



British Gymnastics

# Anti-Doping Policy and Rules

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## ABBREVIATIONS

BCO:	Blood Collection Official
CAS:	The Court of Arbitration for Sport
CRMG:	Case Referral Management Group
DCO:	Doping Control Officer
FIG:	Fédération Internationale de Gymnastique
TUE:	<i>Therapeutic Use Exemption</i>
TUEC:	<i>Therapeutic Use Exemption Committee</i>
WADA:	The World Anti-Doping Agency

### **Note:**

All words in italics are official terms and are defined in Appendix I (Definitions).

## **Article 1. INTRODUCTION**

### **1.1. Preface**

1.1.1. The British Amateur Gymnastics Association (BAGA) has within its jurisdiction: the British Schools Gymnastics Association (BSGA); English Gymnastics; the Northern Ireland Amateur Gymnastics Association (NIAGA); Scottish Gymnastics; Welsh Gymnastics Limited; and the ten English Regional Gymnastics Associations. BAGA is a member of and is subject to the jurisdiction of the Fédération Internationale de Gymnastique (FIG).

1.1.2. BAGA operates under the name of 'British Gymnastics'.

1.1.3. British Gymnastics shall, within its jurisdiction, be the body responsible for regulating, maintaining and enforcing this Anti-Doping Policy and Rules in all the disciplines of the sport of gymnastics (including Acrobatic Gymnastics, Aerobic Gymnastics, General Gymnastics, General Movement for People with Disabilities (GMPD), Men's Artistic Gymnastics, Rhythmic Gymnastics, Trampoline Gymnastics, Tumbling Gymnastics and Women's Artistic Gymnastics).

### **1.2. Governing Body Requirements**

1.2.1. British Gymnastics has an obligation to provide an anti-doping policy and set of rules in accordance with the anti-doping policy and rules of both UK Sport and the FIG.

1.2.2. In order to receive Sports Council recognition and funding, British Gymnastics must adhere to the UK Sport National Anti-Doping Policy and Rules. As a result of compliance, British Gymnastics shall have access to the support detailed in the UK Sport Anti-Doping Programme.

### **1.3. Fundamental Rationale for the British Gymnastics Anti-Doping Policy and Rules**

1.3.1. British Gymnastics considers the practice of doping to be contrary to the ethics and the values of the sport of gymnastics, and of sport in general. Doping in gymnastics is cheating and undermines the pursuance of true excellence in the sport.

1.3.2. This Policy is intended to ensure that the standards and principles of both the FIG and UK Sport Anti-Doping Policy and Rules are upheld within the context of the sport of gymnastics in the UK.

1.3.3. This Policy is also intended to protect the welfare and health of all individuals involved in the sport.

## **1.4. Scope and Jurisdiction**

1.4.1. This British Gymnastics Anti-Doping Policy and Rules shall apply to all members of British Gymnastics or affiliate organisations and all *persons* participating in any capacity in *events, competitions* and other activities organised, held, convened or authorised by British Gymnastics, wherever held.

1.4.2. This Policy shall incorporate the FIG Anti-Doping Rules and shall directly apply to all *gymnasts, coaches, gymnast support personnel* and other individuals under the jurisdiction of British Gymnastics. Any modifications or amendments to the FIG Rules shall automatically and directly apply to this British Gymnastics Anti-Doping Policy and Rules without any further action by British Gymnastics.

1.4.3. British Gymnastics shall endorse that all gymnasts competing in any event held under the jurisdiction of FIG, shall abide by the FIG Anti-Doping Rules.

1.4.4. British Gymnastics supports the principles contained within the UK Sport National Anti-Doping Policy and Rules, but shall be governed by this Policy and by the FIG Anti-Doping Rules in all anti-doping matters.

1.4.5. In the event of a conflict or inconsistency between these Rules and the FIG Anti-doping Rules, the FIG Anti-Doping Rules shall prevail.

1.4.6. All members of British Gymnastics, as a consequence of their membership and of their participation in any British Gymnastics programme, *event, competition* or other activity organised or sanctioned by British Gymnastics, shall be bound by and comply with this Anti-Doping Policy and Rules at all times.

1.4.7. This British Gymnastics Anti-Doping Policy and Rules shall come into full force and effect on the **1<sup>st</sup> February 2005** and shall not apply to any matters arising before that date.

## **1.5. Interpretation of the British Gymnastics Anti-Doping Policy and Rules**

1.5.1. This British Gymnastics Anti-Doping Policy and Rules has been adopted in accordance with the mandatory provisions of the World Anti-Doping *Code* (the '*Code*') and shall be interpreted in a manner consistent with those provisions.

1.5.2. The Introduction and Appendix I (Definitions) shall form an integral part of this Policy.

1.5.3. The section headings used in this Policy and Rules shall not be considered part of the substance of this Policy and Rules and shall not have

any effect on the language or interpretation of the sections to which they apply.

1.5.4. This British Gymnastics Anti-Doping Policy and Rules shall be governed by and construed in accordance with the Laws of England and Wales.

## **1.6. Amendment and Review of the British Gymnastics Anti-Doping Policy and Rules**

1.6.1. Unless otherwise stated, all amendments to this Policy shall come into effect three months after approval by the British Gymnastics Policy Board, and shall be immediately binding upon all *persons* to whom this Policy and Rules applies, save that revisions by the World Anti-Doping Agency (WADA) to the *Prohibited List* and to any *international standard* shall come into effect immediately.

1.6.2. UK Sport and the FIG shall be notified of any amendments to this Policy and Rules. All amendments shall be published on, and publicised via, the British Gymnastics website (see Appendix V).

## **1.7. Roles and Responsibilities of Gymnasts**

1.7.1. To be knowledgeable of, and comply with, this British Gymnastics Anti-Doping Policy and Rules.

1.7.2. To submit to the authority of British Gymnastics and any designee of British Gymnastics, including UK Sport, to apply, police and enforce this Policy and Rules.

1.7.3. To be available for and submit to *sample collection* both *in-competition* and *out-of-competition* when required.

1.7.4. To take responsibility, in the context of anti-doping, for any substance or method that they ingest or *use*.

1.7.5. To inform medical personnel of their obligation not to *use prohibited substances* or *prohibited methods* and to take responsibility to make sure that any medical treatment received does not infringe this Policy and Rules.

## **1.8. Roles and Responsibilities of Gymnast Support Personnel**

1.8.1. To be knowledgeable of, and comply with, this British Gymnastics Anti-Doping Policy and Rules.



1.8.2. To submit to the authority of British Gymnastics and any designee of British Gymnastics, including UK Sport, to apply, police and enforce this Policy and Rules.

1.8.3. To use their influence on *gymnasts'* values and behaviour to foster anti-doping attitudes.

## **1.9. Notices**

1.9.1. All notices and other communications made in accordance with this British Gymnastics Anti-Doping Policy and Rules shall be governed by the provisions of this Article, Article 1.9.

1.9.2. Written notices or other written communications required under this Policy and Rules should be sent by first class registered post and shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

1.9.3. In the case of notices sent to British Gymnastics, these should be made for the attention of the British Gymnastics Chief Executive Officer and should be sent to British Gymnastics at the address listed in Appendix V (Resources).

1.9.4. In the case of notices sent to a *person*, these shall be sent to the last known home address notified to British Gymnastics.

1.9.5. British Gymnastics may at its discretion, as an alternative to, or in conjunction with, notice by post, use any other method of communication available including but not limited to, facsimile, email, and telephone.



## **Article 2. DEFINITION OF DOPING**

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 4 of this policy.

### **Article 3. THE *PROHIBITED LIST***

#### **3.1. Incorporation of the *Prohibited List***

3.1.1. The British Gymnastics Anti-Doping Policy and Rules adopt and incorporate the *Prohibited List* and the WADA *international standard* for the *Prohibited List*, as amended from time to time.

#### **3.2. Publication and Revision of the *Prohibited List***

3.2.1. WADA shall, as often as necessary and no less often than annually, publish the *Prohibited List* as an *International Standard*. The List will be published on the WADA website (see Appendix V).

The *Prohibited List* and revisions to the *Prohibited List* shall come into effect under this Policy and Rules three months after publication of the revision by WADA, without requiring any further action by British Gymnastics.

#### **3.3. *Prohibited Substances* and *Prohibited Methods* Identified on the *Prohibited List***

3.3.1. The FIG may request that WADA expand the *Prohibited List* for one or more of its disciplines. The FIG may also request that WADA include additional substances or methods, having the potential for abuse in one or more of its disciplines, in the monitoring programme described in Article 4.5 of the *Code*.

3.3.2. The decision by WADA to include, or not to include, a substance or method on the *Prohibited List* shall be final and shall not be subject to challenge by a *gymnast* or other *person*.

## **Article 4. ANTI-DOPING RULE VIOLATIONS**

The following constitute anti-doping rule violations:

### **4.1. The presence of a *prohibited substance* or its *metabolites* or *markers* in a *gymnast's* bodily specimen.**

4.1.1. It is each *gymnast's* personal duty to ensure that no Prohibited Substance enters his or her body. *Gymnasts* are responsible for any *prohibited substance* or its *metabolites* or *markers* found to be present in their bodily specimens. Accordingly, it is not necessary that intent, fault, negligence or knowing use on the *gymnast's* part be demonstrated in order to establish an anti-doping rule violation.

4.1.2. Excepting those substances for which a quantitative reporting threshold is specifically identified in the *Prohibited List*, the detected presence of any quantity of a *prohibited substance* or its *metabolites* or *markers* in a *gymnast's* sample shall constitute an anti-doping rule violation.

4.1.3. As an exception to the general rule of Article 4.1, the *Prohibited List* may establish special criteria for the evaluation of *prohibited substances* that can also be produced endogenously.

### **4.2. The use or attempted use of a *prohibited substance* or a *prohibited method*.**

4.2.1. The success or failure of the use of a *prohibited substance* or *prohibited method* is not material. It is sufficient that the *prohibited substance* or *prohibited method* was used or attempted to be used for an anti-doping rule violation to be committed.

### **4.3. Refusing, or failing without compelling justification, to submit to *sample collection* after notification as authorised in this policy or otherwise evading *sample collection*.**

**4.4. Violation of applicable requirements regarding *gymnast* availability for *out-of-competition testing* including failure to provide required *whereabouts information* and missed tests which are declared based on this Policy and Rules.**

### **4.5. *Tampering*, or attempting to tamper, with any part of *doping control*.**

#### **4.6. Possession of *prohibited substances and methods*.**

4.6.1. *Possession* by a *gymnast* at any time or place of a substance that is *prohibited* in *out-of-competition testing* or a *prohibited method* unless the *gymnast* establishes that the *possession* is pursuant to a *Therapeutic Use Exemption* granted in accordance with Article 6 or other acceptable justification.

4.6.2. *Possession* of a substance that is *prohibited* in *out-of-competition testing* or a *prohibited method* by *gymnast support personnel* in connection with a *gymnast, competition* or training, unless the *gymnast support personnel* establishes that the *possession* is pursuant to a *Therapeutic Use Exemption* granted to a *gymnast* in accordance with Article 6 or other acceptable justification.

#### **4.7. Trafficking in any *prohibited substance or prohibited method*.**

**4.8. Administration or *attempted* administration of a *prohibited substance or prohibited method* to any *gymnast*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *attempted* violation.**

## **Article 5. TESTING**

### **5.1. Authority to Test**

5.1.1. All *gymnasts* who are members of British Gymnastics may be subject to *in-competition* and *out-of-competition testing*, with or without advance notice, by the International Olympic Committee (IOC) during the Olympic Games, the International Paralympic Committee (IPC) during the Paralympic Games, WADA, the FIG, UK Sport, British Gymnastics, or the competent authority of all other Games or *international events* in which they participate under British Gymnastics.

5.1.2. *Testing* shall be carried out only by those *persons* authorised to do so by UK Sport, the FIG or another organisation made responsible for *testing*.

### **5.2. The Testing Programme**

5.2.1. British Gymnastics shall complete and return to UK Sport on an annual basis; all relevant forms regarding registration onto the anti-doping programme and details of the annual *event, competition* and training programme. Changes to the programme shall be notified to UK Sport.

5.2.2. British Gymnastics shall agree with UK Sport, prior to the start of the *testing* year (April to March), targets for the number of annual *tests* to be carried out. These targets shall specify the minimum number of *tests* and categories of *gymnasts* to be *tested*, and the types of *testing* to be included (e.g. UK *international* and *national events, out-of-competition testing* of squads and/or individuals). The agreed programme shall also include information sessions, education programmes and results management. Monitoring of compliance with these targets shall take place on a quarterly and annual basis.

5.2.3. As a guideline, British Gymnastics shall recommend that, at each *event, competition* or other activity included in the UK Sport *testing* programme, the number of *gymnasts* to be *tested* is 4 or 10% of the *gymnasts* eligible to be *tested*, whichever is the greater number.

### **5.3. Testing at National Events**

5.3.1. At *national events*, the collection of *doping control samples* shall be initiated and directed by UK Sport in coordination with British Gymnastics.

5.3.2. All British Gymnastics *events* in the UK shall be open to *testing*.

#### **5.4. Selection of *Gymnasts* for *Testing* by UK Sport**

5.4.1. In accordance with the number of *tests* agreed with British Gymnastics for each *event* or other activity, UK Sport shall select *gymnasts* for *sample collection* using *target testing*, weighted and random selection methods.

5.4.2. Any draw shall be conducted in the presence of, at a minimum, a Doping Control Officer (DCO) and a representative of British Gymnastics.

5.4.3. All *persons* involved in the selection of *gymnasts* for *sample collection* must not disclose the identity of *gymnasts* who have been selected for *sample collection* before the *gymnast* has been notified by a DCO.

5.4.4. UK Sport may select any *gymnast* under their authority for *sample collection* who is not included in the National and Domestic *Registered Testing Pools* defined in Article 5.7.

5.4.5. *Testing* may be undertaken during each day of an *event* and a *gymnast* may be selected for *testing* on more than one occasion during an *event*.

5.4.6. British Gymnastics reserve the right to request that UK Sport *target test* any *gymnast* on their behalf.

#### **5.5. *Testing* at *International Events***

5.5.1. At *international events*, the collection of *doping control samples* shall be initiated and directed by the organiser of the *event*. If the organiser of the *event* decides not to conduct any *testing* at an *international event* taking place in the UK, then by agreement with the FIG or WADA, UK Sport may initiate and conduct such *testing*.

5.5.2. Tests may be carried out on British *gymnasts* who are training or competing outside of the United Kingdom. The selection of *international events* for *testing* shall be carried out in accordance with the FIG Anti-Doping Rules.

5.5.3. In cases where an FIG *event* is attributed to British Gymnastics, it shall be the responsibility of British Gymnastics to ensure that UK Sport applies the FIG Anti-Doping Rules.

5.5.4. British Gymnastics shall provide WADA independent observers with access to the *testing* zones of all *events* held under the jurisdiction of British Gymnastics or of the FIG.

#### **5.6. Out-of-Competition testing**

5.6.1. *Out-of-competition testing* initiated by UK Sport may take place in conjunction with any activity under the jurisdiction of British Gymnastics. This

includes, but is not limited to, training camps, squad training sessions and squad testings. *Gymnasts* in the National Registered Testing Pool shall also be subject to *out-of-competition testing* at any other time and location provided in that individual's *whereabouts information*.

### **5.7. Eligibility of *Gymnasts* for *Testing* – The '*Registered Testing Pools*'**

5.7.1. A list of those *gymnasts* eligible for *testing* by UK Sport shall be maintained by British Gymnastics and made available to UK Sport as required.

5.7.2. All *gymnasts* meeting the criteria in Articles 5.7.3 (The National *Registered Testing Pool*) or 5.7.6 (The Domestic *Registered Testing Pool*) shall be included on this list, however British Gymnastics may also select any other *gymnast* for inclusion on this list if it is reasonably appropriate to do so in order to fulfil its obligations relating to drug-free sport.

5.7.3. *Gymnasts* included within the National *Registered Testing Pool* shall meet one or more of the following criteria:

- a) *Gymnasts* on the World Class Programmes, i.e. World Class Start, World Class Potential and World Class Performance.
- b) *Gymnasts* who are part of National Gymnastics Squads.
- c) *Gymnasts* in the FIG International *Registered Testing Pool*.
- d) *Gymnasts* in receipt of funding from the Sports Councils.
- e) *Gymnasts* representing Great Britain.
- f) Any *gymnast* found guilty of a doping offence within the last 8 years.
- g) *Gymnasts* on a reinstatement programme pursuant to Article 13.12.

5.7.4. The International *Registered Testing Pool* of *gymnasts* shall be determined by the FIG in accordance with the FIG Anti-Doping Rules. *Gymnasts* may be part of both the International and National *Registered Testing Pools*.

5.7.5. *Gymnasts* in the National *Registered Testing Pool* may be subject to *in-competition testing*, *out-of-competition Squad testing* and *out-of-competition testing* of Individuals. These *gymnasts* shall be required to submit *whereabouts information* in accordance with Article 5.11 and, where applicable, *Therapeutic Use Exemptions (TUEs)* in accordance with Article 6.

5.7.6. All *gymnasts* intending to enter a national level *competition* in the UK that is organised by a British Gymnastics Technical Committee in the following

year, who are not included in the National *Registered Testing Pool*, shall make up the '*Domestic Registered Testing Pool*'.

5.7.7. *Gymnasts* in the *Domestic Registered Testing Pool* may be subject to *in-competition testing* and *out-of-competition testing*. These *gymnasts* shall be required to submit *TUEs*, where applicable, in accordance with Article 6.

## **5.8. Testing of Minors**

5.8.1. *Testing* under this Anti-Doping Policy and Rules may only be conducted on a *minor* with the prior consent of a *person* with the legal responsibility for that *minor*.

5.8.2. Consent under Article 5.8.1 must be provided for any *minor* who is selected for the National *Registered Testing Pool* as a pre-condition of further participation in a *gymnastics event*. In addition, the rules of a particular *event* may require the provision of consent for all *gymnasts* under Article 5.8.1. as a pre-condition of participation in the *event*.

## **5.9. Testing Procedures**

5.9.1. *Testing* by any agency with the authority to *test* shall comply with the *International Standard for Testing*.

5.9.2. For *tests* carried out by UK Sport, *testing* procedures shall take place in accordance with the UK Sport *Testing Procedures*. Details of these *testing* protocols can be found in Appendix III.

5.9.3. Any changes to the UK Sport *testing* protocols shall apply to *gymnasts* who are members of British Gymnastics with immediate effect, and shall be published by British Gymnastics as soon as possible thereafter.

5.9.4. Wherever possible, *testing* shall be undertaken with *no advance notice*.

## **5.10. Retirement and Return to Competition**

5.10.1. A *gymnast* who has been identified for inclusion in the National *Registered Testing Pool* shall continue to be subject to the British Gymnastics Anti-Doping Policy and Rules, including the obligation to be available for *no advance notice out-of-competition testing*, unless and until the *gymnast* gives written notice to British Gymnastics that he or she has retired.

5.10.2. A *gymnast* who has given notice of retirement to British Gymnastics may not resume competing unless he or she makes him/herself available, by written notification of *whereabouts information* to British Gymnastics and UK Sport, for *no advance notice out-of-competition testing*.

### **5.11. Gymnast Whereabouts Information**

5.11.1. Every *gymnast* in the National *Registered Testing Pool* shall provide, at a minimum, quarterly reports to UK Sport regarding *whereabouts information*. These reports must specify on a daily basis the locations and times where the *gymnast* will be residing, training and competing. Reports shall be provided to UK Sport using an online system where possible. *Gymnasts* shall inform UK Sport of any changes to this information as necessary in order to keep records up to date.

5.11.2. British Gymnastics shall use its best efforts to assist the FIG and UK Sport in obtaining the requested *whereabouts information* as required.

5.11.3. Responsibility for providing accurate *whereabouts information* shall rest with each *gymnast*, or in the case of a *minor*, with the parent/guardian of that *gymnast*. Any *gymnast* in the National *Registered Testing Pool* who receives a written warning from British Gymnastics or UK Sport for failure to submit a required quarterly whereabouts report or any necessary update and yet fails to file such a report or update within seven (7) working days of receipt of the warning shall be deemed to have failed to comply with Article 5.11.1. It shall be an anti-doping violation for a *gymnast* to fail three separate times in any one eighteen (18) month period to comply with Article 5.11.1.

5.11.4. *Whereabouts information* shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting *testing*; and shall be destroyed after it is no longer relevant for these purposes.

### **5.12. Unavailability for Testing**

5.12.1. For each *out-of-competition test*, the DCO shall take all reasonable steps to find the selected *gymnast* in order to carry out *sample collection*. If the DCO cannot find the *gymnast*, the *test* shall be counted as a missed *test* and the *gymnast* shall be notified.

5.12.2. Where a *gymnast* has provided *whereabouts information* that is inaccurate and that leads to unavailability for an *out-of-competition test*, the *test* will be deemed a missed *test*.

5.12.3. Any *gymnast* in a *Registered Testing Pool* who is unavailable for *testing* (save for compelling justification) on three occasions during any period of eighteen consecutive months shall be considered to have committed an anti-doping rule violation pursuant to Article 4.4.

5.12.4. British Gymnastics shall send written notice to the *gymnast* in respect of each attempt which British Gymnastics proposes to count as a missed *test*, inviting the *gymnast* to provide a written explanation. The attempt will not be counted as a missed *test* if British Gymnastics considers that exceptional circumstances prevented the *gymnast* from updating his/her *whereabouts*



*information* to notify UK Sport that he/she would not be available at the location. Otherwise however, the attempt will be counted as a missed *test*.

## **Article 6. THERAPEUTIC USE EXEMPTION**

### **6.1. International Standard**

6.1.1. All requests for a *Therapeutic Use Exemption (TUE)* shall be evaluated in accordance with the *International Standard for Therapeutic Use Exemptions*.

### **6.2. Application for a Therapeutic Use Exemption**

6.2.1. *Gymnasts* in the National and Domestic *Registered Testing Pools* who wish to use a *prohibited substance* or *prohibited method* for a legitimate medical condition must first obtain a *TUE*.

6.2.2. The Standard *TUE* process should be used by *gymnasts* and their Physicians, except where the *Prohibited List* specifies that the Abbreviated *TUE* process should be used. The Abbreviated *TUE* process is quicker than the Standard *TUE* process and is for *prohibited substances* used to treat medical conditions frequently encountered in the athlete population (i.e. Beta-2 Agonists). Standard and Abbreviated *TUE* application forms can be downloaded from the British Gymnastics website (see Appendix V).

6.2.3. *Gymnasts* included in the British Gymnastics National and Domestic *Registered Testing Pools* and other *gymnasts*, prior to participating in any *national event*, must obtain acceptance for a *TUE* from UK Sport.

6.2.4. *Gymnasts* included in the FIG International *Registered Testing Pool* and other *gymnasts*, prior to participating in any *international event*, must obtain acceptance for a *TUE* from the FIG (regardless of whether the *gymnast* has previously been granted a *TUE* by UK Sport).

6.2.5. All *TUE* applications should be sent to British Gymnastics who will forward them to UK Sport and/or the FIG as appropriate.

### **6.3. Criteria for Granting a Therapeutic Use Exemption**

6.3.1. The decision by UK Sport to grant a *TUE* will be based on the application meeting all of the following criteria:

- a) The application is completed in full including signatures of the *gymnast*, prescribing Physician and, in the case of *minors*, the *gymnast's* parent(s) or guardian(s). All relevant medical information must be included in accordance with Appendix II (Criteria for Medical Information Required with *TUE* Applications).

- b) The *gymnast* would experience a significant impairment to health if the *prohibited substance* or *prohibited method* were to be withheld in the course of treating an acute or chronic medical condition.
- c) The therapeutic *use* of a *prohibited substance* or *prohibited method* would produce no additional enhancement to performance other than might be anticipated by a return to a normal state of health following the treatment of a legitimate medical condition. The *use* of any *prohibited substance* or *prohibited method* to increase “low-normal” levels of any endogenous hormone is not considered an acceptable Therapeutic intervention.
- d) There is no reasonable therapeutic alternative to the *use* of the otherwise *prohibited substance* or *prohibited method*.
- e) The necessity for the *use* of the otherwise *prohibited substance* or *prohibited method* cannot be a consequence, wholly or in part, of the *gymnast’s* prior non-therapeutic *use* of any substance or method included in the *Prohibited List*.

6.3.2. An application to UK Sport for an Abbreviated *TUE* will be deemed to have been granted on the date that UK Sport acknowledges receipt of the properly completed Abbreviated *TUE* application; provided that the Abbreviated *TUE* may be revoked at any time thereafter in accordance with UK Sport’s procedures relating to *TUEs*, if it is determined that the criteria for its grant have not been met.

6.3.3. Standard and Abbreviated *TUEs* will have a specified duration as decided on a case by case basis and may also be granted subject to conditions or restrictions. On expiry of the term of the *TUE*, a *gymnast* who wishes to continue to *use* the *Prohibited Substance* or *Prohibited Method* in question must again apply for a *TUE* in accordance with this Article, Article 6.

6.3.4. A *gymnast* may not assume that the application for a *TUE* will be granted. Any *use*, *possession* or presence of a *Prohibited Substance* or *Prohibited Method* before an application has been granted shall be entirely at the *gymnast’s* own risk.

#### **6.4. Retrospective Application for a *Therapeutic Use Exemption***

6.4.1. An application for a retrospective *TUE* will only be considered by UK Sport in cases where:

- a) Emergency treatment or treatment of an acute medical condition was necessary
- b) Due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit, or a *Therapeutic Use Exemption Committee (TUEC)* to consider, an application prior to *doping control*

- c) A *gymnast* not included in the National or Domestic *Registered Testing Pools* was selected for *sample collection*.

6.4.2. Except in case of emergency, *gymnasts* wishing to use a *prohibited substance* or *prohibited method* for which there is insufficient time for a *TUE* to be granted before an *event* (less than twenty-one (21) days), should obtain prior approval from the British Gymnastics Chief Medical Officer. A *TUE* application should also be submitted as early as possible.

6.4.3. The approval of an application for a *TUE* submitted in accordance with Articles 6.4.1 to 6.4.2 will not be automatic but shall be at the discretion of UK Sport.

## **6.5. Expiration or Cancellation of a *Therapeutic Use Exemption***

6.5.1. A *TUE* granted pursuant to this Policy and Rules:

- a) Shall expire in accordance with Article 6.3.3. at the end of any term for which the *TUE* was granted
- b) May be cancelled if the *gymnast* does not promptly comply with any of the requirements or conditions imposed by the FIG, UK Sport or the UK Sport *TUEC* as applicable
- c) May be withdrawn by the FIG or UK Sport as applicable if it is subsequently determined that the criteria for the granting of the *TUE* have not in fact been met

6.5.2. Expiration of a *TUE* pursuant to Article 6.3.3. shall take effect automatically at the end of the term for which the *TUE* was granted, without the need for any further notice or formality.

6.5.3. Cancellation or withdrawal of a *TUE* pursuant to Article 6.5.1. shall be notified by UK Sport to the *gymnast* and copied to British Gymnastics, the FIG and all other relevant *anti-doping organisations*. Such notice shall take effect upon receipt as specified in Article 1.9.2.

6.5.4. In the event of an expiration, cancellation or withdrawal of the *TUE* pursuant to Article 6.5.1., the *gymnast* shall not be subject to any *consequences* based on the use of the *prohibited substance* or *prohibited method* in question in accordance with the *TUE* at any time prior to the effective date of expiry, cancellation or withdrawal of the *TUE*. Consideration pursuant to Article 8.2. of any subsequent *adverse analytical finding* shall consider whether such finding is consistent with use of the *prohibited substance* or *prohibited method* prior to that date, in which event there is no case to answer.

## **6.6. Review of *Therapeutic Use Exemptions***

6.6.1. The WADA *Therapeutic Use Exemption* Committee (TUEC) may review the granting or denial of a *TUE* to any *gymnast* and shall have the power to reverse a decision made by the FIG or UK Sport. This review may take place on WADA's own initiative or at the request of a *gymnast* denied a *TUE* by the FIG or UK Sport. Until a decision is reversed, the original decision by the FIG or UK Sport shall stand.

## **Article 7. ANALYSIS OF SAMPLES**

*Doping control samples* shall be analysed in accordance with the following principles:

### **7.1. Use of Approved Laboratories**

7.1.1. *Doping control samples* collected by UK Sport shall be analysed only in WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other method approved by WADA) used for the *sample* analysis shall be determined exclusively by UK Sport.

### **7.2. Substances Subject to Detection**

7.2.1. *Doping control samples* shall be analysed to detect *prohibited substances* and *prohibited methods* identified on the *Prohibited List* and other substances as may be directed by the FIG or WADA pursuant to Article 4.5 (Monitoring Program) of the *Code*.

### **7.3. Research on Samples**

7.3.1. No *sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the *Prohibited List*, or as otherwise identified by WADA pursuant to Article 4.5 (Monitoring Program), without the *gymnast's* or Parent's/Guardian's written consent.

### **7.4. Standards for Sample Analysis and Reporting**

7.4.1. Laboratories shall analyse *doping control samples* and report results in conformity with the *International Standard* for Laboratory Analysis.

7.4.2. For the analysis of blood for *doping control*, there shall be no *B-sample*.

7.4.3. All *samples* provided for *doping controls* carried out on behalf of British Gymnastics shall remain the property of British Gymnastics.

## **Article 8. RESULTS MANAGEMENT**

### **8.1. Responsibility for Results Management**

8.1.1. Results management and the conduct of hearings for anti-doping rule violations involving a *gymnast* who is subject to this British Gymnastics Anti-Doping Policy and Rules, shall proceed in accordance with this Anti-Doping Policy and Rules.

8.1.2. Results management and the conduct of hearings for anti-doping rule violations arising from a *test* or discovery initiated by UK Sport involving a *gymnast* who is not subject to the British Gymnastics Anti-Doping Policy and Rules, shall proceed in accordance with the anti-doping policy and rules of the *gymnast's* national federation.

### **8.2. Initial Review Regarding *Adverse Analytical Findings***

8.2.1. Upon receipt of an *A-sample adverse analytical finding*, British Gymnastics shall promptly set up a review panel. This review panel shall be called the 'Anti-Doping Case Referral Management Group' (CRMG) and shall comprise of at least three members with appropriate and relevant medical, anti-doping or technical expertise.

8.2.2. The initial review shall be carried out in accordance with British Gymnastics Disciplinary Procedures (please refer to the British Gymnastics Members Handbook) except where this Article, Article 8, states otherwise.

8.2.3. The purpose of the CRMG shall be to carry out a review to determine whether:

a) A valid and applicable *Therapeutic Use Exemption (TUE)* has been granted

or,

b) There is any apparent departure from the *International Standards for Testing or Laboratory Analysis* that undermines the validity of the *adverse analytical finding*.

8.2.4. The anonymity of the *gymnast* shall be maintained throughout the review process wherever possible.

### **8.3. Notification After Initial Review**

8.3.1. If the initial review does not reveal a valid and applicable *Therapeutic Use Exemption* or a departure that undermines the validity of the *adverse analytical finding*, then it will be considered that there is a case to answer and

British Gymnastics will notify the *gymnast*, as soon as reasonably practicable, of:

- a) The *adverse analytical finding*
- b) The anti-doping rule that is asserted to have been violated, or in a case under Article 8.5, a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation
- c) The consequence(s) of the asserted anti-doping rule violation
- d) The *gymnast's* right, within seven (7) days of the date of notification, to request analysis of the *B-sample*, or, failing such request, that the *B-sample* may be deemed waived
- e) The right of the *gymnast* or the *gymnast's* representative to attend the *B-sample* opening and analysis if such analysis is requested
- f) The *gymnast's* right to request copies of the A and B *-sample* laboratory documentation package, which includes information as required by the *International Standard* for Laboratory Analysis
- g) The right of the *gymnast* to waive the hearing procedure, acknowledge the anti-doping rule violation, and accept the *consequences* of the violation without reduction.

8.3.2. If the CRMG establishes that a valid and applicable *TUE* exists, or that there was a departure from the *International Standards* that undermines the validity of the *adverse analytical finding*, it shall inform British Gymnastics. British Gymnastics shall inform the *gymnast*, as soon as reasonably practicable, that an *adverse analytical finding* was determined but that no further action is to be taken regarding the case.

8.3.3. Notification of the decision of the CRMG to the *gymnast* must take place within seven (7) days of the receipt of the *adverse analytical finding* by British Gymnastics.

#### **8.4. Procedures for analysis of the B-Sample (for urine samples only)**

8.4.1. If the *gymnast* wishes to request or to waive the analysis of the *B-sample*, they must do so by notifying the British Gymnastics Chief Executive Officer, in writing, within seven (7) days of notification of the *A-sample* result. Failing such a request it shall be deemed that the *gymnast* accepts the *A-sample* result. UK Sport or British Gymnastics may nonetheless elect to proceed with analysis of the *B-sample*.

8.4.2. A *gymnast* who has accepted the *A-sample* result shall still be entitled to a Disciplinary Hearing and the case shall consequently be referred to the

*British Gymnastics Anti-Doping Disciplinary Panel* for a hearing in accordance with Article 10.

8.4.3. UK Sport will arrange for the analysis of the *B-sample*, if requested, which must be completed within thirty (30) days of notification of the *adverse analytical finding*.

8.4.4. The *gymnast* and/or a representative of the *gymnast* shall be permitted to be present at the *B-sample* analysis. British Gymnastics, the FIG and UK Sport may also send a representative to be present at the *B-sample* analysis.

8.4.5. If the *B-sample* analysis confirms the finding in the *A-sample*, the *gymnast* shall be informed and the case shall be referred to the *British Gymnastics Anti-Doping Disciplinary Panel* for a hearing in accordance with Article 10.

8.4.6. If the *B-sample* analysis tests negative for the *Prohibited Substance* or *Prohibited Method* that was found in relation to the *A-sample*, the *gymnast* shall be informed and the entire *test* shall be considered negative.

## **8.5. Further Review of *Adverse Analytical Finding* Where Required by *Prohibited List***

8.5.1. For *tests* initiated by UK Sport, UK Sport shall also conduct any follow-up investigation as specified in the *Prohibited List*. Upon completion of such follow-up investigation, UK Sport shall promptly notify the *gymnast* and British Gymnastics regarding the results of the follow-up investigation and whether or not the findings of this investigation support an anti-doping rule violation.

## **8.6. Review of Other Anti-Doping Rule Violations**

8.6.1. For anti-doping rule violations that do not involve *adverse analytical findings*, British Gymnastics shall conduct any necessary follow-up investigation, including the seeking of any additional information. This investigation shall be carried out in accordance with the British Gymnastics Disciplinary Procedures (please refer to the British Gymnastics Members Handbook). As appropriate, British Gymnastics shall then notify the *gymnast* or other *person* concerned, UK Sport and the FIG, of the anti-doping rule that is asserted to have been violated and the basis of this violation. The case shall then be referred to the *British Gymnastics Anti-Doping Disciplinary Panel* for a hearing in accordance with Article 10.

## **8.7. Principles Applicable to *Provisional Suspensions***

8.7.1. The CRMG may make a recommendation to the British Gymnastics Chief Executive Officer to suspend the *gymnast* at any point after notification of an *A-sample adverse analytical finding*, and prior to the disciplinary

hearing. British Gymnastics shall notify the *gymnast*, the *British Gymnastics Anti-Doping Disciplinary Panel*, UK Sport, the FIG and WADA of any *provisional suspension*.

8.7.2. In the event that a *provisional suspension* is imposed on the *gymnast* by British Gymnastics, British Gymnastics will notify the *gymnast*, as soon as reasonably practicable, of:

- a) The imposition of the *provisional suspension*
- b) The *gymnast's* right to a full disciplinary hearing, to take place (save in exceptional circumstances) no later than fourteen (14) days after the imposition of the *provisional suspension*, unless otherwise agreed by the *gymnast*
- c) The *gymnast's* right to elect to have an expedited hearing under subparagraph b), above
- d) The *gymnast's* right to make submissions to the Chairman of the Disciplinary Panel showing cause why the *provisional suspension* should be lifted in advance of the full disciplinary hearing; provided that:
  - i) The submission is made in writing or (if the Chairman of the Disciplinary Panel so orders) by a telephonic conference; there shall be no right to personal attendance before the Chairman, unless the Chairman requests so
  - ii) The provisional suspension shall remain in place pending the decision of the Chairman of the Disciplinary Panel
  - iii) The Chairman of the Disciplinary Panel shall seek the comments of British Gymnastics on the *gymnast's* submissions prior to making such a decision
  - iv) The provisional suspension shall not be lifted except in exceptional circumstances, such as clear mistaken identity. The fact that the provisional suspension will stop the *gymnast* competing in a particular competition or event shall not qualify as exceptional circumstances for these purposes
- c) The *gymnast's* right to an expedited appeal against a decision of the Chairman of the Disciplinary Panel to uphold the provisional suspension, to be heard on the same basis as the Chairman of the Disciplinary Panel heard the initial challenge.

If the case arises from competition in an international event or involves an international-level *gymnast*, then the *gymnast* may forego the appeal referred to in this Article 8.7.2. in favour of an appeal to CAS.



8.7.3. A *person* who is subject to a *provisional suspension* may not, during the period of *provisional suspension*, participate in any capacity in a *competition* or *event* organised or sanctioned by British Gymnastics or by any body that is a member of or is affiliated to British Gymnastics. In addition, British Gymnastics shall seek to have the *provisional suspension* recognised by other *anti-doping organisations* pursuant to Article 15.4 (Mutual Recognition) of the *Code*.

8.7.4. If a *provisional suspension* has been imposed based on the *A-sample adverse analytical finding* and a subsequent *B-sample* analysis does not confirm the *A-sample* finding, the *gymnast* shall not be subject to any further disciplinary action and the suspension shall be lifted.

## Article 9. PROOF OF DOPING

### 9.1. Burdens and Standards of Proof

9.1.1. British Gymnastics shall be responsible for Results Management and shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether British Gymnastics have established an anti-doping rule violation on the balance of probability to a high standard.

9.1.2. Where the *Code* places the burden of proof upon the *gymnast* 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 on the balance of probability.

### 9.2. Methods of Establishing Facts and Presumptions

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

9.2.1.1. WADA-accredited laboratories are presumed to have conducted *sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratory Analysis. The *gymnast* may rebut this presumption by establishing that a departure from this *International Standard* occurred, in which case British Gymnastics shall then have the burden to establish that such departure did not cause the *adverse analytical finding*.

9.2.1.2. Departures from the *International Standard* for Testing which did not cause an *adverse analytical finding* or other anti-doping rule violation shall not invalidate such results. If the *gymnast* establishes that departures from the *International Standard* for Testing occurred during *testing* then British Gymnastics shall have the burden to establish that such departures did not cause the *adverse analytical finding* or the factual basis for the anti-doping rule violation.

## **Article 10. DISCIPLINARY PROCEDURES**

### **10.1. General**

10.1.1. All Disciplinary procedures shall take place in accordance with British Gymnastics Disciplinary Procedures (please refer to the British Gymnastics Members Handbook) except where this article, Article 10, states otherwise.

### **10.2. The *British Gymnastics Anti-Doping Disciplinary Panel***

10.2.1. Following the referral of the case by the CRMG, the *gymnast* or other *person* shall be invited to attend a disciplinary hearing. The hearing shall take place as soon as reasonably practicable.

10.2.2. Where a *provisional suspension* has been imposed; the hearing shall take place as soon as reasonably practicable following the notice of the *provisional suspension*.

10.2.3. The *gymnast* or other *person* may assert the right to waive the hearing procedure, acknowledge the anti-doping rule violation and accept the *consequences*, by notifying the British Gymnastics Chief Executive Officer of this wish, in writing, no later than seven (7) days prior to the start of the hearing.

10.2.4. *Gymnasts* cannot waive the hearing procedure if they wish to establish *no fault or negligence*, or *no significant fault or negligence* as set out in Articles 13.5.1 and 13.5.2.

### **10.3. Jurisdiction of the Disciplinary Panel**

10.3.1. The *British Gymnastics Anti-Doping Disciplinary Panel* shall have the right to hear and determine all issues arising from any matter that is referred to it pursuant to this Policy. In particular, the Disciplinary Panel has the power to determine the *consequences* of anti-doping rule violations to be imposed pursuant to this Policy.

10.3.2. To the greatest extent allowable under applicable law, any challenge to this Policy and Rules or to a decision made pursuant to this Policy and Rules shall be made exclusively in accordance with the provisions of Article 11 and shall not be made by recourse to any court or other forum.

10.3.3. Subject strictly to Article 10.3.2., the courts of England and Wales shall have exclusive jurisdiction in relation to this Policy and Rules.

10.3.4. If any clause or provision of this Policy and Rules is held invalid, unenforceable or illegal for any reason, this Policy and Rules shall remain

otherwise in full force apart from such clause or provision which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

#### **10.4. Hearings Before the Disciplinary Panel**

10.4.1. The *British Gymnastics Anti-Doping Disciplinary Panel* shall be independent and impartial and shall comprise of three (3) members as follows:

- a) The Chair of the Panel who is a registered solicitor or barrister not less than ten (10) years qualified or a retired Supreme Court or High Court judge.
- b) One member who has sports administration expertise or has significant experience of the sport of gymnastics.
- c) One member, independent of British Gymnastics, with appropriate and relevant medical, anti-doping or technical expertise.

10.4.2. The panel may also supported by:

- a) A Secretary appointed by the British Gymnastics President.
- b) An independent legal advisor appointed by the British Gymnastics President, if requested by the Chair of the Disciplinary Panel.

10.4.3. The Secretary and the independent legal advisor shall not have a vote on the final decision of the Disciplinary Panel.

10.4.4. Individuals selected for the CRMG shall not be selected for the Disciplinary Panel for the same case. Each member of the Disciplinary Panel, upon selection, shall disclose to the Chair any prior involvement in the case and any circumstances likely to affect impartiality in the case.

#### **10.5. Proceedings of the Disciplinary Hearing**

10.5.1. UK Sport and the FIG may send one or more representatives to attend the hearing as observers.

10.5.2. The Disciplinary Hearing shall respect the following principles in accordance with Article 8 of the *Code* (Right to a Fair Hearing):

- a) The *gymnast* or other *person* shall have the right to be represented by counsel or a solicitor or any other representative at his or her own expense.
- b) The *gymnast* or other *person* and/or the *gymnast's* or other *person's* representative shall have the right to provide written submissions of

evidence to the Disciplinary Panel. These, and any other form of evidence relating to the case, must be received by the British Gymnastics Chief Executive Officer no later than seven (7) days prior to the start of the hearing.

- c) All parties shall have the right to present evidence at the hearing and to call and question experts and witnesses (subject to the Disciplinary Panel's discretion to accept testimony by telephone or written submission).
- d) The *gymnast* or other *person* shall have the right to an interpreter at the hearing. The *British Gymnastics Anti-Doping Disciplinary Panel* shall determine the identity, and responsibility for the cost, of the interpreter.

10.5.3. The findings of the hearing shall be determined by vote. If the members of the panel are not unanimous as to the finding on any charge, the finding to be recorded on the charge shall be that of the majority of those voting. In the event of a tied vote, the Chairman of the Panel shall cast the deciding vote.

10.5.4. If the Disciplinary Panel decide that an anti-doping rule violation has been committed, they shall inform British Gymnastics of the sanctions to be imposed in accordance with Articles 12 to 14. British Gymnastics shall then ensure that these Sanctions are enforced.

10.5.5. British Gymnastics shall notify the *gymnast* or other *person* asserted to have committed the anti-doping rule violation of the decision of the Disciplinary Panel, and any Sanctions to be imposed, in writing within seven (7) days of the completion of the hearing, where practicable.

10.5.6. British Gymnastics shall issue written reasons for the decision of the Disciplinary Panel to the *gymnast* or other *person*, UK Sport and the FIG no later than twenty-one (21) days from the completion of the hearing.

10.5.7. If any party wishes to appeal against the decision of the Disciplinary Panel, they must first apply for permission to appeal to the Chair of the *British Gymnastics Anti-Doping Appeal Panel*. This application should be made in writing, to be received within twenty-eight (28) days of the receipt of the written reasons for the decision of the Disciplinary Panel, and should state the grounds for the appeal.

10.5.8. If the appeal is accepted, the case shall be referred to the *British Gymnastics Anti-Doping Appeal Panel* pursuant to Article 11.

## **Article 11. APPEALS**

### **11.1. General**

11.1.1. Appeal hearings against decisions imposed by the *British Gymnastics Anti-Doping Disciplinary Panel* shall take place as soon as reasonably practicable after the disciplinary hearing.

11.1.2. Appeals shall take place in accordance with Article 10 and the British Gymnastics Disciplinary Procedures (please refer to the British Gymnastics Members Handbook) except where this Article, Article 11, states otherwise.

### **11.2. Decisions Subject to Appeal**

11.2.1. Decisions made under this British Gymnastics Anti-Doping Policy and Rules may be appealed as set forth in Articles 11.3 to 11.6 inclusive. Such decisions shall remain in effect while under appeal unless the Appeals Panel orders otherwise.

### **11.3. Appeal Against Decisions Regarding Anti-Doping Rule Violations, Consequences, and Provisional Suspensions**

11.3.1. Decisions made in cases arising from an *international event* or involving *international-level* gymnasts may be appealed exclusively to the Court of Arbitration for Sport (CAS) in accordance with the provisions applicable before such court.

11.3.2. Decisions made in cases involving *national-level gymnasts* or *gymnast support personnel*, who do not have a right to appeal under Article 11.3.1., may be appealed in the first instance, to the *British Gymnastics Anti-Doping Appeal Panel*, and subsequently, to CAS.

11.3.3. The following decisions may be appealed exclusively as provided in this Article 11:

- a) A decision that an anti-doping rule violation was committed
- b) A decision imposing *consequences* for an anti-doping rule violation
- c) A decision that no anti-doping rule violation was committed
- d) A decision that British Gymnastics or the FIG lacks jurisdiction to rule on an alleged anti-doping rule violation or its *consequences*
- e) A decision to impose a *provisional suspension* as a result of a *provisional hearing* or otherwise in violation of Article 8.7

#### **11.4. Persons Entitled to Appeal**

11.4.1. In cases under Article 11.3 the following parties shall have the right to appeal to the *British Gymnastics Anti-Doping Appeal Panel* and CAS:

- a) The *gymnast* 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 FIG, UK Sport and any other *anti-doping organisation* under whose rules a sanction could have been imposed
- d) The International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games
- e) WADA.

11.4.2. Notwithstanding any other provision herein, the only *person* that may appeal against a *provisional suspension* is the *gymnast* or other *person* upon whom the *provisional suspension* is imposed.

#### **11.5. Time for Filing Appeals**

11.5.1. Appeals to the *British-Gymnastics Anti-Doping Appeal Panel* shall be filed within twenty-eight (28) days of the date of receipt of the written reasons for the decision of the Disciplinary Panel.

11.5.2. Appeals to CAS shall be filed within twenty-one (21) days from the receipt of the written decision of the Disciplinary or Appeal Panel as appropriate. If the individual or organisation who filed the original appeal was not party to the proceedings having led to the decision subject to an appeal to CAS, such individuals or organisations shall have the right to:

- a) Within ten (10) days of notice of the decision, to request from the appeals body having issued the decision, a copy of the file on which such a decision was based
- b) Within twenty-one (21) days from receipt of the file, to make an appeal to CAS.

### **11.6. Appeal Against Decisions Granting or Denying a *Therapeutic Use Exemption***

11.6.1. For *gymnasts* in the International *Registered Testing Pool*, decisions by the FIG or the FIG *TUE* Commission denying *TUE*s may be appealed to CAS.

11.6.2. For *gymnasts* who are not in the International *Registered Testing Pool*, decisions by UK Sport or the UK *TUE*C denying *TUE*s may be appealed to the UK *TUE* Appeal Panel in accordance with the UK National Anti-Doping Policy and Rules.

11.6.3. If the UK *TUE* Appeal Panel reverse the decision to deny a *Therapeutic Use Exemption*, that decision may be appealed to CAS by WADA, the FIG or British Gymnastics.

11.6.4. Decisions by WADA reversing the grant or denial of a *Therapeutic Use Exemption* may be appealed exclusively to CAS by the *gymnast*, the FIG or UK Sport as applicable.

## **Article 12. AUTOMATIC *DISQUALIFICATION* OF INDIVIDUAL RESULTS**

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

## **Article 13. SANCTIONS ON INDIVIDUALS**

### **13.1. *Disqualification of Results in an Event During which an Anti-Doping Rule Violation Occurs***

13.1.1. An anti-doping rule violation occurring during or in connection with an *event* may, upon the decision of the ruling body of the *event*, lead to *disqualification* of all of the *gymnast's* individual results obtained in the other *competitions* in that *event* with all *consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 13.1.2.

13.1.2. If the disciplinary hearing establishes that the *gymnast* bears *no fault or negligence* for the violation, the *gymnast's* individual results in the other *competitions* in the same *event* as the *competition* in which the anti-doping rule violation occurred shall not be disqualified unless the *gymnast's* results in those other *competitions* were likely to have been affected by the *gymnast's* anti-doping rule violation.

### **13.2. Imposition of *Ineligibility for Prohibited Substances and Prohibited Methods***

13.2.1. Except for the specified substances identified in Article 13.3, the period of *ineligibility* imposed for a violation of Articles 4.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), 4.2 (*Use or Attempted Use of Prohibited Substance or Prohibited Method*) and 4.6 (*Possession of Prohibited Substances and Methods*) shall be:

- First violation: Two (2) years' *ineligibility*.
- Second violation: Lifetime *ineligibility*.

13.2.2. However, the *gymnast* or other *person* shall have the opportunity in each case, before a period of *ineligibility* is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 13.5.

### **13.3. Specified Substances**

13.3.1. The *Prohibited List* may identify specified substances which are particularly susceptible to unintentional anti-doping rule violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where a *gymnast* can establish that the *use* of such a specified substance was not intended to enhance sport performance, the period of *ineligibility* found in Article 13.2 shall be replaced with the following:

- First violation: At a minimum, a warning and reprimand and no period of *ineligibility* from future events, and at a maximum, one (1) year's *ineligibility*.
- Second violation: Two (2) years' *ineligibility*.
- Third violation: Lifetime *ineligibility*.

13.3.2. However, the *gymnast* or other *person* shall have the opportunity in each case, before a period of *ineligibility* is imposed, to establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in Article 13.5.

#### **13.4. *Ineligibility* for Other Anti-Doping Rule Violations**

The period of *ineligibility* for other anti-doping rule violations shall be:

13.4.1. For violations of Article 4.3 (Refusing or failing to submit to *Sample Collection*) or Article 4.5 (*Tampering with doping control*), the period of *ineligibility* imposed shall be:

- First violation: Two (2) years' *ineligibility*
- Second violation: Lifetime *ineligibility*

13.4.2. For violations of Articles 4.7 (*Trafficking*) or 4.8 (Administration of *Prohibited Substance* or *Prohibited Method*), the period of *ineligibility* imposed shall be:

- A minimum of four (4) years *ineligibility* and a maximum of lifetime *ineligibility*

13.4.3. An anti-doping rule violation involving a *minor* shall be considered a particularly serious violation, and, if committed by *gymnast support personnel* for violations other than specified substances referred in Article 13.3, shall result in lifetime *ineligibility* for such *gymnast support personnel*. In addition, violations of such Articles that also violate non-sporting laws and regulations may be reported to the competent administrative, professional or judicial authorities.

13.4.4. For violations of Article 4.4 (*Whereabouts Violation* or *Missed Test*), the period of *ineligibility* shall be:

- First violation: A minimum of three (3) months' *ineligibility* and a maximum of one (1) year's *ineligibility*
- Second and subsequent violations: A minimum of one (1) year's *ineligibility* and a maximum of two (2) years' *ineligibility*.

### **13.5. Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances**

#### **13.5.1. *No Fault or Negligence***

If the *gymnast* establishes in an individual case involving an anti-doping rule violation under Article 4.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*) or *use of a prohibited substance or prohibited method* under Article 4.2 that he or she bears *no fault or negligence* for the violation, the otherwise applicable period of *ineligibility* shall be eliminated. When a *prohibited substance* or its *metabolites* or *markers* is detected in a *gymnast's specimen* in violation of Article 4.1 (Presence of *Prohibited Substance*), the *gymnast* must also establish how the *prohibited substance* entered his or her system in order to have the period of *ineligibility* eliminated. In the event this article is applied and the period of *ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *ineligibility* for multiple violations under Articles 13.2, 13.3 and 13.7.

#### **13.5.2. *No Significant Fault or Negligence.***

This Article 13.5.2 applies only to anti-doping rule violations involving Article 4.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), *use of a prohibited substance or prohibited method* under Article 4.2, failing to submit to *sample collection* under Article 4.3, or administration of a *prohibited substance or prohibited method* under Article 4.8. If a *gymnast* establishes in an individual case involving such violations that he or she bears *no significant fault or negligence*, then the period of *ineligibility* may be reduced, but the reduced period of *ineligibility* may not be less than one-half of the minimum period of *ineligibility* otherwise applicable. If the otherwise applicable period of *ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *prohibited substance* or its *metabolites* or *markers* is detected in a *gymnast's specimen* in violation of Article 4.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*) the *gymnast* must also establish how the *prohibited substance* entered his or her system in order to have the period of *ineligibility* reduced.

### **13.6. *Gymnast's Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations by Gymnast Support Personnel and Others***

13.6.1. British Gymnastics may also reduce the period of *ineligibility* in an individual case where the *gymnast* has provided substantial assistance to British Gymnastics, which results in British Gymnastics discovering or establishing an anti-doping rule violation by another *person* involving possession under Article 4.6.2 (*Possession by Gymnast Support Personnel*), Article 4.7 (*Trafficking*), or Article 4.8 (Administration to a *Gymnast*). The reduced period of *ineligibility* may not, however, be less than one-half of the minimum period of *ineligibility* otherwise applicable. If the otherwise applicable

period of *ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years.

### **13.7. Rules for Certain Potential Multiple Violations**

13.7.1. For purposes of imposing sanctions under Articles 13.2, 13.3 and 13.4, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if British Gymnastics can establish that the *gymnast* or other *person* committed the second anti-doping rule violation after the *gymnast* or other *person* received notice, or after British Gymnastics made a reasonable attempt to give notice, of the first anti-doping rule violation; if British Gymnastics cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carried the more severe sanction.

13.7.2. Where a *gymnast*, based on the same *doping control*, is found to have committed an anti-doping rule violation involving both a specified substance under Article 13.3 and another *prohibited substance* or *prohibited method*, the *gymnast* shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the *prohibited substance* or *prohibited method* that carries the most severe sanction.

13.7.3. Where a *gymnast* is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 13.3 (Specified Substances) and the other involving a *prohibited substance* or *prohibited method* governed by the sanctions set forth in Article 13.2 or a violation governed by the sanctions in Article 13.4.1, the period of *ineligibility* imposed for the second offence shall be at a minimum two years *ineligibility* and at a maximum three years *ineligibility*. Any *gymnast* found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 13.3 and any other anti-doping rule violation under Articles 13.2 or 13.4.1 shall receive a sanction of lifetime *ineligibility*.

### **13.8. Disqualification of Results in Competitions Subsequent to Sample Collection**

13.8.1. In addition to the automatic *disqualification* of the results in the *competition* that produced the positive *sample* under Article 12 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *sample* was collected (whether *in-competition* or *out-of-competition*), or other doping violation occurred, through the commencement of any *provisional suspension* or *ineligibility* period, shall, unless fairness requires otherwise, be disqualified with all of the resulting *consequences* including forfeiture of any medals, points and prizes.

### **13.9. Suspension of Sports Council Support**

13.9.1. All Sports Council support shall stand *provisionally suspended* from the notification under Articles 8.3, 8.5 or 8.6, as applicable, of an alleged anti-doping rule violation described in Article 13.3. The suspension shall last until the date of final determination that an anti-doping rule violation has or has not been committed, when the following provisions shall apply.

13.9.2. Where the final determination is that: (a) an anti-doping rule violation has not been committed; or that (b) an anti-doping rule violation has been committed but the period of *ineligibility* has been eliminated, the suspended Sports Council funding shall be returned to the *person* as soon as practicable.

13.9.3. Any *gymnast* or *gymnast support personnel* who commits and is sanctioned for an anti-doping rule violation pursuant to Articles 4.1, 4.2, 4.3, 4.5 or 4.8, or a *gymnast* who commits a second anti-doping rule violation pursuant to Articles 4.4 or 13.3, may become permanently ineligible to receive any direct financial support provided by Sports Councils in the UK which includes, but is not limited to, World Class Athlete Assistance, coaching or professional staff salaries, coaching internships and apprenticeships. In addition, British Gymnastics may withhold other sport-related financial support or sport-related benefits.

### **13.10. Commencement of *Ineligibility* Period**

13.10.1. The period of *ineligibility* shall start on the date of the hearing decision providing for *ineligibility* or, if the hearing is waived, on the date *ineligibility* is accepted or otherwise imposed.

13.10.2. Any period of *provisional suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *ineligibility* to be served.

13.10.3. Where required by fairness, such as delays in the hearing process or other aspects of *doping control* not attributable to the *gymnast*, the body imposing the sanction may start the period of *ineligibility* at an earlier date commencing as early as the date of *sample collection*.

### **13.11. Status During *Ineligibility***

13.11.1. No *person* who has been declared Ineligible may, during the period of *ineligibility*, participate in any capacity in any *competition* or activity (other than authorised anti-doping education or rehabilitation programs) authorised or organised by British Gymnastics.

13.11.2. A *person* subject to a period of *ineligibility* longer than four years may, after completing four years of the period of *ineligibility*, participate in local sport events in a sport other than the sport in which the *person* committed the

anti-doping rule violation, but only so long as the local sport event is not at a level that could otherwise qualify such *person* directly or indirectly to compete in (or accumulate points toward) a *national* or *international competition* or *event*.

### **13.12. Reinstatement *Testing After Ineligibility***

13.12.1. As a condition to regaining eligibility at the end of a specified period of *ineligibility*, a *gymnast* must, during any period of *provisional suspension* or *ineligibility*, make him or herself available for *out-of-competition testing* by British Gymnastics, and any other *anti-doping organisation* having *testing jurisdiction*, and must, if requested, provide current and accurate *whereabouts information* as provided in Article 5.11.

13.12.2. If a *gymnast* subject to a period of *ineligibility* retires from sport and is removed from a *Registered Testing Pool* and later seeks reinstatement, the *gymnast* shall not be eligible for reinstatement until the *gymnast* has notified British Gymnastics and/or the FIG if applicable, and has been subject to *out-of-competition testing* for a period of time equal to the longer of the period set forth in Article 5.10.2 and the period of *ineligibility* remaining as of the date the *gymnast* had retired.

13.12.3. Once the period of a *gymnast's ineligibility* has expired and the *gymnast* has fulfilled the conditions of reinstatement as provided in Articles 13.12.1 to 13.12.2, the *gymnast* will then become automatically re-eligible to compete and take part in activities authorised or organised by British Gymnastics, the FIG and any other National Federation or Sports Organisation. No application by the *gymnast* or British Gymnastics will be necessary unless the *gymnast* is subject to other ineligibilities unrelated to anti-doping.

## **Article 14. SANCTIONS ON TEAMS**

If a member of a team is found to have committed an anti-doping rule violation during a *competition* or *event* where a team ranking is based on the addition of individual results, the results of the *gymnast* committing the violation will be considered invalid. Where applicable, the invalid result will be replaced by the score of the next placed gymnast in the team. If in exercises presented simultaneously by two or more *gymnasts* with one common result, one of the *gymnasts* is found to have committed an anti-doping rule violation, the team result will be considered invalid.

## **Article 15. REPORTING AND CONFIDENTIALITY**

### **15.1. Statistical Reporting**

15.1.1. UK Sport shall publicly report the number of *adverse analytical findings* and doping violations as found in accordance with the UK National Anti-Doping Policy and Rules as a minimum on an annual basis.

15.1.2. The results of anti-doping controls, whilst preserving complete anonymity of the *gymnasts* involved, may be published by other *anti-doping organisations* from time to time with the approval of British Gymnastics.

### **15.2. Doping Control Information Clearing House**

15.2.1. WADA shall act as a central clearing house for *doping control testing* data and results in order to facilitate coordinated *test* distribution planning and to avoid unnecessary duplication in *testing* by the various *anti-doping organisations*.

15.2.2. British Gymnastics shall regularly update the FIG and WADA on the status and findings of any review or proceedings conducted pursuant to Article 8 (Results Management), Article 10 (Disciplinary Procedures) or Article 11 (Appeals), and comparable information shall be provided to the FIG and WADA within fourteen (14) days of the notification described in Article 8.6.1 with respect to other violations of the British Gymnastics Anti-Doping Policy and Rules. In any case in which the period of *ineligibility* is eliminated under Article 13.5.1 (*No Fault or Negligence*) or reduced under Article 13.5.2 (*No Significant Fault or Negligence*), the FIG and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction.

### **15.3. Public Disclosure**

15.3.1. If an anti-doping rule violation has been established during a disciplinary hearing in accordance with Article 10, or such hearing has been waived following an *adverse analytical finding*, or the assertion of an anti-doping rule violation has not been timely challenged, the identity of the *gymnast* or *gymnast support personnel* or other *person* shall only be disclosed to those individuals with a need to know until after the written hearing decision or decision to waive the hearing or the establishment that no timely challenge has been provided.

15.3.2. The identity of the *gymnast*, *gymnast support personnel* or other *person* shall be publicly disclosed in accordance with Article 15.3.1. within twenty (20) days of the written hearing decision or decision to waive the hearing or the establishment that no timely challenge has been provided.

#### **15.4. Recognition of Decisions by the FIG and British Gymnastics**

15.4.1. Any decision of British Gymnastics regarding a violation of this Anti-Doping Policy and Rules shall be recognised by all national federations, which shall take all necessary action to render such decisions effective.

#### **15.5. Recognition of Decisions by Other Organisations**

15.5.1. Subject to the right to appeal provided in Article 11, the *testing*, *Therapeutic Use Exemptions* and hearing results or other final adjudication's of any signatory to the *Code* that are consistent with the *Code* and are within that signatory's authority, shall be recognised and respected by British Gymnastics. British Gymnastics may recognise the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

15.5.2. Where the actions of another Signatory or *testing* body are not consistent with the *Code* to the satisfaction of British Gymnastics, British Gymnastics may recognise the decision as final or may decide to refer the case to the *British Gymnastics Anti-Doping Disciplinary Panel* for a hearing in accordance with Article 10.



## **Article 16. STATUTE OF LIMITATIONS**

No action may be commenced against a *gymnast* or other *person* for a violation of an anti-doping rule contained in the *Code* unless such action is commenced within eight years from the date the violation occurred.



## **Article 17. LIMITATION OF LIABILITY**

Members of British Gymnastics shall not be liable for any costs incurred as a consequence of lawful and proper activities undertaken under this Policy and Rules.

## Appendix I

### DEFINITIONS

**Admission:** A statement made by the *person* alleged to have committed the anti-doping rule violation, directly or indirectly acknowledging that they are responsible for the violation. This statement can be made in writing or orally providing that it is verifiable.

**Adverse Analytical Finding:** A report from a laboratory or other approved *testing* entity that identifies in a *specimen* the presence of a *prohibited substance* or its *metabolites* or *markers* (including elevated quantities of endogenous substances) or evidence of the *use of a prohibited method*.

**Anti-Doping Organisation:** A signatory that is responsible for adopting rules for initiating, implementing or enforcing any part of the *doping control* process.

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

**British Gymnastics Anti-Doping Disciplinary Panel:** A panel of at least three *persons* selected to hear and determine a case arising under this Policy and Rules.

**British Gymnastics Anti-Doping Appeal Panel:** A panel of at least three *persons* selected to hear and determine an appeal arising under this Policy and Rules.

**Case Referral Management Group (CRMG):** A panel of at least three *persons* selected to carry out the initial review in a case arising under this Policy and Rules.

**Code:** The World Anti-Doping Code, published by WADA.

**Competition:** A singular race, match, game or singular athletic contest.

**Consequences of Anti-Doping Rule Violations:** A *gymnast's* or other *person's* violation of an anti-doping rule may result in one or more of the following: (a) *disqualification* means the *gymnast's* results in a particular *competition* or *event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) *ineligibility* means the *gymnast* or other *person* is barred for a specified period of time from participating in any *competition* or other activity or funding as provided in Article 13.11 and (c) *provisional suspension* means the *gymnast* or other *person* is barred temporarily from participating in any *competition* prior to the final decision at a hearing conducted under Article 10.

**Disqualification:** See Consequences of Anti-Doping Rule Violations above.

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

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

**Gymnast:** Any *person* who participates in the sport of gymnastics.

**Gymnast Support Personnel:** Any personnel working with or treating *gymnasts* participating in or preparing for *competition*, including, but not limited to, coaches, trainers, managers, agents, team staff, officials, medical and para-medical personnel.

**In-Competition:** For purposes of differentiating between in-competition and out-of-competition *testing*, an in-competition *test* is a *test* where a *gymnast* is selected for *testing* in connection with a specific *competition*.

**Ineligibility:** See Consequences of Anti-Doping Rule Violations above.

**International Event:** An *event* where the International Olympic Committee, the FIG, a *major event organisation* or other International Sport Organisation is the ruling body for the *event* or appoints the technical officials for the *event*.

**International Level Gymnast:** A *gymnast* designated by the FIG for inclusion in the International *Registered Testing Pool*.

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

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

**Marker:** A compound, group of compounds or biological parameters that indicates the *use* of a *prohibited substance* or *prohibited method*.

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

**Minor:** For the purposes of this Policy and Rules, a minor shall be a *person* under the age of eighteen (18) years.

**National Anti-Doping Organisation:** The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and

implement anti-doping rules, direct the collection of *samples*, the management of *test* results, and the conduct of hearings, all at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee. In the UK, the National Anti-Doping Organisation is UK Sport.

**National Event:** A gymnastics *event* involving *international* or *national-level gymnasts*, which is not an *international event*.

**National Level Gymnast:** A *gymnast* who fits any of the criteria for inclusion in the National or Domestic *Registered Testing Pools*.

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

**No Advance Notice:** A *doping control* which takes place with no advance warning to the *gymnast* and where the *gymnast* is continuously chaperoned from the moment of notification through *sample* provision.

**No Fault or Negligence:** The *gymnast's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *used* or been administered the *prohibited substance* or *prohibited method*.

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

**Out-of-Competition:** Any *doping control* that is not *in-competition*.

**Person:** A natural person or an organisation or other entity. For the purposes of Articles 8 to 13 inclusive, the 'person' is the individual who is the subject of the review, disciplinary or appeal procedures.

**Possession:** The actual, physical possession, or the constructive possession (which shall be found only if the *person* has exclusive control over the *prohibited substance/method* or the premises in which a *prohibited substance/method* exists or if the *person* knew about the presence of the *prohibited substance/method* and intended to exercise control over it). Provided, however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the *person* has committed an anti-doping rule violation, the *person* has taken concrete action demonstrating that the *person* no longer intends to have possession and has renounced the *person's* previous possession.

**Prohibited List:** The World Anti-Doping Code Prohibited List, identifying the *prohibited substances* and *prohibited methods* as amended from time to time.

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

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

**Provisional Hearing:** For the purposes of Article 8.7, an expedited abbreviated hearing prior to a hearing under Article 10 that provides the *gymnast* with notice and an opportunity to be heard in either written or oral form.

**Provisional Suspension:** See Consequences of Anti-Doping Rule Violations above.

**Publicly Disclose or Publicly Report:** To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 15.

**Registered Testing Pool:** A pool of *gymnasts* who fit certain criteria as listed in articles 5.7.3, 5.7.4 and 5.7.6, and who are eligible for *testing*.

**Sample/Specimen:** Any biological material collected for the purposes of *doping control*.

**Sample Collection:** The period in which the *sample* is collected and made secure for transportation.

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

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

**Testing:** The parts of the *doping control* process involving *test* distribution planning, *sample collection*, *sample* handling and *sample* transport to the laboratory.

**Therapeutic Use Exemption (TUE):** The authorisation given to a *gymnast* to allow them to use a certain substance or method included in the *Prohibited List* under certain treatment conditions (dosage, route of administration, etc).

**Therapeutic Use Exemption Committee (TUEC):** A panel established by an anti-doping organisation to review standard *Therapeutic Use Exemptions*.

**Trafficking:** To sell, give, administer, transport, send, deliver or distribute a *prohibited substance* or *prohibited method* to a *gymnast* either directly or through one or more third parties, but excluding the sale or distribution (by



medical personnel or by *persons* other than a *gymnast's support personnel*) of a *prohibited substance* for genuine and legal therapeutic purposes.

**Use:** The application, ingestion, injection or consumption by any means whatsoever of any *prohibited substance* or *prohibited method*.

**Weighted:** A ranking method of selecting *gymnasts* using criteria where the ranking is based on the potential risk of doping and possible doping patterns.

**Whereabouts Information:** The personal information provided by the *gymnast* for the purpose of *out-of-competition testing*, including an adequate number of locations and times for *no advance notice sample collection*.

## Appendix II

### **CRITERIA FOR MEDICAL INFORMATION REQUIRED WITH THERAPEUTIC USE EXEMPTION (TUE) APPLICATIONS**

All *TUE* applications must include a statement by an appropriately qualified physician attesting to the necessity of the otherwise *prohibited substance* or *prohibited method* for treatment. This should include a description of why an alternative, permitted substance or method cannot, or could not, be used in the treatment of this condition.

For all *TUE* applications, the dose, frequency, route of administration and duration of administration must be specified.

Standard *TUE* applications must include a comprehensive medical history and the results of all clinical examinations, laboratory investigations and imaging studies relevant to the application. For *TUE* applications involving imaging studies and respiratory function tests, the original images or physiological data as well as any interpretative reports that may have been produced need to be submitted.

## Appendix III

### ***DOPING CONTROL TESTING PROCEDURES (UK Sport)***

#### **Introduction**

This section provides an outline of the *testing* procedures used by UK Sport. For more detail on the UK Sport *testing* procedures and the procedures of other *anti-doping organisations*, please refer to the information provided by the relevant organisation.

#### **Notification of *Gymnasts***

The Doping Control Officer (DCO) shall establish the location of the selected *gymnast* and plan the approach and timing of notification, taking into account the specific circumstances of the *competition* and the situation in question.

The *gymnast* will be the first *person* to be notified that they have been selected for *sample collection*, except in circumstances where the attendance of a third *person* is necessary (e.g. when the *gymnast* is a *minor* where a third party may be present at notification).

During initial contact with the *gymnast*, the DCO shall ensure that the *gymnast* is aware of the following:

- a) That the *gymnast* is required to undergo a *sample collection*
- b) Of the authority under which the *sample collection* is to be conducted
- c) Of the type of *sample collection* and any conditions that need to be adhered to prior to the *sample collection*
- d) Of the *gymnast's* rights, including the right to a representative and/or an interpreter where required.
- e) Of the *gymnast's* responsibilities, including the requirement to remain within sight of the DCO or chaperone until the completion of the *sample collection* procedure, and the requirement to report to the *doping control* station within sixty (60) minutes of notification.
- f) Of the location of the *doping control* station.

The *gymnast* will be asked to sign a notification form to acknowledge and accept the notification. The DCO shall record the relevant details concerning the notification on this form.

### **Arrival at the *Doping Control Station***

On arrival at the *doping control* station with the DCO/chaperone, the DCO shall record the *gymnast's* details and other relevant details on a *sample collection* form.

The *gymnast* will have the opportunity to declare on the *sample collection* form any medications and supplements taken and recent blood transfusion details if applicable.

At the discretion of the DCO, the *gymnast* may leave the *doping control* station before providing a *sample*. The *gymnast* must be accompanied at all times by a DCO/chaperone whilst away from the *doping control* station and must agree with the DCO on the time of return (or return upon completion of an agreed activity).

*Gymnasts* shall be permitted to leave the *doping control* station in order to complete certain important activities such as medal ceremonies, television interviews and press conferences.

Bottled water shall be available at the *doping control* station for *gymnasts* wishing to hydrate before *sample* collection.

### **Urine *Sample Collection* Procedures**

Where the *gymnast* is required to provide a urine *sample*, the following *sample collection* procedures shall take place.

#### ***Selection of Sample Vessel***

The *gymnast* shall be given a choice of *sample collection* vessels, from which they will be asked to choose one. The *gymnast* and DCO shall check that the equipment is clean and intact. From this point until the vessel has been sealed, only the *gymnast* shall handle the *sample collection* vessel unless the *gymnast* authorises a representative to handle the vessel on his/her behalf.

#### ***Sample Provision***

The DCO, who must be of the same gender as the *gymnast*, shall escort the *gymnast* to the toilet facility.

Once at the toilet facility, the *gymnast* must remove all clothing between the waist and mid-thigh, in order that the DCO has an unobstructed view of *sample* provision. Sleeves should be rolled up so that the *gymnast's* arms and hands are also clearly visible. The DCO shall directly observe the *gymnast* providing the urine *sample*, adjusting his/her body so as to have a clear view of the *sample* leaving the *gymnast's* body.

Once a *sample* has been provided, the DCO shall escort the *gymnast* back to the administration area.

### ***Minors***

*Minors* must be accompanied by a representative at all times during the *sample collection* procedure, including in the toilet area. However the representative shall not witness the passing of the *sample* unless requested to do so by the *gymnast*. The objective is to ensure that the DCO is observing *sample* provision correctly and for verification of the overall procedure.

The *gymnast* representative or the DCO shall explain the *doping control* documentation to the *gymnast*, if necessary.

The *gymnast* representative shall sign in addition to the *gymnast*.

### ***Gymnasts with a Disability***

The *sample collection* procedure for *gymnasts* with a disability shall be carried out in accordance with the UK Sport *testing* procedures with specific reference to 'Modifications for *Gymnasts* with a Disability'.

### ***Insufficient Volume***

In the event that the *gymnast* is unable to provide the required volume of urine, the DCO shall follow the procedure for a partial *sample* and an additional *sample* shall be collected when the *gymnast* is ready to provide more urine. The procedures for collecting the additional *sample* shall be the same as for all other *samples*.

This procedure shall continue until the DCO is satisfied that the *gymnast* has provided the required volume of urine once the initial and additional *sample(s)* are combined. The partial *sample(s)* shall be retained by the DCO and shall be treated in the same way as full *samples*.

### ***Dividing and Sealing the Sample***

The *gymnast* shall select, from a choice of urine kits, a kit consisting of A and B containers, in which the *sample* is to be sealed. The *gymnast* and the DCO shall check that the urine kit is clean and intact, and that the numbers of the A and B containers correspond.

The *gymnast* shall pour a volume of urine into the A and B containers as required by the DCO and shall seal each container. A residual amount of urine should be retained in the *sample collection* vessel for specific gravity (sg) and pH *testing*. Both the *gymnast* and the DCO shall check that the containers are securely sealed. The DCO shall record the urine kit numbers and the *gymnast* and DCO shall check the documentation to ensure the DCO has accurately recorded the numbers of the A and B containers.

The DCO shall confirm that the *sample* meets the UK Sport requirements for analysis by testing the residual volume of urine remaining in the collection vessel for specific gravity (sg) and pH.

### ***Samples Not Meeting Laboratory Guidelines for Analysis***

If the reading is outside the required range for either specific gravity or pH, the DCO shall request the collection of an additional *sample*.

The *gymnast* shall remain under continuous observation by the DCO/chaperone until ready to provide an additional *sample*. The procedures for collecting the additional *sample* shall be the same as for all other *samples*.

The DCO shall ensure that *samples* provided by the same *gymnast* can be linked through the documentation and that the laboratory is informed of the initial *sample*.

### **Blood Sample Collection Procedures**

Where the *gymnast* is required to provide a blood *sample*, the following *sample collection* procedures shall take place.

Only individuals with qualifications in phlebotomy recognised by relevant public authorities shall be authorised to collect blood *samples* on behalf of UK Sport, and shall be known as blood collection officials (BCOs).

#### ***Selection of the Collection Kit***

The *gymnast* shall be given a choice of blood *sample collection* kit, from which they will be asked to choose one. The *gymnast* and BCO shall check that the equipment is clean and intact. The *gymnast* shall remove the bar code labels from the kit and verify with the BCO that the equipment code numbers match the blood collection kit number for transport.

The selected blood *sample collection* equipment shall be assembled in sight of the *gymnast*.

#### ***Sample Provision***

The blood *samples* shall be collected using the venipuncture procedure in accordance with recognised health care standards.

#### ***Minors***

*Minors* must be accompanied by a representative at all times during the *sample collection* for verification of the procedure. However the representative shall not hinder the procedure carried out by the BCO.

The *gymnast's* representative or the DCO or BCO shall explain the *doping control* documentation to the *gymnast*, if necessary.

The *gymnast's* representative shall sign in addition to the *gymnast*.

### ***Gymnasts with a Disability***

The *sample collection* procedure for *gymnasts* with a disability shall be carried out in accordance with the UK Sport *testing* procedures with specific reference to Modifications for *Gymnasts* with a Disability.

### ***Insufficient Volume***

A blood *sample* must satisfy the volume requirements as required by UK Sport. If a *gymnast* has provided a partial *sample* and is unable to provide more blood at this time, the DCO shall stay with the *gymnast* until such time a further *sample* can be taken.

In the event the BCO is unable to draw sufficient blood from the first attempt, up to three attempts in total shall be made before the BCO decides to terminate the collection. No more than three attempts to insert a needle into the *gymnast's* body shall be made. The BCO shall record the reasons for terminating the collection attempt.

### ***Sealing the Kit***

The *gymnast* and DCO/BCO shall verify that the blood *sample* is securely placed in the blood collection kit that is securely sealed in the transport kit.

After carrying out the *sample collection* the BCO shall advise the *gymnast* of relevant health precautions following the completion of the *sample collection* process.

If both urine and blood *samples* have been collected from the same *gymnast*, the DCO shall ensure that the blood and urine *sample* collection documentation is cross-referenced for the *gymnast* without his/her identity being revealed.

### ***Completion of the Sample Collection Session***

Any refusal to provide a *sample* or to comply with the *testing* requirements shall be recorded by the DCO and, if appropriate, UK Sport and/or the DCO, as applicable, shall institute an investigation into a possible failure to comply.

The *gymnast*, DCO, and any other *persons* present and having a formal role during the *gymnast's sample collection* session, shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the *gymnast's sample collection* session. If the *gymnast* is a *minor*, the *gymnast's* representative shall also sign.

The *gymnast* and/or the *gymnast's* representative shall have the opportunity to make any comments concerning the *sample collection* procedures.

The DCO shall provide the *gymnast* with a copy of the records of the *sample collection* session that have been signed by the *gymnast* and/or the *gymnast's* representative.

A copy of the records of each *sample collection* session shall also be sent by UK Sport to British Gymnastics.

Once the required urine and/or blood *samples* have been provided by the *gymnast* and all appropriate documentation has been completed, the *gymnast* shall be permitted to leave the *doping control* station.

The sealed *samples* shall be stored securely and transported to a WADA accredited laboratory, or as otherwise approved by WADA, as soon as practicable after the *sample collection* session. UK Sport shall ensure that all blood *samples* arrive at the laboratory within twenty-four (24) hours of collection. All relevant *sample collection* session documentation shall accompany the *sample(s)* to the laboratory, but will not contain any information identifying the *gymnast*.

## **Appendix IV**

### **SUMMARY OF THE 2005 *PROHIBITED LIST***

The full Prohibited List can be found on the WADA website (see Appendix V), and may be amended from time to time.

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

A substance or method shall be considered for inclusion on the *Prohibited List* if WADA determines that the substance or method meets any two of the following three criteria:

- a) Medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to enhance or enhances sport performance;
- b) Medical or other scientific evidence, pharmacological effect or experience that the *use* of the substance or method represents an actual or potential health risk to the Athlete;
- c) WADA's determination that the *use* of the substance or method violates the spirit of sport described in the Introduction to the *Code*.

#### **Structure of the *Prohibited List***

The *Prohibited List* is composed of four sections:

##### **1. *Substances and methods prohibited in-competition and out-of-competition***

- S1. Anabolic agents
- S2. Hormones and related substances
- S3. Beta-2 agonists
- S4. Agents with anti-oestrogenic activity
- S5. Diuretics and other masking agents

- M1. Enhancement of oxygen transfer
- M2. Chemical and physical manipulation
- M3. Gene doping

##### **2. *Substances and methods prohibited in-competition (in addition to S1-S5, M1-M3)***

- S6. Stimulants
- S7. Narcotics
- S8. Cannabinoids
- S9. Glucocorticosteroids

### 3. *Substances prohibited in particular sports\**

- P1. Alcohol
- P2. Beta-blockers

(\*Beta-blockers are *prohibited* for use *in-competition* in Gymnastics)

### 4. *Specified substances*

Some of the substances listed in this section are particularly susceptible to unintentional anti-doping rule violations because of their general availability in medicinal products or are less likely to be successfully abused as doping agents.

## **Appendix V**

### **RESOURCES**

#### **Addresses:**

British Gymnastics - British Gymnastics  
Ford Hall  
Lilleshall National Sports Centre  
Nr Newport  
Shropshire  
TF10 9NB

#### **Websites:**

British Gymnastics – [www.british-gymnastics.org](http://www.british-gymnastics.org)

The FIG – [www.fig-gymnastics.com](http://www.fig-gymnastics.com)

The UEG – [www.ueg-gymnastics.com](http://www.ueg-gymnastics.com)

UK Sport – [www.uk sport.gov.uk](http://www.uk sport.gov.uk)

UK Sport Drug Information Database – [www.uk sport.gov.uk/did](http://www.uk sport.gov.uk/did)

The World Anti-Doping Agency – [www.wada-ama.org](http://www.wada-ama.org)

#### **Other:**

Link to the British Gymnastics Members Handbook and updates –

<http://www.british-gymnastics.org/downloads/pafiledb.php?action=file&id=2>

<http://www.british-gymnastics.org/downloads/pafiledb.php?action=file&id=120>

## Appendix VI

### BRITISH OLYMPIC ASSOCIATION BYE-LAW (November 2004)



**BRITISH OLYMPIC ASSOCIATION**  
**BYE-LAW OF THE NATIONAL OLYMPIC COMMITTEE**  
**ELIGIBILITY FOR MEMBERSHIP OF TEAM GB PERSONS FOUND**  
**GUILTY OF A DOPING OFFENCE**

#### WHEREAS

- (1) the British Olympic Association (the "BOA") is responsible for the selection of athletes and other support personnel to represent Great Britain and other territories as specified by the International Olympic Committee ("Team GB");
- (2) the BOA strongly disapproves of doping in sport and does not regard it as appropriate that Team GB should include athletes or other individuals (including but not limited to coaches, medical and administrative staff) who have doped or been found guilty of a doping offence including but not limited to the supply or trafficking of prohibited substances;
- (3) the BOA, in compliance with the World Anti Doping Code ("the WADC"), recognises adjudication of competent authorities under the WADC by not selecting athletes or other individuals for accreditation

to Team GB while they are subject to a ban from competition under such adjudications;

- (4) the BOA does not regard it as appropriate to select athletes or other individuals for accreditation to Team GB who have at any point committed a serious doping offence involving fault or negligence and without any mitigating factors;
- (5) the BOA regards it as appropriate to take as a starting point that any athlete or individual guilty of a doping offence at any point should be ineligible for selection for Team GB, but to provide that an athlete or individual who can establish before an Appeals Panel that on the balance of probabilities his or her offence was minor or committed without fault or negligence or that there were mitigating circumstances for it, may be declared eligible for selection;
- (6) the BOA has accordingly adopted this bye-law.

1. Any person who has been found guilty of a doping offence either
  - (i) by the National Governing Body of his/her sport in the United Kingdom; or
  - (ii) by any sporting authority inside or outside the United Kingdom whose decision is recognised by the World Anti Doping Agency (a "Sporting Authority")

shall not, subject as provided below, thereafter be eligible for consideration as a member of Team GB or be considered eligible by the BOA to receive or to continue to benefit from any accreditation as a member of the Team GB delegation for or in relation to any Olympic

Games, any Olympic Winter Games or any European Olympic Youth Festivals.

2. The Executive Board of the BOA shall establish an Appeals Panel made up of three individuals (two of whom shall be drawn from members of the Executive Board or elsewhere and the third of whom, the chairman, shall be appointed by the Sports Dispute Resolution Panel ("SDRP")) to consider any appeal by a person made ineligible pursuant to paragraph 1 above. The respondent to the appeal will be the British Olympic Association. None of the members of an Appeals Panel shall (a) be from or connected with the National Governing Body of the appellant, (b) have presented an appeal under this bye-law for and/or on behalf of the BOA or (c) discuss any appeal in progress with any member of the BOA, the BOA Executive Board or the National Olympic Committee unless such member is a member of such an Appeals Panel hearing such an appeal.
3. The Executive Board shall instruct the SDRP to act as secretariat to the Appeals Panel. The costs associated with SDRP carrying out its duties as secretariat will be borne by the BOA.
4. The Appeals Panel shall first consider written submissions by or on behalf of the appellant and the respondent and shall, where possible, render its decision based on those submissions. If the Appeals Panel is not minded to allow an appeal based on written submissions or if requested by an appellant the Appeals Panel shall allow the parties to appear in person and/or be represented before it. Subject thereto, it shall regulate its own procedure as set out in the BOA's Rules for the Appeal Panel under the BOA Bye-law (in force at the time any appeal is commenced).
5. A person made ineligible pursuant to paragraph 1 above may appeal on one or more of the following grounds (but not otherwise)

- (i) the doping offence was minor; or
- (ii) for an offence that was committed after the WADC came into force and was adopted by the relevant body, that there was a finding of no fault or negligence or of no significant fault or negligence in respect of the doping offence; or
- (iii) the appellant can show that, on the balance of probabilities, significant mitigating circumstances existed in relation to the doping offence.

In the event of a successful appeal, the Appeals Panel shall restore eligibility for selection at such time and subject to such conditions as it considers appropriate.

6. In determining whether a doping offence is minor for the purposes of paragraph 5 above, the Appeals Panel shall take account if the Olympic Movement Anti-Doping Code or the World Anti Doping Code in force at the time the offence was committed (the "Codes") and the rules relating to doping of the National Governing Body or the International Federation of the appellant. The Appeals Panel shall consider as minor any offence which under the Code carries a suspension of less than or equal to six months.
7. In determining whether significant mitigating circumstances exist the Appeals Panel shall take account of all relevant facts and matters including any circumstances permitting greater leniency under the Codes. The Appeals Panel shall not consider as a significant mitigating circumstance (without more) any admission of guilt by or on behalf of the appellant.
8. The above provisions apply only to persons found guilty of a doping offence as referred to in paragraph 1 above committed on or after 25<sup>th</sup> March 1992.



9. Each National Governing Body in membership of the BOA shall inform the Chief Executive of the BOA forthwith of the name of any person found guilty under the rules relating to doping of that National Governing Body or any Sporting Authority and supply a certified copy of the decision of the body making such findings and, wherever possible, a full transcript of the proceedings.

This bye-law was passed by the National Olympic Committee on 25<sup>th</sup> March 1992 and modified on 25<sup>th</sup> March 1998, 14 February 2001 and 3 November 2004.