti-doping rule violation without taking into account any reduction under rules 48 to 52; or
- (c) Twice the period of ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under rules 48 to 52.

The period of ineligibility established above may then be further reduced by the application of rules 48 to 52.

- (2) A third anti-doping rule violation shall always result in a lifetime period of ineligibility, except if the third violation fulfills the condition for elimination or reduction of the period of ineligibility under rule 46 or 47, or involves a violation of rule 4 (e). In these particular cases, the period of ineligibility shall be from eight years to lifetime ineligibility.
- (3) For the purposes of this rule, an anti-doping rule violation for which an athlete or other person has established No Fault or Negligence shall not be considered a prior violation.

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

- 54. (1) For the purposes of imposing sanctions for multiple violations under rule 44 (a) and (b) or rule 45 (a), an anti-doping rule violation may only be considered a second violation if the SLADA can establish that the athlete or other person committed the second anti - doping rule violation after the athlete or other person received notice pursuant to rules 22 to 33, or after the SLADA made reasonable efforts to give notice, of the first anti-doping rule violation. If the SLADA fails to 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.
- (2) If, after the imposition of a sanction for a first anti-doping rule violation, the SLADA discovers facts involving an anti-doping rule violation by the athlete or other person which occurred prior to notification regarding the first violation, then the SLADA shall impose an additional sanction based on the sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all competitions dating back to the earlier anti-doping rule violation may be disqualified as provided in rule 55.

For the purposes of rule 53 and 54, each anti-doping rule violation shall take place within the same ten-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**

- 55. In addition to the automatic disqualification of the results in the competition which produced the positive sample under rule 40, all other competitive results of the athlete obtained from the date a positive sample was collected whether in-competition or out-of-competition, or other anti-doping rule violation occurred, through the commencement of any provisional suspension or ineligibility period, shall, unless fairness requires otherwise, be disqualified with all of the resulting consequences including forfeiture of any medals, points and prizes.

#### **Allocation of CAS Cost Awards and Forfeited Prize Money**

- 56. The priority for repayment of CAS cost awards and forfeited prize money shall be first, payment of costs awarded by CAS, second, reallocation of forfeited prize money to other athletes if provided for in the rules of the applicable International Federation; and third, reimbursement of the expenses of the SLADA.

**Financial Consequences**

57. (1) Where an athlete or other person commits an anti-doping rule violation, the SLADA may, in its discretion and subject to the principle of proportionality, elect to -
- (a) Recover from the athlete or other person costs associated with the anti-doping rule violation, regardless of the period of ineligibility imposed; or
  - (b) Impose a fine not less than \$ .....U. S. Dollars on the athlete or other person, only in cases where the maximum period of ineligibility otherwise applicable has already been imposed.
- (2) The imposition of a financial sanction or the SLADA's recovery of costs shall not be considered a basis for reducing the ineligibility or other sanction which would otherwise be applicable under these Anti-Doping Rules or the Code.

**Commencement of Ineligibility Period**

58. Except as provided below, the period of ineligibility shall commence on the date of the final hearing decision providing for ineligibility or, if the hearing is waived or there is no hearing, on the date ineligibility is accepted or otherwise imposed.

**Delays in the Hearing Process Not Attributable to the Athlete or other Person**

59. Where there have been any substantial delays in the hearing process or other aspects of doping control not attributable to the athlete or other person, the SLADA may start the period of ineligibility at an earlier date commencing as early as the date of sample collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of ineligibility, including retroactive ineligibility, shall be disqualified.

**Timely Admission**

60. Where the athlete or other person promptly admits the anti-doping rule violation after being confronted with the anti-doping rule violation by the SLADA, 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 rule is applied, the athlete or other person shall serve at least one-half of the period of ineligibility going forward from the date the athlete or other person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed. This rule shall not apply where the period of ineligibility already has been reduced under rule 51.

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

61. (1) If a provisional suspension is imposed and respected by the athlete or other person, then the athlete or other person shall receive a credit for such period of provisional suspension against any period of ineligibility which may ultimately be imposed. If a period of ineligibility is served pursuant to a decision that is subsequently appealed, then the Athlete or other Person shall receive a credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal.
- (2) If an athlete or other person voluntarily accepts a provisional suspension in writing from the SLADA and thereafter respects the provisional suspension, the athlete or other person shall receive a credit for such period of voluntary provisional suspension against any period of ineligibility which may ultimately be imposed. A copy of the athlete or other person's voluntary acceptance of a provisional suspension shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under rule 80.

### **Status during Ineligibility**

62. (1) No athlete or other person who has been declared ineligible may, during the period of ineligibility, participate in any capacity in a competition or activity authorized or organized any signatory, signatory's member organization, or a club or other member organization of a signatory's member organization, or in competitions authorized or organized by any professional league or any international or national level event organization or any elite or national-level sporting activity funded by a governmental agency.
- (2) An athlete or other person subject to a period of ineligibility exceeding four years may, after completing four years of the period of ineligibility, participate as an athlete in local sport events not sanctioned or otherwise under the jurisdiction of a Code signatory or member of a Code signatory, but only so long as the local sport event is not at a level that could otherwise qualify such athlete or other person directly or indirectly to complete in a national championship or international event, and does not involve the athlete or other person working in any capacity with minors.
- (3) An Athlete or other Person subject to a period of ineligibility shall remain subject to Testing.

### **Return to Training**

63. As an exception to rule 62, an athlete may return to train with a team or to use the facilities of a club or other member organization of the SLADA's member organization during the shorter of the last two months of the athlete's period of ineligibility or the last one-quarter of the period of ineligibility imposed.

### **Violation of the Prohibition of Participation During Ineligibility**

64. (1) Where an athlete or other person who has been declared ineligible violates the prohibition against participation during ineligibility as specified in rule 62, the results of such participation shall be disqualified and a new period of ineligibility equal in length to the original period of ineligibility shall be added to the end of the original period of ineligibility. The new period of ineligibility may be adjusted based on the athlete or other person's degree of fault and other circumstances of the case. The determination of whether an athlete or other person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organization whose results management led to the imposition of the initial period of ineligibility. This decision may be appealed under rule 69 to 79.
- (2) Where an athlete support person or other person assists a person in violating the prohibition against participation during ineligibility, the SLADA shall impose sanctions on the athlete support personnel or person assisting such violation as specified in rule 4 (j) for such assistance.

### **Withholding of Financial Support during Ineligibility**

65. (1) In addition, for any anti-doping rule violation not involving a reduced sanction as specified in rule 46 or 47, some or all sport-related financial support or other sport-related benefits received by such person shall be withheld by the SLADA, the Sri Lankan Government, and the Sports Organizations.
- (2) A mandatory part of each sanction shall include automatic publication, as provided for in Article rule 82.

### **Testing of Team Sports**

66. Where more than one member of a team in a Team Sport has been notified of an anti-doping rule violation under rule 22 to 33 in connection with an event, the ruling body for the event shall conduct appropriate target testing of the team during the event Period.

### **Consequences for Team Sports**

67. If more than two members of a team in a team sport are found to have committed an anti-doping rule violation during an event period, the ruling body of the event shall impose an appropriate sanction on the team in addition to any consequences imposed upon the individual athletes committing the anti-doping rule violation.

**Event Ruling Body may Establish Stricter Consequences for Team Sports**

68. (1) The ruling body for an event may elect to establish rules for the event which imposes consequences for team sports stricter than those in rule 67 for purposes of the event.
- (2) The Sri Lanka Anti-Doping Agency has the authority to request the relevant public authorities to withhold some or all funding or other non-financial support to Sports Organizations that are not in compliance with these Anti-Doping Rules.
- (3) Sports Organizations shall be obligated to reimburse the SLADA for all costs, including but not limited to laboratory fees, hearing expenses and travel related to a violation of these Anti-Doping Rules committed by an athlete or other person affiliated with that Sports Organization.
- (4) The SLADA may elect to request the National Olympic Committee of Sri Lanka to take additional disciplinary action against Sports Organizations with respect to recognition, the eligibility of its officials and athletes to participate in international events and fines based on the following:-
- (a) Four or more violations of these Anti-Doping Rules other than violations involving rule 4 (e) are committed by athletes or other persons affiliated with a Sports Organization within a period of twelve months;
- (b) More than one athlete or other person from a Sports Organization commits an Anti-Doping Rule violation during an international event;
- (c) A Sports Organization has failed to make diligent efforts to keep the SLADA informed about an athlete's whereabouts after receiving a request for that information from the SLADA.

**Decisions Subject to Appeal**

69. (1) Decisions made under these Anti-Doping Rules may be appealed as specified in rule 69 (5) to 74 through rule 79 or as otherwise provided in these Anti-Doping Rules, the Code or the International Standards. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review provided in the rules of the Anti-Doping Organization shall be exhausted, provided that such review respects the principles specified in rule 70 except as provided in rule 69 (4).
- (2) The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.
- (3) The CAS, in making its decision, need not give deference to the discretion exercised by the body whose decision is being appealed.
- (4) Where the WADA has a right to appeal under rule 69 to 79 and no other party has appealed a final decision within CAS's process, The WADA may appeal such decision directly to the CAS without having to exhaust other remedies in the process of the SLADA.
- (5) A decision that an anti-doping rule violation has been committed, a decision imposing consequences or not imposing consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed, a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons including, for example, prescription, a decision by the WADA not to grant an exception to the six months' notice requirement for a retired athlete to return to competition under rule 20 (1), a decision by the WADA assigning results management under rule 22 (1) of the Code, a decision by the SLADA 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 rule 26; a decision to impose a provisional suspension as a result of a provisional hearing, the SLADA's failure to comply with rules 28 to 30, a decision that the SLADA lacks

jurisdiction to rule on an alleged anti-doping rule violation or its consequences, a decision to suspend, or not suspend, a period of ineligibility or to reinstate, or not reinstate, a suspended period of ineligibility under rule 48 and 49, a decision under rule 64; and a decision by the SLADA not to recognize another Anti-Doping Organization's decision under rule 85, may be appealed exclusively as provided in rules 69 (5) to 74, 75, 76, 77, 78 and 79.

- (6) In cases arising from participation in an international event or in cases involving international-level athletes, any party as specified in rule 75 may appeal exclusively to CAS against such decision.

#### **Appeals Involving other Athletes or other Persons**

70. (1) In cases where rule 69 (6) is not applicable, the decision may be appealed exclusively to the CAS in accordance with the provisions applicable before such court.
- (2) In cases where rule 69 (6) is not applicable, the decision may be appealed to the National Anti-Doping Appeal Panel. Where this alternative is chosen, National Anti-Doping Organizations shall have the option of adopting rule 71 to 73 specified below:

Provided that, any National Anti-Doping Organization is free to establish the procedures of their national appellate body with the relevant provisions of the Code.

#### **Hearings before the National Anti-Doping Appeal Panel**

71. (1) The Minister shall appoint an Anti-Doping Appeal Panel (hereinafter referred to as the "Appeal Panel") which shall consist of Six members who have distinguished in the fields of law and sports medicine to hear appeals in respect of matters arising from the violation of Anti-Doping Rules.
- (2) Every member of the Appeal Panel shall unless a vacancy arises in his post by resignation, death or removal from office, hold office for .....years from the date of appointment. Any member whose term is due to end otherwise than by removal shall be eligible for reappointment. Such reappointment shall be for not more than one further term, whether consecutive or not.
- (3) Any member who is temporarily unable to discharge his duties and functions as a member of the Appeal Panel due to ill health, infirmity or being absent from Sri Lanka for not less than three months shall inform that to the Minister in writing. In such event the Minister shall having regard to the provisions of subsection (1), appoint another person to act in the place of such member.
- (4) Any member of the Appeal Panel may resign his office by letter addressed to the Minister and such resignation shall be effective from the date on which it is accepted by the Minister.
- (5) The Minister may after assigning reasons therefor, remove any member. Such removal shall be published in the *Gazette*.
- (6) Where any member dies, resigns or is removed from office, the Minister shall having regard to the provisions of subsection (1), appoint another suitable person in such member's place. The person so appointed shall hold office for the remainder of the term of office of the member whom he succeeds.
- (7) The Minister shall appoint one of the members of the Appeal Panel to be its Chairperson (hereinafter referred to as the "Chairperson").
- (8) The Chairperson may resign from office of Chairman by letter in that behalf addressed to the Minister and the resignation shall take effect from the date on which it is accepted by the Minister in writing.
- (9) The Minister may after assigning reasons therefor, remove the Chairperson from office of the Chairperson.

- (10) The Chairperson shall hold office of Chairperson during the term of his office as a member of the Appeal Panel.
- (11) Where the Chairperson by reason of ill health, infirmity or absence from Sri Lanka is temporarily unable to perform the duties of his office, the Minister shall having regard to the provisions of subsection (1), appoint another member of the Appeal Panel to act in his place.
- (12) Any member shall have had no prior involvement with any aspect of the case. In particular, no member may have previously considered any TUE application or appeal involving the same athlete as in the current case. Each member, upon appointment, shall disclose to the Chairperson any circumstances likely to affect the impartiality with respect to any of the parties.
- (13) If a member appointed by the Chairperson to hear a case is unwilling or unable, for whatever reason, to hear the case, the Chairperson may appoint another member or appoint a new hearing panel to hear such case.
- (14) The National Anti-Doping Appeal Panel shall have the power, at its absolute discretion, to appoint a expert to assist or advise the panel as required by the panel. Such person has the right to join proceedings and attend hearings of the National Anti-Doping Appeal Panel as a party.
- (15) The International Federation or the Sports Organization concerned, if not a party to the proceedings, the National Olympic Committee, if not a party to the proceedings, and the WADA each have the right to attend hearings of the National Anti-Doping Appeal Panel as an observer.
- (16) Hearings pursuant to this rule shall be completed expeditiously and in all cases within three months of the date of the decision of the Doping Hearing Panel, save where exceptional circumstances apply.
- (17) Hearings held in connection with Events may be conducted on an expedited basis.

#### **Proceedings of the National Anti-Doping Appeal Panel**

72. (1) Subject to the provisions of these Anti-Doping Rules, the National Anti-Doping Appeal Panel shall have the power to regulate its procedures.
- (2) The appellant shall present his case and the respondent party or parties shall present his case in reply.
- (3) A failure by any party or the representative of such party to attend a hearing after notification will be deemed to be an abandonment of the right of such party to a hearing. This right may be reinstated on reasonable grounds.
- (4) Each party shall have the right to be represented at a hearing, at the expense of such party.
- (5) Every party shall have the right to an interpreter at the hearing, if deemed necessary by the hearing panel. The hearing panel shall determine the identity and responsibility for the cost of any interpreter.
- (6) Each party to the proceedings has the right to present evidence, including the right to call and question witnesses subject to the discretion of the National Anti-Doping Hearing Panel to accept testimony by telephone or any other means.
- (7) Any failure by any party to comply with any requirement or direction of the National Anti-Doping Appeal Panel shall not prevent the National Anti-Doping Appeal Panel from proceeding and such failure may be taken into consideration by the National Anti-Doping Appeal Panel when making its decision.

### **Decisions of the National Anti-Doping Appeal Panel**

73. (1) At the end of the hearing, or on a timely basis thereafter, the National Anti-Doping Appeal Panel shall issue a written, dated and signed decision that includes the full reasons for the decision and for any period of ineligibility imposed, including a justification where applicable for why the maximum potential sanction was not imposed.
- (2) The decision shall be provided by the SLADA to the athlete or other person, to his Sports Organization, and to Anti-Doping Organizations with a right to appeal under rule 75.
- (3) The decision may be appealed as provided in rule 75. If no appeal is brought against the decision, then -
- (a) If the decision is that an anti-doping rule violation was committed, the decision shall be publicly disclosed as provided for in rule 82 (2); but
- (b) If the decision is that no anti-doping rule violation was committed, then the decision shall only be publicly disclosed with the consent of the athlete or other person who is the subject of the decision. The SLADA 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 athlete or other person may approve.

### **Persons Entitled to Appeal**

74. (1) In cases under rule 69 (6), the following parties shall have the right to appeal to the CAS:-
- (a) The athlete or other person who is the subject of the decision being appealed;
- (b) The other party to the case in which the decision was rendered;
- (c) The relevant International Federation;
- (d) The SLADA and the National Anti-Doping Organization of the person's country of residence or countries where the person is a national or license holder;
- (e) 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
- (f) The WADA.
- (2) In cases under rule 70, the following parties, at a minimum, shall have the right to appeal:-
- (a) The athlete or other person who is the subject of the decision being appealed;
- (b) The other party to the case in which the decision was rendered;
- (c) The relevant International Federation;
- (d) The SLADA and the National Anti-Doping Organization of the person's country of residence;
- (e) 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
- (f) The WADA.

- (3) Notwithstanding any other provision herein, the only person who may appeal from a provisional suspension is the athlete or other person upon whom the provisional suspension is imposed.
- (4) Any cross appeals and other subsequent appeals by any respondent named in cases brought to the CAS under the Code are specifically permitted. Any party with a right to appeal under this rule must file a cross appeal or subsequent appeal at the latest with the party's answer.

#### **Failure to Render a Timely Decision**

75. Where, in a particular case, the SLADA fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by the WADA, such it may elect to appeal directly to the CAS as if the SLADA 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 the WADA acted reasonably in electing to appeal directly to the CAS, then the WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to the WADA by the SLADA.

#### **Appeals Relating to TUEs**

76. The TUE decisions may be appealed exclusively as provided for in rule 16 to 18.

#### **Notification of Appeal Decisions**

77. Any Anti-Doping Organization that is a party to an appeal shall promptly provide the decision of the appeal to the athlete or other person and to the other Anti-Doping Organizations that would have been entitled to appeal under rule 75 as provided for in Article 14.2.

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

78. Decisions by the SLADA pursuant to rule 68 may be appealed exclusively to the CAS by the Sports Organization.

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

79. (1) The time to file an appeal to the CAS shall be twenty-one days from the date of receipt of the decision by the party appealing against any decision:

Provided that, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings that led to the decision being appealed:-

- (a) Within fifteen days from the notice of the decision, such party shall have the right to request a copy of the case file from the body that issued the decision.
- (b) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one days from receipt of the file to file an appeal to the CAS:

Provided further, the filing deadline for an appeal filed by the WADA shall be the later of -

- (a) Twenty-one days after the last day on which any other party in the case could have appealed; or
  - (b) Twenty-one days after WADA's receipt of the complete file relating to the decision.
- (2) The time to file an appeal to the National Anti-Doping Appeal Panel shall be twenty-one days from the date of receipt of the decision by the party appealing against such decision. However, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the decision subject to appeal:-

- (a) Within fifteen days from the notice of the decision, such party shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- (b) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one days from the receipt of the file to file an appeal to the National Anti-Doping Appeal Panel.

Provided that, the filing deadline for an appeal or intervention filed by the WADA shall be the later of-

- (a) Twenty-one days after the last day on which any other party in the case could have appealed, or
- (b) Twenty-one days after the WADA's receipt of the complete file relating to the decision.

### **Confidentiality and Reporting**

80. (1) Notice to athletes or other persons that an anti-doping rule violation is being asserted against such athlete or person shall occur as provided for in rules 22 and 23 of these Anti-Doping Rules. Notice to an athlete or other person who is a member of a Sports Organization may be accomplished by delivery of the notice to the Sports Organization.
- (2) Notice of the assertion of an anti-doping rule violation to International Federations and the WADA shall occur as provided under rules 22 and 23 of these Anti-Doping Rules, simultaneously with the notice to the athlete or other person.
- (3) Notification of an anti-doping rule violation under rule 3 (a) and (b) shall include the name, country, sport and discipline of the athlete within the sport, the athlete's competitive level, whether the test was in-competition or out-of-competition, the date of sample collection, the analytical result reported by the laboratory, and other information as required by the International Standard for Testing and Investigations.
- (4) Except with respect to investigations which have not resulted in notice of an anti-doping rule violation pursuant to rule 80 (1), International Federations and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to rules 22 to 33, 34 to 38 or rule 69 to 79 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.
- (5) The recipient organizations shall not disclose this information to any other person excepting those Persons with a need to know until the SLADA has made public disclosure or has failed to make public disclosure as required in rule 82.
- (6) The SLADA shall ensure that information concerning Adverse Analytical Findings, Atypical Findings, and other asserted anti-doping rule violations remains confidential until such information is publicly disclosed in accordance with rule 82, and shall include provisions in any contract entered into between the SLADA and any of its employees, contractors, agents and consultants, for the protection of such confidential information as well as for the investigation and disciplining of improper or unauthorised disclosure of such confidential information.

### **Notice of Anti-Doping Rule Violation Decisions and Request for Files**

81. (1) Any Anti-doping rule violation decision made pursuant to rules 32 and 36 to 39, rules 46, 47, 48 to 52, 64 shall include all the reasons for the decision, including, if applicable, a justification for why the greatest possible consequences were not imposed. Where the decision is not in English or French, any National Anti-Doping Organization shall provide a short English or French summary of the decision and the supporting reasons.
- (2) An Anti-Doping Organization having a right to appeal a decision received pursuant to rule 81 (1) may, within fifteen days of receipt, request a copy of the full case file pertaining to the decision.

### **Public Disclosure**

82. (1) The identity of any athlete or other person who is asserted by the SLADA to have committed an anti-doping rule violation, may be publicly disclosed by the SLADA only after notice has been provided to the athlete or other person in accordance with rules 23 (1) to (4), 23 (5) to (9), 24, 25 or 26 and simultaneously to the WADA and the International Federation of the athlete or other person in accordance with rule 80 (2).
- (2) No later than twenty days after it has been determined in a final appellate decision under rule 69 (6) or rule 70, or such appeal has been waived, or a hearing in accordance with rule 34 to 38 has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, the SLADA shall publicly report the disposition of the matter, including the sport, the anti-doping rule violated, the name of the athlete or other person committing the violation, the prohibited substance or prohibited method involved if any and the consequences imposed. The SLADA shall also publicly report within twenty days, the results of any final appeal decisions concerning anti-doping rule violations, including the information described above.
- (3) In any case where it is determined, after a hearing or appeal, that the athlete or other person did not commit an anti-doping rule violation, the decision may be publicly disclosed only with the consent of the athlete or other person who is the subject of the decision. The SLADA shall use reasonable efforts to obtain such consent. If consent is obtained, the SLADA shall publicly disclose the decision in its entirety or in such redacted form as the athlete or other person may approve.
- (4) Publication shall be accomplished at a minimum by placing the required information on the SLADA's website or publishing it through other means and leaving the information up for the longer of one month or the duration of any period of ineligibility.
- (5) Neither the SLADA, nor the Sports Organizations, nor any official of either body, shall publicly comment on the specific facts of any pending case except in response to public comments attributed to the athlete or other person against whom an anti-doping rule violation is asserted, or their representatives.
- (6) The mandatory public reporting required in rule 82 shall not be required where the athlete or other person who has been found to have committed an anti-doping rule violation is a minor. Any optional public reporting in a case involving a minor shall be proportionate to the facts and circumstances of the case.
- (7) The SLADA shall publish at least annually a general statistical report of its doping control activities, with a copy provided to the WADA. The SLADA may also publish reports showing the name of each athlete tested and the date of each testing.

### **Doping Control information Clearinghouse**

83. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in testing by the various Anti-Doping Organizations, the SLADA shall report all in-competition and out-of-competition tests on such athletes to the WADA clearinghouse, using the ADAMS, as soon as possible after such tests have been conducted. This information will be made accessible, where appropriate and in accordance with the applicable rules, to the athlete, the athlete's International Federation and any other Anti-Doping Organizations with testing authority over the athlete.

### **Data Privacy**

84. (1) The SLADA may collect, store, process or disclose personal information relating to athletes and other persons where necessary and appropriate to conduct their anti-doping activities under the Code, the international standards including specifically the international standard for the Protection of Privacy and Personal Information and these Anti-Doping Rules.

- (2) Any participant who submits information including personal data to any person in accordance with these Anti-Doping Rules shall be deemed to have agreed, pursuant to applicable data protection laws and otherwise, that such information may be collected, processed, disclosed and used by such person for the purposes of the implementation of these Anti-Doping Rules, in accordance with the international standard for the Protection of Privacy and Personal Information and otherwise as required to implement these Anti-Doping Rules.

#### **Application and Recognition of Decisions**

85. (1) Subject to the right to appeal provided for in rule 69 to 79, testing, hearing results or other final adjudications of any signatory which are consistent with the Code and are within the authority of such signatory shall be applicable worldwide and shall be recognized and respected by the SLADA and all Sports Organizations.
- (2) The SLADA and all Sports Organizations shall recognize the measures taken by other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.
- (3) Subject to the right to appeal provided for in rule 69 to 79, any decision of the SLADA regarding a violation of these Anti-Doping Rules shall be recognized by all Sports Organizations, which shall take all necessary action to render such decision effective.

#### **Incorporation of Anti-Doping Rules of the SLADA and Obligations of Sports Organizations**

86. (1) All Sports Organizations and their members shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into the rules of each Sports Organization so that the SLADA may enforce them itself directly as against athletes and other persons under the jurisdiction of the Sports Organization.
- (2) Every Sports Organization shall establish rules requiring all athletes and each athlete support personnel who participates as coach, trainer, manager, team staff, official, medical or paramedical personnel in a competition or activity authorized or organized by a Sports Organization or one of its member organizations to agree to be bound by these Anti-Doping Rules and to submit the results management authority of the Anti-Doping Organization responsible under the Code as a condition of such participation.
- (3) All Sports Organizations shall report any information suggesting or relating to an anti-doping rule violation to the SLADA and to their International Federation and shall cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct such investigation.
- (4) All Sports Organizations shall have disciplinary rules in place to prevent athlete support personnel who are using prohibited substances or prohibited methods without valid justification from providing support to athletes under the jurisdiction of the SLADA or the Sports Organization.
- (5) All Sports Organization shall be required to conduct anti-doping education in coordination with the SLADA.

#### **Statute of Limitations**

87. No anti-doping rule violation proceeding may be commenced against an athlete or other person unless such athlete or other person has been notified of the anti-doping rule violation as provided for in rule 22 to 33, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

#### **The SLADA Compliance Reports to WADA**

88. The SLADA will report to WADA on its compliance with the Code in accordance with Article 23.5.2 of the Code.

### **Education**

89. The SLADA shall plan, implement, evaluate and monitor information, education and prevention programs for doping-free sport on at least the issues listed at Article 18.2 of the Code, and shall support active participation by athletes and athlete support personnel in such programs.

### **Amendment and Interpretation of Anti-Doping Rules**

90. (1) These Anti-Doping Rules may be amended, from time to time, by the SLADA.
- (2) These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- (3) The Code and the International Standards shall be considered integral parts of these Anti-Doping Rules and shall prevail in case of conflict.

### **Additional Roles and Responsibilities of Athletes and Other Persons**

91. It shall be the responsibility of every athlete -
- (a) To be knowledgeable of and comply with these Anti-Doping Rules;
  - (b) To be available for sample collection at all times;
  - (c) In the context of anti-doping, for what they ingest and use;
  - (d) To inform medical personnel of their obligation not to use prohibited substances and prohibited methods and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules;
  - (e) To disclose to their International Federation and to the SLADA any decision by a non-signatory finding that the Athlete committed an anti-doping rule violation within the previous ten years;
  - (f) To cooperate with any Anti-Doping Organization investigating any anti-doping rule violations.
92. It shall be the responsibility of every athlete Support Personnel -
- (a) To be knowledgeable of and comply with these Anti - Doping Rules;
  - (b) To cooperate with the Athlete Testing program;
  - (c) To use his influence on Athlete values and behaviour to foster anti-doping attitudes;
  - (d) To disclose to his International Federation and to the relevant National Anti-Doping Organization any decision by a non-signatory finding that he committed an anti-doping rule violation within the previous ten years.
  - (e) To cooperate with any Anti-Doping Organization investigating an anti-doping rule violation;
  - (f) Abstain from using or possessing any Prohibited Substance or Prohibited Method without valid justification.
93. These Anti-Doping Rules have come into full force and effect on 1st January, 2015 (the “effective date”). They shall not apply retroactively to matters pending before the Effective Date; provided, however, that -

- (a) Any Anti-doping rule violation taking place prior to the effective date count as “first violations” or “second violations” for the purpose of determining any sanction under rule 41 to 65 for violations taking place after the effective date.
- (b) The retrospective periods in which prior violations can be considered for purposes of multiple violations under rule 54 and the statute of limitations set forth in rule 87 which are procedural rules shall be applied retroactively;

Provided that, rule 87 shall only be applicable retroactively if the statute of limitation period has not already expired by the effective date. Otherwise, with respect to any case relating to anti-doping rule violation which is pending as of the effective date and any such case brought after the effective date based on an anti-doping rule violation which occurred prior to the effective date, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation has occurred, unless the panel hearing such case determines the principle of “*lex mitior*” appropriately applies under the circumstances of the case.

94. (1) With respect to cases where a final decision of an anti-doping rule violation has been rendered prior to the effective date, but the athlete or other person is still serving the period of ineligibility as of the effective date, the athlete or other person may apply to the relevant Anti-Doping Organization which had results management responsibility for the anti-doping rule violation to consider a reduction in the period of ineligibility in light of these Anti-Doping Rules.
- (2) Such application shall be made before the period of Ineligibility has expired. The decision rendered may be appealed pursuant to rule 69 (5) to 74. Provided that, these Anti-Doping Rules shall have no application to any case where a final decision of an anti-doping rule violation has been rendered and the period of ineligibility has expired.
- (3) For the purpose of calculating the period of ineligibility for a second violation under rule 53, where the sanction for the first violation was determined based on rules in force prior to the effective date, the period of ineligibility which would have been calculated for that first violation had these Anti-Doping Rules been applicable, shall be applied.

#### **Interpretation:-**

95. For the purpose of these rules -

“Anti-Doping Administration and Management System (ADAMS)” means 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” means a report from a WADA-accredited laboratory or other WADA-approved laboratory consistent with the International Standard for Laboratories and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers, including elevated quantities of endogenous substances or evidence of the Use of any Prohibited Method;

“Adverse Passport Finding” means a report identified as an Adverse Passport Finding as described in the applicable International Standards;

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

“Athlete” has the same meaning as assigned to it in the Convention Against Doping in Sports Act, No. 33 of 2013;

“Athlete Biological Passport” means the program and methods of gathering and collating data as described in the International Standard for Testing and Investigations and International Standard for Laboratories;

“Athlete Support Personnel” means any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other person working with, treating or assisting an Athlete participating in or preparing for sports competition;

“Atypical Finding” means a report from a WADA-accredited laboratory or other WADA-approved laboratory 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;

“Atypical Passport Finding” means a report described as an Atypical Passport Finding as described in the applicable International Standards;

“Code” has the same meaning as assigned to it in the Convention Against Doping in Sports Act, No. 33 of 2013;

“Competition” has the same meaning as assigned to it in the Convention Against Doping in Sports Act, No. 33 of 2013;

“Contaminated Product” means a report that contains a Prohibited Substance that is not disclosed on the product label or in information available in a reasonable Internet search;

“Court of Arbitration for Sports (CAS)” has the same meaning as assigned to it in the Convention Against Anti-Doping in Sports Act, No. 33 of 2013;

“Event” means a series of individual Competitions conducted together under one ruling body including the Olympic Games, FINA World Championships, or Pan American Games;

“Event Venues” means the venues so designated by the ruling body for the any Event;

“In-competition testing” has the same meaning as assigned to it in the Convention Against Anti-Doping in Sports Act, No. 33 of 2013;

“International Event” means an Event or Competition where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major Event Organization, or another international sport organization is the ruling body for the Event or appoints the technical officials for the Event;

“Metabolite” means any substance produced by a biotransformation process;

“National Anti-Doping Organization” means any entity designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of samples, the management of tests results and the conduct of hearings at the national level. If this designation has not been made by any competent public authority, the entity shall be the country’s National Olympic Committee or its designee;

“National Event” a Sport Event or Competition involving International or National-Level Athletes that is not an International Event;

“National level athlete” means,

(a) An athlete who participates in any sport of a national level competition organized by the respective Sports Organization or the Department of Sports Development, Ministry of Sports;

(b) An athlete who competes at the highest level of national competition in any sport;

(c) An athlete who competes at the national level or in international events as an international level athlete by the International Federation;

Provided that, where any athlete is classified by his respective International Federation as an International Level Athlete such athlete shall be considered an International - Level Athlete and not a National-Level Athlete for the purposes of these Anti-Doping Rules;

“Out-of-Competition” any period which is not In-Competition;

“Prohibited List” means the List of substances as published by the World Anti - Doping Agency;

“Prohibited Method” means any method so described on the Prohibited List;

“Prohibited Substance” means any substance, or class of substances, so described on the Prohibited List;

“Sample” any biological material collected for the purposes of controlling doping;

“Sri Lanka Anti - Doping Agency (SLADA)” means the Sri Lanka Anti - Doping Agency established by the Convention Against Doping in Sports Act, No. 33 of 2013;

“Testing” has the same meaning as assigned to it in the Convention Against Anti - Doping in Sports Act, No. 33 of 2013;

“Therapeutic Use Exemption (TUE)” has the same meaning as assigned to it in the Convention Against Anti - Doping in Sports Act, No. 33 of 2013;

“Use” has the sme meaning as assigned to it in the Convention Against Anti - Doping in Sports Act, No. 33 of 2013;

“World Anti - Doping Agency (WADA)” has the same meaning as assigned to it in the Convention Against Anti - Doping in Sports Act, No. 33 of 2013;