



**ENGLAND GOLF**  
**ANTI-DOPING REGULATIONS**  
**2015 version**

## England Golf - Anti-Doping Rules

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## INTRODUCTION

- (a) England Golf is the trading name of The English Golf Union Limited following its amalgamation with the English Women's Golf Association on 1 January 2012. England Golf Union Limited is a company limited by guarantee with registered number (05564018), hereafter ("England Golf"). Its members are the County Golf Unions and Associations, Affiliated Clubs and Playing Members.
- (b) England Golf is a member federation of the International Golf Federation (the "IGF") and subject to its jurisdiction. IGF is a Signatory to the World Anti-Doping Code (the "Code"). Within its jurisdiction, England Golf shall be the body responsible for regulating, maintaining and enforcing doping control in Amateur Golf in England, as delegated by the IGF.
- (c) Anti-Doping Rules, like the *Rules of Golf*, are sport rules governing the conditions under which sport is played. *Players* and other *Persons* accept these rules as a condition of participation and shall be bound by them. These sport-specific rules and procedures, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature and, therefore, not intended to be subject to, or limited by any national requirements and legal standards applicable to criminal proceedings or employment matters.

When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the *Code* and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

## General Statement of Policy

England Golf is committed to maintaining the integrity of golf. The use of doping substances or doping methods is contrary to the spirit of fair competition. These Anti-Doping Rules are designed to deter the use of Prohibited Substances and Prohibited Methods through education, information and, where appropriate, testing.

## England Golf Anti-Doping Programme

The purpose of England Golf's Anti-Doping Programme is to maintain the integrity of golf and to protect the health and rights of participants in the sport. The England Golf Anti-Doping Programme encompasses:

Incorporation of Anti-Doping Rule Violations identified in the Code, based on the List of Prohibited Substances and Prohibited Methods (as amended from time to time) and maintained by the World Anti-Doping Agency;

Promotion of anti-doping education and information to all parties, *inter alia* *Players*, *Player Support Personnel* and other persons involved with the sport of golf;

Collection of Samples In and Out of Competition (as appropriate) for Testing;



Management of results of such Testing, and of other evidence of possible Anti-Doping Rule Violations by the International Golf Federation and/or UK Anti-Doping ("UKAD"), the agency that acts as the National Anti-Doping Organisation for the United Kingdom;

Independent review of Adverse Analytical Findings, Atypical Findings, Adverse Passport Findings and other relevant evidence of possible Anti-Doping Rule Violations, to confirm that there is prima facie evidence to answer before UKAD charges anyone with the commission of such a violation;

Hearing and determination of any such charges by a first instance tribunal of the England Golf Disciplinary Panel, with the right of Appeal from such first instance decision to an appeal tribunal of the National Anti-Doping Panel (in the case of all Players other than International Level Players as defined by the IGF), or to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland (in the case of International-Level Players), or if consented to by all relevant parties, by a single hearing before CAS;

Where it is found that an Anti-Doping Rule Violation has been committed under the Programme, the imposition of Consequences of the nature and scope specified in the IGF Anti-Doping Policy and the Code.

**It is a condition of membership and of entry to all *Events* organised by England Golf that *Players* voluntarily accept the application to them of this Policy in its entirety and submit to *Testing* in accordance with its provisions, and to the jurisdiction of the disciplinary process set out in these Rules.**

The England Golf Anti-Doping Policy shall also apply to the following:

*Player Support Personnel*, and other *Persons*, each of whom is deemed, as a condition of his/her membership, accreditation and/or participation in the activities of England Golf to have accepted and to be bound by this Anti-Doping Policy, and to have submitted to the authority of England Golf to enforce its Anti-Doping Policy and to the jurisdiction of the disciplinary process set out in this Anti-Doping Policy;

In compliance with its obligation as a member of the International Golf Federation, England Golf shall ensure that all National Level testing on England Golf's elite Amateur Players complies with this Anti-Doping Policy. In the UK, many of the *Doping Control* responsibilities have been delegated or assigned to the National Anti-Doping Organisation (NADO), UK Anti-Doping; where this applies, references in this Anti-Doping Policy shall apply, as appropriate, to UK Anti-Doping. England Golf shall, in conjunction with UKAD, undertake a risk assessment to establish a national level *Registered Testing Pool* of elite Amateur National *Players* to whom whereabouts requirements of the *International Standard for Testing and Investigations* shall apply, if appropriate.

Capitalised terms in this Programme shall bear the meaning ascribed to them in the Definitions Section of these Rules.

All forms from *Minors* must be counter signed by their legal guardians.

These regulations shall be effective from 22 September 2015

## Article 1: Scope and Application

### 1.1 Introduction

- 1.1.1 These Anti-Doping Rules (as amended from time to time, the "**Rules**") implement the requirements of the World Anti-Doping Code (the "**Code**") on a national basis within the sport of amateur golf in England.
- 1.1.2 England Golf has adopted and implemented these Anti-Doping Rules in compliance with England Golf's responsibilities to the IGF as set out in the IGF Anti-Doping Policy, and in furtherance of the IGF's continuing efforts to eradicate doping in the sport of golf. Where, in matters arising under these Rules, the IGF mandate a different approach to that taken in these Rules, and such different approach is permitted under the Code, then the different approach mandated by the IGF shall be followed.
- 1.1.3 These Anti-Doping Rules are based on and represent England Golf's acceptance of and compliance with the UK's National Anti-Doping Policy (Version 1.0, 1 January 2015). Respecting that the UK National Anti-Doping Policy prohibits any anti-doping provisions that contradict or undermine the Code, these Rules will be construed and applied on the basis that they are intended to comply with and to implement in all respects the requirements of the Code.

### 1.2 Application

- 1.2.1 For the purposes of Anti-Doping Control, these Rules shall apply to:
- a. the following persons ("**Players**"):
    - i. Any person who is a member of any England Golf squad and any other person selected to represent England at International Events. ("Elite Amateur National Players"); and
    - ii. Any person playing in any of the following National Scratch Competitions:  
The English Boys' Under 14 Open Amateur Stroke Play Championships.  
The English Boys' Under 16 Open Amateur Stroke Play Championships.  
The English Boys' Under 18 Open Amateur Stroke Play Championships.  
The English Men's Open Amateur Stroke Play Championship.  
The English Men's Seniors' Open Amateur Championship  
English Men's Amateur Championship,  
The English Men's Open Mid-Amateur Championship;
    - iii. **Any** person playing in any of the following National Scratch Competitions:  
The English Girls' Under 13 Amateur Championship.  
The English Girls' Under 15 Amateur Championship.  
The English Girls' Under 18 Amateur Championship.  
The English Ladies' Close Amateur Championship.



The English Ladies' Open Amateur Stroke Play Championship.  
The English Women Seniors' Amateur Championship.  
The English Women Seniors' open stroke play Championship.  
The English Women's Open Mid-Amateur Championship

Also, any golfer competing in an Event or Competition organised, convened or recognised by England Golf.

and

- b. any coach, trainer, manager, agent, team staff, official, nutritionist, medical, paramedical personnel, parent or any other Person working with, treating or assisting a Player participating in or preparing for a Competition ("**Player Support Personnel**"), whether or not such person is a citizen of or resident in the United Kingdom.

1.2.2 Each Player/Player Support Personnel (as applicable) shall be deemed to have agreed:

- a. to be bound by and to comply strictly with these Rules (without prejudice to any other anti-doping rules applicable to him);
- b. to submit to the authority of England Golf and/or of the NADO (as England Golf and the NADO may agree between themselves) to apply, police and enforce these Rules;
- c. to provide all requested assistance to England Golf and the NADO (as applicable) in the application, policing and enforcement of these Rules, including (without limitation) cooperating fully with any investigation, results management exercise, and/or proceedings being conducted pursuant to these Rules in relation to any potential Anti-Doping Rule Violation(s);
- d. to submit to the exclusive jurisdiction of any England Golf first instance tribunal convened under these Rules to hear and determine charges and related issues arising under these Rules;
- e. to submit to the exclusive jurisdiction of any NADP appeal tribunal and/or CAS Panel convened under these Rules to hear and determine appeals made pursuant to these Rules; and
- f. further to Article 16, not to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the England Golf first instance tribunal, the NADP appeal tribunal and CAS.

1.2.3 It is acknowledged that certain Participants may also be subject to the anti-doping rules of other Anti-Doping Organisations, including (in the case of International-Level Players) the anti-doping rules of the International Golf Federation, and that the same conduct of such Participants may implicate not only these Rules but also the rules of such other Anti-Doping Organisations. These Rules are not intended to limit the responsibilities of any Participant under such other rules. The jurisdictional and other issues arising when the same conduct implicates these Rules and such other rules shall be resolved in accordance with the Code.

1.2.4 These Rules shall not apply to an apparent anti-doping violation by a participant who is a member of another member federation of IGF. Such matter would be referred by England Golf to the other member federation and IGF advised accordingly.

- 1.2.5 Where the rules of the International Golf Federation require England Golf to take action against a Participant for an alleged Anti-Doping Rule Violation, such action shall be taken by the NADO in accordance with these Rules.
- 1.2.6 For the avoidance of doubt, nothing in these Rules shall be interpreted as limiting the functions and obligations of the NADO as a Signatory to the Code. Nothing in the Rules prevents the NADO from undertaking Doping Control, results management and/or any other anti-doping activity in accordance with any agreement or arrangement with any other Anti-Doping Organisation, International Federation, or other Signatory to the Code, or in accordance with any right or obligation arising under the Code.

### **1.3 Core Responsibilities**

- 1.3.1 It is the personal responsibility of each Player (which may not be delegated to any other Person):
- a. to acquaint him/herself, and to ensure that each Person (including medical personnel) from whom he/she takes advice is acquainted, with all of the requirements of these Rules, including (without limitation) being aware of what constitutes an Anti-Doping Rule Violation and what substances and methods are on the Prohibited List; and
  - b. to comply with these Rules in all respects, including:
    - i. taking full responsibility for what he/she ingests and uses;
    - ii. carry out research regarding any products or substances which he/she intends to ingest or Use (prior to such ingestion or Use) to ensure compliance with these Rules; such research shall, at a minimum, include a reasonable internet search of the name of the product or substance, the ingredients/substances listed on the product or substance label, and other related information revealed through this research;
    - iii. ensuring that any medical treatment he/she receives does not infringe these Rules;
    - iv. making him/herself available for Testing at all times, whether In-Competition or Out-of-Competition;
    - v. when included in a Registered Testing Pool, providing accurate and up-to-date whereabouts information for purposes of Out-of-Competition Testing;
    - vi. disclosing to UKAD and the IGF any decision by a non-signatory finding that the Player infringed anti-doping rules within the previous ten years; and
    - vii. cooperating fully with any investigation into a potential Anti-Doping Rule Violation under these Rules.

1.3.2 It is the personal responsibility of each Player Support Personnel (which may not be delegated to any other Person):

- a. to acquaint him/herself with all of the provisions of these Rules, including (without limitation) being aware of what constitutes an Anti-Doping Rule Violation and what substances and methods are on the Prohibited List;
- b. to comply with these Rules in all respects;
- c. not to Use or Possess any Prohibited Substance or Prohibited Method without valid justification. A Player Support Person who Uses a Prohibited Substance or Prohibited Method without valid justification may not provide support to any Player.
- d. to cooperate fully with the Testing of Players;
- e. to disclose to UKAD and the IGF any decision by a non-signatory finding that the Player infringed anti-doping rules within the previous ten years;
- f. to cooperate fully with any investigation into a potential Anti-Doping Rule Violation under these Rules; and
- g. to use his/her influence on Player values and behaviour to foster anti-doping attitudes.

#### **1.4 Retirement**

1.4.1 Each Player shall continue to be bound by and required to comply with these Rules unless and until

- a. he/she has given written notice to England Golf that he has retired from representing England at amateur golf and from competing in any of the National Scratch Competitions set out at Article 1.2.1(a)(ii); or
- b. he/she is deemed to have relinquished amateur status as defined in the Rules of Amateur Status for golf.

Where the Player is in the National Registered Testing Pool or Domestic Pool at the time of such retirement, he/she must also send such notice to the NADO. England Golf, the NADO, the NADP and CAS (as applicable) shall continue to have jurisdiction over him/her under these Rules after such retirement in respect of matters taking place prior to retirement.

1.4.2 A Player who retires in accordance with Article 1.4.1 at a time when he/she is in the National Registered Testing Pool or the Domestic Pool may not return to represent England at Amateur level or to compete in any of the National Scratch Competitions set out at Article 1.2.1. (a)(ii) unless:

- a. he/she has given England Golf and the NADO written notice of no less than six months of his/her intent to return; and
- b. during that notice period he/she has submitted to the application of these Rules and to the jurisdiction of the England Golf, the NADO, the NADP and

CAS (as applicable) under the Rules, including by making himself available for Out-of-Competition Testing and (if requested by the NADO) by providing information as to his/her whereabouts during the notice period in accordance with ISTI Annex I

WADA, in consultation with UKAD and the IGF, may grant an exemption to the six-month written notice rule where the strict application of that rule would be manifestly unfair to a Player. WADA's decision may be appealed under Article 13.

1.4.3 If a Player retires while serving a period of Ineligibility, such that he/she is no longer bound by and required to comply with this Policy, that Player may not return to compete in the sport unless:

- a. he/she has given England Golf, UKAD and IGF (if applicable) written notice of no less than six months (or notice equivalent to the period of Ineligibility remaining as of the date the Player retired, if that period was longer than six months) of his/her intent to return to competition;
- b. during that notice period he/she has submitted to the application of this Policy and to the jurisdiction of England Golf, UKAD, the NADP and CAS, (as applicable) under the Policy, including by making him/herself available for Out of Competition Testing and (if requested by UKAD) by providing information as to his/her whereabouts during the notice period in accordance with the ISTI Annex I.

1.4.4 Any competitive results obtained in violation of Article 1.4.2 or 1.4.3 shall be Disqualified.

## 1.5 Interpretation

1.5.1 The Scope and Appendices to these Rules shall be considered an integral part of these Rules.

1.5.2 Save where otherwise indicated:

- a. references to Articles and Appendices are references to articles of and appendices to these Rules; and
- b. defined terms used in these Rules (i.e., those words or phrases starting with capitals shall have the meaning given to them in **Appendix One**.

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

1.5.4 Further to Article 1.1.1, these Rules shall be interpreted and applied at all times (a) as an independent and autonomous text and not by reference to existing laws or statutes; and (b) in a manner that is consistent with the Code. The comments annotating various provisions of the Code shall be used, where applicable, to assist in the understanding and interpretation of these Rules.

## 1.6 Commencement and Amendment

- 1.6.1 These Rules shall come into full force and effect on the Effective Date. They shall not apply retrospectively to matters arising prior to the Effective Date; provided, however, that:
- a. Any case pending prior to the Effective Date, or brought after the Effective Date but based on an anti-doping rule violation that occurred prior to the Effective Date, shall be governed by the rules in force at the time of the anti-doping rule violation, save that (i) Articles 7.10 and 10.7.5 shall apply retroactively (unless, in the case of Article 7.10, the original statute of limitations has already expired by the Effective Date, in which case Article 7.10 shall not apply); and (ii) the anti-doping tribunal hearing the case may decide to apply other provisions from this Policy as well where doing so benefits the Player or other Person alleged to have committed the Anti-Doping Rule Violation, based on the principle of *lex mitior* by the anti-doping tribunal hearing the case.
  - b. Any whereabouts failure (whether a filing failure or a missed test) declared by England Golf under rules in force prior to the Effective Date, which has not expired prior to the Effective Date, shall be carried forward and may be relied upon (prior to its expiry in accordance with such rules) as one of the requisite elements of an Anti-Doping Rule Violation under Article 2.4 of these Rules. Unless otherwise stated by England Golf, however:
    - i. a filing failure that is carried forward in this manner may only be relied upon in combination with (post-Effective Date) Filing Failures;
    - ii. a missed test that is carried forward may only be relied upon in combination with (post-Effective Date) Missed Tests; and
    - iii. a filing failure or missed test declared by any Anti-Doping Organisation other than England Golf prior to the Effective Date may not be combined with any Filing Failure or Missed Test declared under these Rules.
  - c. With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, by the Player or other Person is still serving the period of Ineligibility as of the Effective Date, the Player or other Person who is Ineligible may apply to the NADO for a reduction in the period of Ineligibility in light of the 2015 Code. To be valid, such application must be made before the period of Ineligibility has expired. The decision rendered by England Golf and/or UKAD may be appealed pursuant to Article 13.4. The 2015 Code shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.
  - d. Anti-Doping Rule Violations committed prior to the Effective Date, whether under predecessor versions of this Policy and/or other relevant rules, count as prior offences for purposes of determining sanctions under Article 10, including Article 10.7 and especially Article 10.7.5. For purposes of assessing the period of Ineligibility for a second violation under Article 10.7.1, where the sanction for the first violation was based on pre-2015 Code rules, the period of Ineligibility which would have been assessed for that first violation had 2015 Code rules been applicable, shall be applied.

1.6.2 Amendments to these Rules shall be approved and shall come into effect in the manner prescribed by England Golf, save that amendments by WADA to the Code, the Prohibited List and any International Standard shall come into effect automatically in the manner set out in the Code. Such amendments shall be binding upon all Players and other Persons without further formality.

## **Article 2: Anti-Doping Rule Violations**

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion of one or more of these specific rules have been violated.

*Players* or other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*.

Each of the acts or omissions set out in Articles 2.1 to 2.10 shall constitute an Anti-Doping Rule Violation under these Rules:

### **2.1 The presence of a Prohibited Substance or its Metabolites or Markers in a Player's Sample, unless the Player establishes that the presence is consistent with a TUE granted in accordance with Article 4.**

2.1.1 It is each Player's personal duty to ensure that no Prohibited Substance enters his/her body. A Player is responsible for any Prohibited Substance or any of its Metabolites or Markers found to be present in his/her Sample. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Player's part be demonstrated in order to establish an Anti-Doping Rule Violation under Article 2.1; nor is the Player's lack of intent, fault, negligence or knowledge a valid defence to a charge that an Anti-Doping Rule Violation has been committed under Article 2.1.

2.1.2 Proof of either of the following is sufficient to establish an Anti-Doping Rule Violation under Article 2.1 to the standard required by Article 8.3.1:

- a. Presence of a Prohibited Substance or any of its Metabolites or Markers in the Player's A Sample, where the Player waives analysis of his/her B Sample and the B Sample is not analysed; or
- b. Presence of a Prohibited Substance or any of its Metabolites or Markers in the Player's A Sample, where the Player's B Sample is analysed and such analysis confirms the presence in the B Sample of the Prohibited Substance or any of its Metabolites or Markers found in the A Sample, or where the Player's B Sample is split into two bottles and the analysis of the second bottle confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first bottle.

2.1.3 Except in the case of those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List, the detected presence of any quantity of a Prohibited Substance or any of its Metabolites or Markers in a Player's Sample shall constitute an Anti-Doping Rule Violation, unless the Player establishes that such presence is consistent with a TUE granted in accordance with Article 4.

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

## **2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method, unless the Player establishes that the Use or Attempted Use is consistent with a TUE granted in accordance with Article 4.**

2.2.1 It is each Player's personal duty to ensure that no Prohibited Substance enters his/her body and that he/she does not Use any Prohibited Method. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Player's part be demonstrated in order to establish an Anti-Doping Rule Violation of Use under Article 2.2; nor is the Player's lack of intent, fault, negligence or knowledge a valid defence to a charge that an Anti-Doping Rule Violation of Use has been committed under Article 2.2.

2.2.2 It is necessary to demonstrate intent on the Player's part to establish an Anti-Doping Rule Violation of Attempted Use under Article 2.2.

2.2.3 The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. For an Anti-Doping Rule Violation to be committed, it is sufficient that the Player Used or Attempted to Use a Prohibited Substance or Prohibited Method.

2.2.4 Out-Of-Competition Use of a substance that is only prohibited In-Competition is not an Anti-Doping Rule Violation. If, however, an Adverse Analytical Finding is reported for such substance or any of its Metabolites or Markers in respect of a Sample collected In-Competition, that may amount to an Anti-Doping Rule Violation under Article 2.1.

## **2.3 Evading, Refusing or Failing to Submit to Sample Collection**

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

## **2.4 Whereabouts Failures.**

2.4.1 Any failure to file whereabouts information in accordance with ISTI Article 1.3 shall be deemed a "**Filing Failure**". Any failure to be available for Testing at the declared whereabouts in accordance with ISTI Article 1.4 shall be deemed a "**Missed Test**".

2.4.2 Any combination of three Filing Failures and/or Missed Tests committed within a 12 -month period, as declared by the NADO or any other Anti-Doping Organisation with the requisite jurisdiction over the *Player* in accordance with the International Standard for Testing and Investigations shall constitute an Anti-Doping Rule Violation under Article 2.4.

## **2.5 Tampering or Attempted Tampering with any part of Doping Control.**

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

## **2.6 Possession of Prohibited Substances and/or Prohibited Methods.**

2.6.1 Possession by a *Player In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by a *Player Out of Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited in Out-of-Competition Testing, unless the *Player* establishes that the *Possession* is consistent with a TUE granted in accordance with Article 4.4 or other acceptable justification.

2.6.2 Possession by a *Player Support Person In-Competition* of any *Prohibited Substance* or *Prohibited Method*, or *Possession* by a *Player Support Person Out of Competition* of any *Prohibited Substance* or any *Prohibited Method* which is prohibited Out of Competition in connection with a *Player*, *Competition* or training, unless the *Player Support Person* establishes that the *Possession* is consistent with a TUE granted in accordance with Article 4 or other acceptable justification.

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

**2.8 Administration or Attempted Administration to a Player In Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition Testing, in connection with a Player, Competition or training, unless the Player Support Person establishes that the Possession is consistent with a TUE granted in accordance with Article 4 or other acceptable justification.**

## **2.9 Complicity**

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an *Anti-Doping Rule Violation*, *Attempted Anti-Doping Rule Violation* or violation of Article 10.12.1 by another *Person*.

## **2.10 Prohibited Association**

2.10.1 Association by a *Player* or other *Person* who is subject to the authority of England Golf in a professional or sport-related capacity with any *Player Support Person* who:

(a) If subject to the authority of an *Anti-Doping Organisation*, is serving a period of *Ineligibility*; or

(b) If not subject to the authority of an *Anti-Doping Organisation* and where *Ineligibility* has not been addressed in a results management process pursuant to the *Code*, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or



(c) Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

2.10.2 In order for this provision to apply, it is necessary that the *Player* or other *Person* has previously been advised in writing by an *Anti-Doping Organisation* with jurisdiction over the *Player* or other *Person*, or by *WADA*, of the *Player Support Person's* disqualifying status and the potential *Consequence* of prohibited association and that the *Player* or other *Person* can reasonably avoid the association. The *Anti-Doping Organisation* shall also use reasonable efforts to advise the *Player Support Person* who is the subject of the notice to the *Player* or other *Person* that the *Player Support Person* may, within 15 days, come forward to the *Anti-Doping Organisation* to explain that the criteria described in Articles 2.10.1 and 2.10.2 do not apply to him or her. (Notwithstanding Article 7.10, this Article applies even when the *Player Support Person's* disqualifying conduct occurred prior to the effective date)

The burden shall be on the *Player* or other *Person* to establish that any association with *Player Support Personnel* described in Article 2.10.1 or 2.10.2 is not in a professional or sport-related capacity.

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

### **Article 3: The Prohibited List**

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

3.1.1 These Rules adopt and incorporate the Prohibited List and the International Standard for the Prohibited List, as amended from time to time. A copy of the Prohibited List in force can be found at [www.wada-ama.org](http://www.wada-ama.org)

3.1.2 The Prohibited List may be amended by WADA from time to time in accordance with Code Article 4.1. Unless provided otherwise by WADA, such amendments shall come into effect automatically under these Rules three (3) months after publication of the amendments by WADA on its website, without requiring any further action by England Golf or the NADO.

3.1.3 All Participants shall be deemed to accept the Prohibited List and the International Standard for the Prohibited List, and any amendments thereto, without further formality. It is the responsibility of all Participants to familiarise themselves with the most up-to-date version of the Prohibited List and related Standard and all amendments thereto.

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

3.2.1 The Prohibited List identifies those Prohibited Substances and Prohibited Methods which are prohibited at all times (i.e., both In-Competition and Out-of-Competition) and those additional substances and methods which are prohibited In-Competition only.

3.2.2 Prohibited Substances and Prohibited Methods may be included in the Prohibited List by general category (e.g. anabolic agents) or by specific reference to a particular substance or method or sport.

### **3.3 Specified Substances**

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

3.3.2 In the event that WADA expands the Prohibited List by adding a new class of Prohibited Substances, WADA's Executive Committee shall determine whether any or all of the Prohibited Substances within the new class of Prohibited Substances shall be considered Specified Substances within the meaning of Article 3.3.1.

### **3.4 WADA's Determination of the Prohibited List**

The following shall be final and shall not be subject to challenge by any Participant based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport:

3.4.1 WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List;

3.4.2 WADA's classification of substances into categories on the Prohibited List (e.g., as prohibited at all times, or only In-Competition; or as a Specified Substance, or a non-Specified Substance); and

3.4.3 WADA's classification of a substance as prohibited at all times or In-Competition only.

## **Article 4: Therapeutic Use Exemptions**

### **4.1 Incorporation of the International Standard for Therapeutic Use Exemptions**

4.1.1 The Code permits Players to apply for permission to Use, for therapeutic purposes, substances or methods on the Prohibited List whose Use would otherwise be prohibited.

4.1.2 The International Standard for Therapeutic Use Exemptions sets out the circumstances in which Players may claim such a therapeutic use exemption (or "TUE"). These Rules adopt and incorporate that standard, as amended from time to time. All Participants shall be deemed to accept the standard and any amendments thereto as binding upon them without further formality.

### **4.2 Scope and Effect of TUEs**

4.2.1 The presence of a Prohibited Substance or its Metabolites or Markers, and/or the Use or Attempted Use, Possession or Administration or Attempted Administration

of a Prohibited Substance or Prohibited Method shall not be considered an Anti-Doping Rule Violation if it is consistent with the provisions of a TUE validly granted to the Player in question in accordance with this Policy and the International Standard for Therapeutic Use Exemptions.

4.2.2 A Player who is not an International-Level Player should apply to UKAD for a TUE and UKAD should inform England Golf of such an application and the outcome of the application. Any TUE granted to a Player by or on behalf of a Signatory (including any TUE granted prior to the Effective Date) will be recognised under these Rules in accordance with the terms of the grant, provided that the grant is consistent with the Code and the criteria set out in the International Standard for Therapeutic Use Exemptions and is within that Signatory's authority. Otherwise, however, a Player required by Article 4.2.4 or Article 4.2.5 to obtain a TUE must obtain one from the UK TUE Committee in accordance with those articles, Article 4.2.6 and Article 4.3.

4.2.3 A Player who is an International-Level Player should apply to the IGF for a TUE and the IGF should inform England Golf of such an application and the outcome of the application.

(a) Players should note that a TUE granted by the UK TUE Committee shall not be valid for purposes of the IGF's rules (e.g., if the Player becomes an International-Level Player or competes in an International Event) unless and until the IGF recognises that TUE in accordance with the International Standard for Therapeutic Use Exemptions. Players are also warned that TUEs granted by the UK TUE Committee or the IGF may not be automatically recognised by Major Event Organisations (e.g. the IOC, for the Olympic Games).

(b) Pursuant to Code Article 4.4.3.1, where a Player already has a TUE granted by the UK TUE Committee for the substance or method in question:

(i) if the TUE granted by the UK TUE Committee meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the IGF must recognise it.

(ii) if the IGF considers that the TUE granted by the UK TUE Committee does not meet those criteria and so refuses to recognise it, it must notify the Player and UKAD promptly, with reasons. The Player and UKAD shall have 21 days from such notification to refer the matter to WADA for review. If the matter is referred to WADA for review, the TUE granted by the UK TUE Committee remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for international-level Competition) pending WADA's decision. If the matter is not referred to WADA for review, the TUE becomes invalid for any purpose when the 21-day review deadline expires.

(c) Pursuant to Code Article 4.4.3.2, where the IGF grants a TUE to a Player who did not already have a TUE granted by the UK TUE Committee for the substance or method in question, the IGF must notify the Player and UKAD. If UKAD considers that the TUE does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has 21 days from such notification to refer the matter to WADA for review. If UKAD refers the matter to WADA for review, the TUE granted by the IGF remains valid for

international-level Competition and Out-of-Competition Testing (but is not valid for national-level Competition) pending WADA's decision. If UKAD does not refer the matter to WADA for review, the TUE granted by the International Federation becomes valid for national-level Competition as well when the 21-day review deadline expires.

4.2.4 Subject only to Articles 4.2.2 (which provides that a TUE granted by another Signatory, such as the International Golf Federation, may be recognised under this Policy) and 4.2.5 (which identifies the limited circumstances in which a TUE may be granted retroactively):

- (a) A Player in the National Registered Testing Pool must obtain a TUE in accordance with Article 4.3 prior to Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question;
- (b) UKAD may also establish a further pool of Players not in the National Registered Testing Pool (the "**Domestic Pool**") who are required to obtain a TUE in accordance with Article 4.3 prior to Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question; and
- (c) In the event that a Player who is not included in the National Registered Testing Pool or Domestic Pool wishes to obtain a TUE in accordance with Article 4.3 prior to Use, Possession or Administration of the Prohibited Substance or Prohibited Method in question, UKAD may, at its sole and absolute discretion, choose to process the Player's advance TUE application or refer the Player to the procedure for retroactive TUE applications set out in Articles 4.2.5 and 4.2.6.

4.2.5 A TUE may be granted retroactively in the following limited circumstances:

- (a) Where a Player who is not in the National Registered Testing Pool or the Domestic Pool is tested pursuant to this Policy, and that Player has been Using a Prohibited Substance or Prohibited Method for which he/she is entitled to a TUE;
- (b) Where emergency treatment or treatment of an acute medical condition was necessary;
- (c) Where, due to other exceptional circumstances, there was insufficient time or opportunity for the Player to submit, or for the TUE Committee to consider, an application for the TUE prior to Sample collection; or
- (d) Where it is agreed by UKAD and by WADA that fairness requires the grant of a retroactive TUE.

4.2.6 A Player must submit an application for a retroactive TUE to the UK TUE Committee no later than five working days after an Adverse Analytical Finding is reported in respect of the Sample collected from that Player; provided that:

- (a) UKAD may extend this deadline upon request by the Player for good cause shown; and

- (b) any such TUE application shall be resolved before any Adverse Analytical Finding, Atypical Finding or Adverse Passport Finding relating to that Player's Sample is processed under Articles 7.2, 7.3 or 7.4.

4.2.7 Subject to Articles 4.2.2 and 4.2.3, a Player may not apply to more than one Anti-Doping Organisation for a TUE. A Player who applies for a TUE pursuant to the rules of his/her International Federation or another Anti-Doping Organisation shall report the grant or denial of the application immediately to England Golf and UKAD, by sending it copies of the application and the decision.

4.2.8 The submission of false or misleadingly incomplete information in support of a TUE application (including but not limited to the failure to advise of the unsuccessful outcome of a prior application to another Anti-Doping Organisation for such a TUE) may result in a charge of Tampering or Attempted Tampering under Article 2.5.

### **4.3 Grant of a TUE**

4.3.1 A Player requiring a TUE must apply to the UK TUE Committee in accordance with the TUE application process set out in the UK Anti-Doping Procedures Guide.

4.3.2 The UK TUE Committee will determine the TUE application in strict accordance with the criteria set out in the International Standard for Therapeutic Use Exemptions.

4.3.3 All decisions by the UK TUE Committee (whether for the grant/denial or recognition/non-recognition of a TUE application) will be notified to the Player in writing by UKAD and made available by UKAD to England Golf, other Anti-Doping Organisations and WADA via ADAMS or any other system approved by WADA, in accordance with Article 5.4 of the International Standard for Therapeutic Use Exemptions.

- (a) A decision to grant a TUE must specify the dosage(s), frequency, route and duration of Administration of the Prohibited Substance or Prohibited Method in question that the UK TUE Committee is permitting, reflecting the clinical circumstances, as well as any conditions imposed in connection with the TUE.

- (b) A decision to deny a TUE application must include an explanation of the reason(s) for the denial.

4.3.4 A TUE will be effective as of the date it is granted (save where a retroactive TUE is granted pursuant to Article 4.2.5, in which case the UK TUE Committee will specify the applicable effective date in its decision) and will have a specified duration as decided on a case by case basis by the UK TUE Committee. The TUE may also be granted subject to such conditions or restrictions as the UK TUE Committee sees fit.

4.3.5 A Player may not assume that his/her application for a TUE (or for renewal of a TUE) will be granted. Any Use or Possession or Administration of a Prohibited Substance or Prohibited Method before an application has been granted shall be entirely at the Athlete's own risk.

### **4.4 Expiration or Cancellation of a TUE**

4.4.1 A TUE granted pursuant to these Rules:

- a. shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality;
- b. may be cancelled by the UK TUE Committee if the Player does not promptly comply with any requirements or conditions imposed by the UK TUE Committee upon grant of the TUE; or
- c. may be withdrawn by the UK TUE Committee if it is subsequently determined that the criteria for grant of a TUE are not in fact met.

4.4.2 A Player who is in a National Registered Testing Pool or Domestic Pool who wishes to continue to Use the Prohibited Substance or Prohibited Method in question after the term for which the TUE has been granted must apply prior to the end of the term for renewal of the TUE in accordance with Article 4.3.

4.4.3 Cancellation of a TUE pursuant to Article 4.4.1(b) or withdrawal of a TUE pursuant to Article 4.4.1(c) shall be made in writing and notified by the NADO to the Player in accordance with Article 17.2, with copies to England Golf and the International Golf Federation. Such notice shall take effect upon receipt, in accordance with Article 17.2.

4.4.4 In the event of an expiration, cancellation or withdrawal of the TUE pursuant to Article 4.4.1, the Player shall not be subject to any Consequences based on his/her Use or Possession or administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE at any time prior to the effective date of expiry, cancellation or withdrawal of the TUE. The review pursuant to Article 7.2.1 of any subsequent Adverse Analytical Finding shall include consideration of whether such finding is consistent with Use of the Prohibited Substance or Method prior to that date, in which event there shall be no case to answer.

#### **4.5 Review of TUE Decisions**

4.5.1 In accordance with Code Article 4.4 and Article 8 of the International Standard for Therapeutic Use Exemptions, WADA may review TUE decisions as follows:

- a. WADA must review any decision by the International Golf Federation not to recognise a TUE granted by UKAD that is referred to it by UKAD or the Athlete. In addition, WADA must review the International Golf Federation's decision to grant a TUE that is referred to it by UKAD.
- (b) WADA may review any other TUE decisions at any time, whether upon request by those affected (e.g. at the request of a Player in the National Registered Testing Pool whose application for a TUE has been denied by the UK TUE Committee) or on its own initiative.
- (c) If the TUE decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.

- 4.5.2 Decisions of the International Golf Federation, the UK TUE Committee (and decisions of the UK TUE Appeal Panel), and WADA may be challenged by appeal in accordance with Article 13.2.
- 4.5.3 Until such time as the grant or denial of a TUE application made pursuant to these Rules has been reversed pursuant to Article 4.5.1 or Article 4.5.2, such grant or denial shall remain in full force and effect.

## **Article 5: Testing and Investigations**

### **5.1 Incorporation of the International Standard for Testing and Investigations**

These Rules adopt and incorporate the International Standard for Testing and Investigations, as amended from time to time... (A copy of the International Standard for Testing and Investigations currently in force may be found at [www.wada-ama.org](http://www.wada-ama.org)) All Participants shall be deemed to accept that International Standard and any amendments thereto as binding upon them without further formality.

### **5.2 Testing Jurisdiction**

- 5.2.1 All Players (including but not limited to Players in the National Registered Testing Pool) must make themselves available for and must submit to Testing (urine and/or blood) by (or as authorised by) the NADO, pursuant to these Rules at any place and time (whether In-Competition or Out-of-Competition, whether in the UK or overseas).
- 5.2.2 Testing pursuant to these Rules shall be carried out in accordance with the International Standard for Testing and Investigations in force at the time of Testing. Testing shall only be undertaken under this Policy for anti-doping purposes, i.e. to obtain analytical evidence as to the Player's compliance (or non-compliance) with the strict prohibition on the presence/Use of Prohibited Substances and Prohibited Methods. Save in exceptional circumstances, all Out-of-Competition Testing will be conducted on a No Advance Notice basis.
- 5.2.3 A Player shall continue to be subject to the NADO's jurisdiction unless and until he/she retires from sport in accordance with Article 1.4.1.
- 5.2.4 A Player who is in the National Registered Testing Pool shall continue to be subject to the requirements of ISTI Annex I unless and until:
- a. he/she retires from golf in accordance with Article 1.4.1; or
  - b. the NADO and England Golf are satisfied that the Player no longer satisfies the criteria for inclusion in the National Registered Testing Pool.
- 5.2.5 Other Anti-Doping Organisations may also have jurisdiction to test Players who are subject to these Rules, in accordance with Code Article 5. England Golf and the NADO shall recognise such Testing in accordance with Code Article 15.1 (Application and Recognition of Decisions) and the NADO may bring proceedings against a Player pursuant to this Policy for an Anti-Doping Rule Violation arising in relation to such Testing.

### **5.3 In-Competition Testing**

- 5.3.1 At National Events, the NADO in conjunction with England Golf shall determine the number of Players to be selected for Testing in each Competition and the procedures for selecting the Players for Testing.
- 5.3.2 At International Events held in the United Kingdom, the collection of Samples shall be initiated and directed by the ruling body of the Event, subject always to the right of the NADO to initiate and conduct such Testing in accordance with Code Article 5.3.2...

### **5.4 Out-of-Competition Testing**

5.4.1 In addition to the general obligation on all Players to submit to Testing, including Out-of-Competition Testing, at any time and place, in accordance with ISTI Article 4.8 and I.2 the NADO shall establish, (in conjunction with England Golf), a pool of Players (the "National Registered Testing Pool") who are required to provide whereabouts information in accordance with ISTI Article I.3 and to make themselves available for Testing at such whereabouts in accordance with ISTI Article I.4. Unless otherwise specified by the NADO, Players in the National Registered Testing Pool shall use ADAMS to file their whereabouts information. This whereabouts information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting Doping Control, providing information relevant to the Athlete Biological Passport or other analytical results, to support an investigation into a potential Anti-Doping Rule Violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with the International Standard for the Protection of Privacy and Personal Information.

- 5.4.2 Subject to the results management provisions set out at ISTI Article I.5 and at Article 7.1.2 of these Rules:
- a. the failure of a Player in the National Registered Testing Pool to provide whereabouts information in accordance with ISTI Article I.3 shall be deemed a Filing Failure for purposes of Article 2.4 where the conditions of ISTI Article I.3.5 are met; and
  - b. the failure of a Player in the National Registered Testing Pool to be available for Testing at such whereabouts in accordance with ISTI Article 11.4 shall be deemed a Missed Test for purposes of Article 2.4 where the conditions of ISTI Article I.4.3 are met.
- 5.4.3 A Player will be notified in writing of his/her inclusion in (or removal from) the National Registered Testing Pool. A Player may be included in the National Registered Testing Pool notwithstanding that he/she is also included in an International Registered Testing Pool. In that case, the NADO and the International Golf Federation will agree on which of them receives the Player's whereabouts filings and shares it with the other and with other Anti-Doping Organisations with jurisdiction to test that Player in accordance with ISTI Article I.22 and I, 2.3 (and, in the absence of agreement, then WADA shall decide which of them shall take that responsibility). In any event, the Player will only be required to file whereabouts information with either the NADO or the International Golf Federation.

### **5.5 ABP Testing**



- 5.5.1 The International Golf Federation and the NADO shall implement, if relevant, an ABP Programme in accordance with the International Standard for Testing and Investigations, the International Standard for Laboratories, and the ABP Guidelines.

## **5.6 Selection of Players for Testing**

- 5.6.1 The NADO in conjunction with England Golf will select Players for Testing using Target Testing, Weighted and random selection methods, in accordance with the International Standard for Testing in force at the time of selection.
- 5.6.2 In order to preserve the ability to conduct No Advance Notice Testing, those who become aware of the selection of a Player for Testing shall only disclose such information on a strictly need-to know basis. Any failure to comply with this requirement may result in a charge of Tampering or Attempted Tampering under Article 2.5.

## **5.7 Testing of Minors**

- 5.7.1 Testing of a Player who is a Minor shall be conducted in accordance with ISTI Annex C (Modifications for Athletes who are Minors).
- 5.7.2 A Player who is a Minor may not represent England or participate in any of the National Scratch Competitions set out at Article 1.2.1(a) unless a parent or guardian of that Minor has consented to Testing of the Minor in accordance with Article 5.7.1. For purposes of these Rules, such consent shall be deemed from the fact that the Minor has been permitted by his parent or guardian to participate in the sport at this level. Confirmation in writing of such consent may be required to be provided at any time. Where the Minor is included in the National Registered Pool or the Domestic Pool, such consent must be confirmed upon notification of inclusion in the pool as a precondition to further participation in the sport. In addition, the rules of a particular Event may require the provision of written consent pursuant to Article 5.7.1 as a pre-condition of participation by any Minor in the Event.

## **5.8 Liability for Testing**

Although every reasonable effort will be made to avoid inconvenience to the Player being tested, no liability shall arise on the part of England Golf or the NADO or any of their respective members, directors, officers, employees, agents or representatives for any inconvenience or loss arising on the part of the Player as a result of such Testing.

## **5.9 Investigations**

- 5.9.1 In addition to conducting the Testing referenced in this Article 5, the International Golf Federation and the NADO and England Golf shall have the power to gather anti-doping intelligence and conduct investigations in accordance with the requirements of the Code and the International Standard for Testing and Investigations into matters that may evidence or lead to the discovery of evidence of an Anti-Doping Rule Violation. The NADO shall conduct an automatic investigation of Player Support Personnel within its jurisdiction (i) in the case of any Anti-Doping Rule Violation by a Minor, and (ii) where the Player Support Person has provided support to more than one Player found to have committed an Anti-Doping Rule Violation. Investigations may be conducted in conjunction with, and/or

information obtained in such investigations may be shared with, other Anti-Doping Organisations and/or other relevant authorities (including England Golf, in particular where a breach of its Rules of Conduct may be). The shall have discretion, where it deems appropriate, to stay its own investigation pending the outcome of investigations being conducted by other Anti-Doping Organisations and/or other relevant authorities.

5.9.2 In its investigation as to whether there is a case to answer under Article 2, IGF and/or UKAD may seek to obtain additional information from any source, which may include (without limitation):

- (a) Where the NADO considers it appropriate to do so, giving the Player(s) or other Person(s) implicated in the potential Anti-Doping Rule Violation an opportunity, subject to compliance with a strict time-table, to make such submissions as he/she may wish. If the NADO decides to invite such submissions, a formal hearing is not required to be held. Instead, the NADO shall determine how the submissions should be made, such as (for example) in writing, or by telephone conference;
- (b) The NADO may make a written demand to a Player or other Person (a "**Demand**") to furnish to the NADO any information that may evidence or lead to the discovery of evidence of an Anti-Doping Rule Violation, including (without limitation) requiring the Player or other Person to attend an interview and/or to provide a written statement setting forth the Player's or other Person's knowledge of the relevant facts and circumstances. The Player or other Person must furnish such information within seven business days of the making of such Demand, or within such other deadline as may be specified by the (N)ADO. Any information furnished to the NADO shall be kept confidential except when it becomes necessary to disclose such information to further the investigation of and/or to bring proceedings relating to an Anti-Doping Rule Violation, or when such information is reported to administrative, professional, or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations.

5.9.3 Where a Player or other Person knows or suspects that any other Player or other Person has committed an Anti-Doping Rule Violation, it shall be the first Player's or other Person's obligation to report such knowledge or suspicion to the NADO as soon as possible. The first Player or other Person shall have a continuing obligation to report any new knowledge or suspicion regarding any Anti-Doping Rule Violation to the (N)ADO, even if the Player's or other Person's prior knowledge or suspicion has already been reported. Failure to comply with any of the foregoing without acceptable justification may be treated as misconduct under England Golf's rules of conduct and may be sanctioned accordingly.

5.9.4 Players and other Persons must cooperate fully with investigations conducted pursuant to this Article 5.9. Failure or refusal to do so without acceptable justification may be treated as misconduct under England Golf's rules of conduct and may be sanctioned accordingly.

5.9.5 If the Player or other Person subverts or Attempts to subvert the investigation process (e.g., by providing false, misleading or incomplete information, and/or by destroying potential evidence), proceedings may be brought against him or her for violation of Article 2.5 (Tampering or Attempted Tampering).

- 5.9.6 Where, as the result of an investigation under this Article 5.9, the NADO considers that a Player or other Person has a case to answer under Article 2, it shall refer the matter to one or more Independent Reviewers, as appropriate, to be dealt with as set out in Article 7.6.

## **Article 6: Analysis of Samples**

### **6.1 Incorporation of the International Standard for Laboratories**

These Rules adopt and incorporate the International Standard for Laboratories, as amended from time to time. All Participants shall be deemed to accept the International Standard for Laboratories and any amendments thereto as binding upon them without further formality. A copy of the International Standard for Laboratories currently in force can be found at [www.wada-ama.org](http://www.wada-ama.org)

### **6.2 Use of Accredited and Approved Laboratories**

- 6.2.1 For purposes of detecting the presence of a Prohibited Substance or any of its Metabolites or Markers, or to screen a blood Sample to determine whether the Player's corresponding urine Sample should be analysed, the NADO shall send Samples collected under these Rules for analysis only to a WADA-accredited laboratory or a laboratory otherwise approved by WADA selected exclusively by the NADO..
- 6.2.2 Laboratories shall analyse Samples collected under these Rules, and shall report the results of such analysis, in compliance with the Code and the International Standard for Laboratories in force at the time of analysis.
- 6.2.3 Save in the circumstances set out at Article 7.8.5, the NADO shall be responsible for the costs of analysis of Samples under these Rules.

### **6.3 Substances Subject to Detection**

- 6.3.1 Samples shall be analysed:
- a. to detect Prohibited Substances (and their Metabolites or Markers) and Prohibited Methods and other substances as may be directed by WADA pursuant to the Monitoring Programme described in Code Article 4.5; and/or
  - b. to assist the NADO in profiling relevant parameters in a Player's urine, blood or other matrix, including DNA profiling, for any other legitimate anti-doping purpose.
- 6.3.2 Samples may be collected and stored for future analysis for the purposes set out in Article 6.3.1.

### **6.4 Further Analysis of Samples**

- 6.4.1 Any Sample may be subject to further analysis by UKAD (provided that it is responsible for results management) at any time before both the A and B Sample analytical results (or A Sample result where B Sample analysis has been waived or will not be performed) have been communicated by UKAD

to the Athlete as the asserted basis for an Article 2.1 Anti-Doping Rule Violation.

6.4.2 Any Sample collected under these Rules may be stored and subjected to further analysis for the purposes set out in Article 6.3.1 at any time exclusively at the direction of UKAD (provided that it initiated and directed the Sample collection) or WADA. Any Sample storage or further analysis initiated by WADA shall be at WADA's expense. The circumstances and conditions for further analysis of Samples shall conform to the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

## **6.5 Research on Samples**

6.5.1 As between the Player and the NADO, Samples provided by a Player under these Rules shall be the property of the NADO, and the NADO shall be entitled (subject to Article 6.5.2) to determine all matters regarding the analysis and disposal of such Samples.

6.5.2 No Sample may be used for research without the Player's written consent. A Sample used (with the Player's consent) for purposes other than as described in Article 6.3 shall have the identity code removed or shall be transferred into an anonymous container so that it cannot be traced back to the Player.

6.5.3 Any Adverse Analytical Finding reported by the laboratory shall be dealt with in accordance with Article 7.2.

6.5.4 Any Atypical Finding reported by the laboratory shall be dealt with in accordance with Article 7.3.

6.5.5 Any Adverse Passport Finding reported by the laboratory shall be dealt with in accordance with Article 7.4.

## **Article 7: Results Management**

### **7.1 Responsibility for Results Management**

7.1.1 Results management and the investigation of potential Anti-Doping Rule Violations shall proceed under these Rules in accordance with Code Article 7.1 and Article 7.1. of these Rules. Without prejudice thereto, this includes where the conduct in question:

- a. was identified by Testing initiated and directed by the NADO pursuant to these Rules or otherwise arose in relation to these Rules;
- b. was identified by Testing conducted pursuant to other applicable rules (e.g. at an International Event) or otherwise arose in relation to those other rules, and the Anti-Doping Organisation that issued such rules requests or it is otherwise appropriate in all of the circumstances for the NADO to take jurisdiction over the matter; or

- c. was identified by means other than Testing, and the NADO was the first Anti-Doping Organisation to provide notice to the Player or other Person of an asserted Anti-Doping Rule Violation and it diligently pursues that Anti-Doping Rule Violation.
- 7.1.2 The NADO shall have results management authority in relation to an Article 2.4 Anti-Doping Rule Violation (subject to ISTI Article I.6) where the Player in question files his/her whereabouts information with the NADO.
- (a) Results management in relation to potential Whereabouts Failures shall be conducted by the NADO in accordance with this Article 7.1.2 and Article I.5 of the International Standard for Testing and Investigations (with the administrative review, if any, carried out by one or more Independent Reviewers in accordance with Article 7.5) in order to determine whether all of the requirements of Article I.3.6 of the International Standard for Testing and Investigations (in the case of a Filing Failure) or all of the requirements of Article I.4.3 of the International Standard for Testing and Investigations (in the case of a Missed Test) are met such that a Whereabouts Failure should be declared and recorded against the Athlete.
  - (b) Where a Whereabouts Failure by a Player who is subject to the NADO's results management authority is uncovered through an attempt by or on behalf of an Anti-Doping Organisation other than the NADO to test that Player, then the NADO shall procure the requisite information and assistance from that other Anti-Doping Organisation pursuant to ISTI Article I.5.2, so that the NADO may carry out its result management in respect of the Whereabouts Failure in accordance with this Article 7.1.2 and Article ISTI Article I.5.
  - (c) Where a Player who is subject to the NADO's Article 7.1.2 results management authority is declared to have committed three Whereabouts Failures (i.e. any combination of Filing Failures and/or Missed Tests adding up to three) within any 12-month period, then the matter shall be referred to one or more Independent Reviewer(s) to determine, in accordance with Article 7.5 and ISTI Article I.5.4, whether the Player has a case to answer under Article 2.4.
- 7.1.3 Where responsibility for results management arises under these Rules, it shall be undertaken by the NADO. Any dispute between the NADO and another Anti-Doping Organisation over which organisation has results management authority shall be settled by WADA in accordance with Code Article 7.1.
- 7.1.4 Where the NADO has responsibility for results management under these Rules in respect of a case that has been passed to it by an International Federation or other Anti-Doping Organisation, the NADO may (at its sole discretion) submit the file received from the International Federation or other Anti-Doping Organisation to one or more Independent Reviewer(s) to review the file in accordance with Articles 7.2-7.6 (as applicable).
- 7.1.5 If a Player or other Person retires while the NADO is conducting the results management process, the NADO retains jurisdiction to complete its results management process. If a Player or other Person retires before any results management process has begun, and the NADO would have had results management authority over the Player or other Person at the time the Player or

other Person committed an Anti-Doping Rule Violation, the NADO has authority to conduct results management in respect of that Anti-Doping Rule Violation

## **7.2 Review of Adverse Analytical Findings**

7.2.1 Upon receipt of an Adverse Analytical Finding in relation to an A Sample, the NADO (involving Independent Reviewers as appropriate), shall conduct a review of any TUE granted to the Player as well as of the documentation relating to the Doping Control and the A Sample analysis, and any other relevant documentation, to determine whether:

- a. the presence of the Prohibited Substance or its Metabolite or Marker in the Player's Sample is consistent with a valid and applicable TUE held by the Player (or could be referred to the retroactive TUE procedure in accordance with Articles 4.2.5 and 4.2.6); or
- b. there has been any apparent departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding.

7.2.2 If it is determined pursuant to Article 7.2.1 either that the Adverse Analytical Finding is consistent with a valid and applicable TUE held by the Player (or with a retroactive TUE), or that there has been an apparent departure from either the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, then the NADO shall advise the Player and each Interested Party of that fact. The NADO shall take no further action in relation to such Adverse Analytical Finding.

7.2.3 If pursuant to Article 7.2.1 the NADO determines that there is neither a valid and applicable TUE with which the Adverse Analytical Finding is consistent, nor a departure from either the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, then there shall be deemed to be a case to answer under Article 2 and the NADO shall send the Player a Notice of Charge in accordance with Article 7.7.

## **7.3 Review of Atypical Findings**

7.3.1 As provided in the Prohibited List and/or in the International Standard for Laboratories, where a Prohibited Substance or its Marker or Metabolite that may also be produced endogenously is found to be present in an A Sample, in certain circumstances laboratories are directed to report such presence as an Atypical Finding or Adverse Passport Finding that should be investigated further. In that case, the NADO (using Independent Reviewers as appropriate) will conduct a review to determine whether:

- a. the presence of the Prohibited Substance or its Marker or Metabolite in the Player's Sample is consistent with a valid and applicable TUE held by the Player (or which could be referred to the retroactive TUE procedure in accordance with Articles 4.2.5 and 4.2.6); or
- b. there has been any apparent departure from the International Standard for Testing and Investigations or from the International Standard for Laboratories that caused the Atypical Finding.

- 7.3.2 If it is determined pursuant to Article 7.3.1 either that the Atypical is consistent with a valid and applicable TUE held by the Player (or with a retroactive TUE), or that there has been an apparent departure from either the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, then the NADO shall advise the Player and each Interested Party of that fact. The NADO shall take no further action in relation to such Atypical Finding.
- 7.3.3 If it is determined pursuant to Article 7.3.1 that there is neither a valid and applicable TUE with which the Analytical Finding is consistent, nor a departure from either the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, then the NADO may conduct any necessary follow-up investigation.
- 7.3.4 The results of the investigation shall be referred to one or more Independent Reviewers, as appropriate. If the Independent Reviewer(s) conclude(s) that the Atypical Finding should be considered an Adverse Analytical Finding, such that there is a case to answer under Article 2, the NADO shall send the Player a Notice of Charge in accordance with Article 7.7.
- 7.3.5 Pending the outcome of the investigation, the Atypical Finding shall be kept confidential, save that:
- a. if it determines that the B Sample should be analysed as part of the investigation, the NADO shall notify the Player in accordance with Article 7.7.1(e); and such notice shall additionally include a description of the Atypical Finding and specify the Player's right to request copies of the A and B Sample laboratory documentation packages; and
  - b. if requested by England Golf, the IGF or Major Event Organisation or a sports organisation that is about to select Players to participate in an International Event, the NADO may confirm that the Player has a pending Atypical Finding after informing the Player.
- 7.3.6 If the NADO decides not to pursue the Atypical Finding as an Adverse Analytical Finding, it shall notify the Player and each Interested Party of that fact. Any Interested Party may either appeal that decision or may elect to treat the Atypical Finding as an Adverse Analytical Finding and initiate proceedings under its own rules.

#### **7.4 Review of Adverse Passport Findings**

- 7.4.1 If an Adverse Passport Finding is reported, the NADO will notify the Player and WADA of the Adverse Passport Finding, send the Player a copy of the ABP Documentation Package, invite the Player to provide (by a specified deadline) an alternative explanation for the data on which the Adverse Passport Finding is based, and explain that, in the absence of a satisfactory alternative explanation, the NADO will proceed on the basis that the Player has a case to answer under Article 2.2. the NADO will forward any explanation provided by the Player in response to that notice, together with any information supplied by the Athlete in support of that explanation, to the three experts from the Expert Panel referred to in Article 5.5.5, for consideration (along with any other information that the three experts deem necessary) in accordance with the ABP Guidelines.

- 7.4.2 If, following such consideration, the three experts from the Expert Panel are no longer unanimously of the view that it is highly likely that the Player Used a Prohibited Substance or Prohibited Method, the NADO shall notify the Player and each Interested Party and (subject to the rights of appeal set out at Article 13) the matter shall not proceed any further.
- 7.4.3 If, following such consideration, the three experts from the Expert Panel maintain, notwithstanding the Player's explanation, that it is highly likely that the Player Used a Prohibited Substance or Prohibited Method, and unlikely that the Adverse Passport Finding is the result of any other cause, then the NADO shall send the Player a Notice of Charge in accordance with Article 7.7.

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

- 7.5.1 Where (in accordance with Article I.5.2 of the International Standard for Testing and Investigations) a Player requests an administrative review of a Filing Failure or Missed Test declared by the NADO (pursuant to Article 7.1.2), the NADO shall refer the file to one or more suitably qualified Independent Reviewer(s), who shall carry out that administrative review in accordance with the applicable Article of the International Standard for Testing and Investigations.
- 7.5.2 If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, the NADO shall so advise the Interested Parties (and the Anti-Doping Organisation that uncovered the Whereabouts Failure, if applicable), giving reasons for that decision. Subject to the rights of appeal set out at Article 13, the matter shall not proceed any further.
- 7.5.3 If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are met, or if the Player does not request an administrative review, the NADO shall notify the Player and shall record the notified Whereabouts Failure against him/her.
- 7.5.4 The NADO shall report a decision to record a Whereabouts Failure against a Player to WADA and all other relevant Anti-Doping Organisations on a confidential basis via ADAMS or another system approved by WADA.
- 7.5.5 Where two Whereabouts Failures have already been recorded against the Player in the 12-month period prior to the alleged Whereabouts Failure under administrative review, if the Independent Reviewer(s) determines(s) that the alleged Whereabouts Failure under review should be recorded against the Player as well, then Article 7.1.2(c) shall apply, and if that/those Independent Reviewer(s) determines(s) there is a case to answer under Article 2.4, then the NADO shall send the Player a Notice of Charge in accordance with Article 7.7.

### **7.6 Review of Evidence Other Than Adverse Analytical Findings, Atypical Findings or Adverse Passport Findings**



7.6.1 Where a matter is referred to one or more Independent Reviewer(s) that involves evidence of a potential Anti-Doping Rule Violation other than an Adverse Analytical Finding, an Atypical Finding or an Adverse Passport Finding, the NADO shall identify one or more Independent Reviewer(s) who have the expertise required by the nature of the particular case to review the evidence to determine whether there is a case to answer under Article 2.

7.6.2 Where the Independent Reviewer(s) conclude(s) that there is a case to answer under Article 2, the NADO shall send the Player or other Person a Notice of Charge in accordance with Article 7.7.

## **7.7 Notice of Charge**

7.7.1 Where it is determined, pursuant to Article 7. that a Participant has a case to answer under Article 2, then the NADO shall as soon as practicable notify the Participant in writing (the "**Notice of Charge**") of:

- a. the Anti-Doping Rule Violation(s) that the Participant is charged with committing;
- b. a summary of the facts and evidence relied upon by the NADO in support of such charge, and (where the charge is based upon an Adverse Analytical Finding) the Player's right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratories ;
- c. (where applicable) notice of the Provisional Suspension to be imposed on the Participant pursuant to Article 7.9.1 or Article 7.9.2, along with an explanation of the Participant's Article 7.9.3 rights in relation to such Provisional Suspension;
- d. the Consequences applicable under these Rules if it is established that the Participant has committed the Anti-Doping Rule Violation(s) charged (including identifying any discretion that may exist in relation to such Consequences under these Rules);
- e. where the charge is based on an Adverse Analytical Finding:
  - i. the right of the Player to promptly request the analysis of the B Sample and, failing such request, the B Sample analysis shall be deemed to be waived;
  - ii. notice that the place, time and date for the B Sample analysis (if such analysis is requested by the Player) must be agreed between the NADO and the Player within 10 days of the Player's receipt of the Notice of Charge; and
  - iii. the right of the Player and/or the Player's representative to attend the analysis of the B Sample, in accordance with Article 7.8;
- f. the right of the Participant to respond to the Notice of Charge in one of the following ways:



- i. to admit the Anti-Doping Rule Violation(s) charged, and accede to the Consequences specified in the Notice of Charge;
- ii. to admit the Anti-Doping Rule Violation(s) charged, but to dispute and/or seek to mitigate the Consequences specified in the Notice of Charge, and to have the Consequences determined at a hearing conducted in accordance with Article 8; or
- iii. to deny the charge, and to have the charge and (if the charge is upheld) any Consequences determined at a hearing conducted in accordance with Article 8;

provided that if the Participant wishes to exercise his/her right to a hearing, he/she must submit a written request for such a hearing so that it is received by the NADO as soon as possible, but in any event within ten (10) days of the Participant's receipt of the Notice of Charge and must explain (in summary form) the basis for such response. In the event no such response is received by that deadline, the Participant will be deemed to have admitted the Anti-Doping Rule Violation(s) charged, and, unless the NADO (at its sole discretion) refers the determination of the applicable Consequences to a hearing conducted in accordance with Article 8, the Participant shall also be deemed to have acceded to the Consequences specified in the Notice of Charge.

7.7.2 The NADO shall send copies of the Notice of Charge to each Interested Party.

7.7.3 In the Notice of Charge, and/or at any other time prior to the determination of the charge at a hearing, the NADO may invite the Participant to admit the Anti-Doping Rule Violation(s) charged and accede to specified Consequences.

7.7.4 In the event that the NADO withdraws the Notice of Charge, or the Participant admits the Anti-Doping Rule violation(s) charged and accedes to the Consequences specified by the NADO (or is deemed to have done so in accordance with the last sentence of Article 7.7.1), neither B Sample analysis nor a hearing is required. Instead, the NADO shall promptly issue a decision confirming the commission of the Anti-Doping Rule Violation(s) and the imposition of the specified Consequences, shall send notice of the decision to the Participant and to each Interested Party, and shall publish the decision in accordance with Article 8.4.

## **7.8 B Sample Analysis**

7.8.1 If the Player exercises the right to have his/her B Sample analysed, such analysis shall be conducted on the date and at the time and place agreed to between the NADO and the Player (in accordance with Article 7.7.1(e)(ii)), and the Player and/or his/her representative shall have a right to attend on that date at the Player's cost to witness the opening and analysis of the B Sample, as shall representatives of the NADO, the International Golf Federation and England Golf (at their own cost). The Player shall have no right to an adjournment of the agreed date. If the Player or his/her representative is unable to attend on the agreed date, then the laboratory shall arrange for an independent witness to attend the B Sample analysis to verify, in accordance with the International Standard for Laboratories, that the B Sample container shows no signs of tampering and that the identifying numbers

correspond to those on the Sample collection documentation. Where a Player has been provisionally suspended (in accordance with Article 7.9.1 or 7.9.2), he/she shall remain provisionally suspended notwithstanding the fact that he/she has requested the analysis of his/her B Sample.

- 7.8.2 If the Player admits the Anti-Doping Rule Violation(s) charged, and/or does not exercise his/her right to the B Sample analysis (in accordance with Article 7.7.1 ((e) (i))), he/she will be deemed (to have accepted the Adverse Analytical Finding based on the A Sample analysis alone. The NADO may however proceed with such analysis at any time if it believes that it is relevant to the proceedings against the Player, in which case an independent witness shall attend the analysis for the purpose set out in Article 7.8.1.
- 7.8.3 If the analysis of the B Sample does not confirm the Adverse Analytical Finding in respect of the A Sample, then (unless the NADO charges the Player with Use under Article 2.2) the entire test shall be considered negative and the Player and each Interested Party will be so informed. In such circumstances, the Notice of Charge will be withdrawn, the proceedings instituted against the Player shall be discontinued, any Provisional Suspension previously imposed on the Player pursuant to Article 7.9 shall be deemed automatically vacated with immediate effect, and no further disciplinary action shall be taken against the Player by the NADO in relation to the original Adverse Analytical Finding provided, however, that the NADO may investigate why the A Sample did not match the B Sample). . In addition, where the Player or the Player's team has been removed from a Competition as a result of the Adverse Analytical Finding, if it is still possible (without otherwise affecting the Competition) for the Player or team to be reinstated, the Player or team may be reinstated and continue to take part in the Competition.
- 7.8.4 If the B Sample analysis confirms (or is deemed to confirm) the Adverse Analytical Finding in respect of the A Sample, then the NADO shall provide the B Sample laboratory documentation package to the Player, and the matter shall proceed to a hearing as set out in Article 8. In case of doubt as to whether the B Sample analysis confirms the Adverse Analytical Finding in respect of the A Sample the NADO may refer the matter to one or more Independent Reviewer(s), as it deems appropriate.
- 7.8.6 Where Article 7.8.2 and/or 7.8.3 applies, the NADO shall be responsible for the costs of the B Sample analysis. Where Article 7.8.4 applies, the NADO may require the Player to pay the costs of the B Sample analysis.

## **7.9 Provisional Suspension**

### **7.9.1 Mandatory Provisional Suspension in cases of Adverse Analytical Finding:**

Where an Adverse Analytical Finding or Adverse Passport Finding is issued against a Player for a Prohibited Substance or for evidence of a Prohibited Method, other than a Specified Substance, and it has been concluded in accordance with Article 7.2 or Article 7.4 that the Player has a case to answer under Article 2, then (subject only to Article 7.9.3) a Provisional Suspension will come into effect automatically on the date specified by the NADO in the Notice of Charge.

### **7.9.2 Discretionary Provisional Suspension in other cases:**



- a. In all other cases not covered by Article 7.9.1 where it is determined that a Participant has a case to answer under Article 2, unless the NADO decides to disapply this Article 7.9.2 then (subject only to Article 7.9.3) a Provisional Suspension will come into effect automatically on the date specified by the NADO in the Notice of Charge.
- b. If the NADO disapplies Article 7.9.2(a) so that no date is specified in the Notice of Charge for a Provisional Suspension to come into effect, no Provisional Suspension will come into effect prior to determination of the charge unless so ordered by the NADP on application by the NADO, which application must be based on evidence that was not available to the NADO at the time the Notice of Charge was sent.

7.9.3 A Participant's right to challenge the imposition of a Provisional Suspension:

A Participant who receives notice of an automatic Provisional Suspension pursuant to Article 7.9.1 or Article 7.9.2(a) has the right to apply to the England Golf Disciplinary Tribunal, either immediately (i.e., before the Provisional Suspension comes into force) or at any time prior to the full hearing, showing cause why the Provisional Suspension should not be imposed (or, where it has been imposed, why it should be lifted), provided that:

- a. If the Participant applies for an order that the Provisional Suspension not be imposed before the Provisional Suspension comes into effect under Article 7.9.1 or 7.9.2(a), then the Provisional Suspension shall not come into effect pending the decision on the application.
- b. If the Participant does not make an application before the Provisional Suspension comes into effect under Article 7.9.1 or 7.9.2(a), but makes an application after that date for the Provisional Suspension to be lifted, the Provisional Suspension shall remain in place pending the decision on the application.
- c. The Provisional Suspension shall be imposed (or shall not be lifted) unless the Participant establishes that:
  - i. the charge(s) has/have no reasonable prospect of being upheld, e.g., because of a patent flaw in the case against the Participant; or
  - ii. the Participant has a strong arguable case that he/she bears No Fault or Negligence for the Anti-Doping Rule Violation(s) charged, so that any period of Ineligibility that might otherwise be imposed for such a violation is likely to be completely eliminated by application of Article 10.4
  - iii. the violation is likely to have involved a Contaminated Product; or
  - iv. some other facts exist that make it clearly unfair, in all of the circumstances, to impose a Provisional Suspension prior to a full hearing on the merits of the charge(s) against the Participant. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the Provisional Suspension would prevent the Participant participating in a particular

Competition or Event shall not qualify as exceptional circumstances for these purposes.

7.9.4 Provisional Suspensions may be appealed as provided under Article 13.3

7.9.5 No Provisional Suspension if B Sample analysis does not confirm A Sample analysis:

In accordance with Article 7.8.3., if the B Sample analysis does not confirm the Adverse Analytical Finding in respect of the A Sample, then no Provisional Suspension shall be imposed upon the Player. If a Provisional Suspension was imposed prior to receipt of the non-confirmatory results of the B Sample analysis, it shall be deemed automatically vacated with immediate effect, without the need for any order from the NADP.

7.9.6 Effect of Provisional Suspension:

A Participant who is subject to a Provisional Suspension may not, during the period of Provisional Suspension, participate in any capacity (or, in the case of Player Support Personnel, assist a Player who is participating in any capacity) in any Competition, Event or other activity organised, convened, authorised or recognised by England Golf or by anybody that is a member of, or affiliated to, or licensed by England Golf. In addition England Golf shall take all steps within its power to have the Provisional Suspension recognised and enforced by all other relevant parties, including in accordance with Code Article 15.1.

7.9.7 Notice of Provisional Suspension:

- a. Any Provisional Suspension imposed under this Article 7.9 will be notified to all Interested Parties, but will otherwise remain confidential in accordance with Article 14, save only to the extent disclosure is required to ensure that the Provisional Suspension is recognised and enforced, including in accordance with Code Article 15.1
- b. In all cases where an Athlete has been notified of an Anti-Doping Rule Violation that does not result in a mandatory Provisional Suspension under Article 7.9.1, the Players shall be offered the opportunity to accept a Provisional Suspension pending the resolution of the matter.

7.9.8 Right to expedited hearing:

A Player who is subject to a Provisional Suspension has the right, if he/she so wishes, to an expedited hearing on the merits of the charge(s) against him/her pursuant to Article 8, to take place (save in exceptional circumstances) no later than fourteen (14) days after the date of imposition of the Provisional Suspension.

## **7.10 Statute of Limitations**

Notwithstanding any other provision of these Rules, no charge may be brought under these Rules against a Player or other Person in respect of an Anti-Doping Rule Violation unless he/she has been notified of the Anti-Doping Rule Violation as provided in Article 7.7, or notification has been reasonably attempted, within ten years from the date that the Anti-Doping Rule Violation is asserted to have occurred.

## **Article 8: Right to a Fair Hearing and Disciplinary Proceedings**

### **8.1 Jurisdiction**

- 8.1.1 The following matters arising under these Rules shall be submitted for determination by the England Golf Disciplinary Tribunal, in accordance with the England Golf Disciplinary Regulations, as amended from time to time (and the Principles for a Fair Hearing set out in the IGF Anti-Doping Policy):
- 8.1.2 A charge that one or more Anti-Doping Rule Violations has been committed: see Article 7.7. Where such charge is upheld, the England Golf first instance tribunal will determine what Consequences (if any) should be imposed, in accordance with and pursuant to Articles 9 and 10.
- 8.1.3 An application that a Provisional Suspension not be imposed (or be lifted): see Article 7.9.3.
- 8.1.4 An appeal brought in accordance with Article 13.

### **8.2 Observers**

Interested Parties who are not joined as a party to the proceedings before the England Golf Disciplinary Tribunal shall have the right (a) to be kept advised of the status and outcome (with reasons) of the proceedings; and (b) to attend all hearings as observers.

### **8.3 Rules of Evidence and Procedure**

- 8.3.1 The NADO shall have the burden of establishing that the Participant charged has committed the Anti-Doping Rule Violation(s) specified in the Notice of Charge. To meet that burden, the NADO must establish the Participant's commission of the Anti-Doping Rule Violation(s) charged to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegations that are made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.
- 8.3.2 Where these Rules place the burden of proof upon the Person charged with the commission of an Anti-Doping Rule Violation to rebut a presumption or establish specified facts or circumstances, then the applicable standard of proof shall be by a balance of probability.
- 8.3.3 The hearing panel shall have the power to decide on the admissibility, relevance and weight of any evidence (including the testimony of any fact or expert witness) and shall not be bound by any legal rules in relation to such matters. Facts may be established by any reliable means, including admissions.
- 8.3.4 Analytical methods or decision limits approved by WADA after consultation within the relevant scientific community and which have been the subject of peer review shall be presumed to be scientifically valid. Any Athlete or other Person seeking to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. CAS, on its own initiative, may also inform WADA of any such challenge. At WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within 10 days of WADA's receipt of such notice, and WADA's receipt of the CAS file, WADA shall also have the right to

intervene as a party, appear *amicus curiae* or otherwise provide evidence in such proceeding.

- 8.3.5 WADA-accredited laboratories shall be presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Participant charged with the commission of an Anti-Doping Rule Violation may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred that could reasonably have caused the Adverse Analytical Finding (or the factual basis for any other Anti-Doping Rule Violation with which the Participant is charged). If he/she does so, then the NADO shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding (or the factual basis for such other Anti-Doping Rule Violation).
- 8.3.6 Departures from any other International Standard or other anti-doping rule or policy that did not cause an Adverse Analytical Finding or the factual basis for any other Anti-Doping Rule Violation with which the Participant is charged shall not invalidate such evidence or results. If the Participant charged with committing the Anti-Doping Rule Violation establishes that a departure from another International Standard or other anti-doping rule or policy occurred that could reasonably have caused the Adverse Analytical Finding or the factual basis for any other Anti-Doping Rule Violation with which the Participant is charged, then the NADO shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding or the factual basis for such other Anti-Doping Rule Violation.
- 8.3.7 Any other deviation from these Rules or the procedures referred to in these Rules shall not invalidate any finding, procedure, decision or result under the Rules unless the Participant relying on such deviation establishes that it casts material doubt on the reliability of that finding, procedure, decision or result, and the NADO is unable to rebut that showing.
- 8.3.8 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction that is not the subject of a pending appeal shall be irrebuttable evidence against the Participant to whom the decision pertained of those facts, unless the Participant establishes that the decision violated principles of natural justice.
- 8.3.9 The hearing panel may draw an inference that is adverse to a Participant charged with commission of an Anti-Doping Rule Violation based on the Participant's refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing either in person or by telephone, as directed by the hearing panel) and to answer questions put by the hearing panel or the NADO.

#### **8.4 Publication of Decisions**

- 8.4.1 Where the hearing panel determines that an Anti-Doping Rule Violation has been committed, the decision shall be Publicly Reported within 20 days of the decision unless the Athlete or other Person charged has a right to appeal against the decision, in which case the decision shall not be Publicly Reported (a) until the deadline for appeal has passed and no appeal has been filed; or (b) if an appeal is filed, unless and until the decision that an Anti-Doping Rule Violation was committed is affirmed on appeal (in which case the final appellate decision shall also be Publicly Reported within 20 days of that decision). However, this mandatory Public Reporting requirement shall not apply where the Athlete or other Person who

has been found to have committed an Anti-Doping Rule Violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

8.4.2 Where the hearing panel has determined that an Anti-Doping Rule Violation has not been committed, the decision shall not be Publicly Disclosed unless the Person charged consents to such disclosure. Where the Participant charged does not so consent, a summary of the decision may be published, provided that what is disclosed does not enable the public to identify the Participant charged.

8.4.3 Publication shall be accomplished at a minimum by placing the required information on the NADO's website and leaving the information up for the longer of one month or the duration of any period of Ineligibility.

### **8.5 Single Hearing before CAS**

Anti-Doping Rule Violations asserted against International-Level Players or National-Level Players may, with the consent of the Player, England Golf, the NADO, WADA and any other Anti-Doping Organisation that would have had a right to appeal a first instance hearing decision to CAS all consent, charges asserting Anti-Doping Rule Violations may be heard directly by CAS, with no requirement for a prior hearing.

## **Article 9: Disqualification of Individual Results**

### **9.1 Disqualification of Competition Results as a Consequence of an Anti-Doping Rule Violation Committed in Connection with or Arising out of an In-Competition test**

An Anti-Doping Rule Violation committed in connection with or arising out of an In-Competition test automatically leads to the Disqualification of any individual results obtained by the Player in the Competition in question, with all resulting consequences, including forfeiture of any medals, titles, points and prizes.

### **9.2 Impact of Disqualification on an Opponent's Results**

There will be no adjustment of results, medals, titles, points, prizes or other consequences for the opponent of a Player (or the opponent of the team of a Player) subsequently found to have committed an Anti-Doping Rule Violation, irrespective of any Disqualification of results that may be ordered under these Rules, unless specific provision is made for such adjustment in the rules of the Event or Competition.

## **Article 10: Ineligibility Sanctions for Individuals**

### **10.1 Disqualification of Event Results as a Consequence of an Anti-Doping Rule Violation Committed During or In Connection with a Competition in the Event**

10.1.1 Except as provided in Article 10.1.2, where a Player is found to have committed an Anti-Doping Rule Violation during or in connection with one Competition in an Event, then (in addition to the consequences set out at Article 9.1) the Anti-Doping Rule Violation may (upon the decision of the



ruling body) lead to the Disqualification of any individual results obtained by the Player in other Competitions in that Event, with all resulting consequences, including forfeiture of all medals, titles, points and prizes. Factors to be included in considering whether to Disqualify other results in an Event might include, for example, the seriousness of the Athlete's Anti-Doping Rule Violation and whether the Athlete tested negative in the other Competitions.

10.1.2 If the Player establishes that he bears No Fault or Negligence for the Anti-Doping Rule Violation in question, the Player's individual results in such other Competitions shall not be Disqualified unless the NADO establishes that the Player's results in those other Competitions were likely to have been affected by the Player's Anti-Doping Rule Violation.

## **10.2 Imposition of a Period of Ineligibility for the Presence, Use or Attempted Use, or Possession of a Prohibited Substance and/or Prohibited Method**

The period of Ineligibility for an Anti-Doping Rule Violation under Article 2.1, 2.2 or 2.6 that is the Athlete's or other Person's first anti-doping offence shall be as follows, subject to potential reduction or suspension pursuant to Article 10.4, 10.5 or 10.6:

10.2.1 The period of Ineligibility shall be four years where:

(a) The Anti-Doping Rule Violation does not involve a Specified Substance, unless the Athlete or other Person can establish that the Anti-Doping Rule Violation was not intentional.

(b) The Anti-Doping Rule Violation involves a Specified Substance and the NADO can establish that the Anti-Doping Rule Violation was intentional.

10.2.2 If Article 10.2.1 does not apply, the period of Ineligibility shall be two years.

10.2.3 As used in Articles 10.2 and 10.3, the term "intentional" is meant to identify those Athletes or other Persons who cheat. The term, therefore, requires that the Athlete or other Person engaged in conduct which he or she knew constituted an Anti-Doping Rule Violation or knew that there was a significant risk that the conduct might constitute or result in an Anti-Doping Rule Violation and manifestly disregarded that risk. An Anti-Doping Rule Violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall be rebuttably presumed to be not "intentional" if the substance is a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition. An Anti-Doping Rule Violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall not be considered "intentional" if the substance is not a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition in a context unrelated to sport performance.

## **10.3 Imposition of a Period of Ineligibility for Other Anti-Doping Rule Violations**

The period of Ineligibility for Anti-Doping Rule Violations other than as provided in Article 10.2 shall be as follows, unless Article 10.5 or 10.6 are applicable:

- 10.3.1 For an Anti-Doping Rule Violation under Article 2.3 or Article 2.5 that is the Participant's first anti-doping offence, the period of Ineligibility shall be **four years** unless, in the case of failing to submit to Sample collection, the Player can establish that the commission of the Anti-Doping Rule Violation was not intentional (as defined in Article 10.2.3), in which case the period of Ineligibility shall be **two years**.
- 10.3.2 For violations of Article 2.4 that is the Player's first anti-doping offence, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete's degree of Fault. The flexibility between two years and one year of Ineligibility in this Article is not available to Athletes where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Athlete was trying to avoid being available for Testing.
- 10.3.3 For an Anti-Doping Rule Violation under Article 2.7 –or Article 2.8 that is the Participant's first anti-doping offence, the period of Ineligibility shall be a minimum of four (4) years up to lifetime Ineligibility, depending on the seriousness of the violation, **provided that:**
- a. An Anti-Doping Rule Violation under Article 2.7 or 2.8 involving a Minor shall be considered a particularly serious offence, and, if committed by Player Support Personnel for violations other than those involving Specified Substances, shall result in lifetime Ineligibility for such Player Support Personnel.
  - b. Significant Anti-Doping Rule Violations under Article 2.7 or Article 2.8 that may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.
- 10.3.4 For an Anti-Doping Rule Violation under Article 2.9 that is the Athlete's or other Person's first offence, the period of Ineligibility imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violation.
- 10.3.5 For an Anti-Doping Rule Violation under Article 2.10 that is the Athlete's or other Person's first offence, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete's or other Person's degree of Fault and other circumstances of the case.

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

If the Participant establishes in an individual case that he/she bears No Fault or Negligence for the Anti-Doping Rule Violation charged, then the otherwise applicable period of Ineligibility shall be eliminated.

#### **10.5 Reduction of the Period of Ineligibility Based on No Significant Fault or Negligence**

10.5.1 Reduction of Sanctions for Specified Substances or Contaminated Products for Anti-Doping Rule Violations under Article 2.1, 2.2 or 2.6:

- (a) Specified Substances

Where the Anti-Doping Rule Violation involves a Specified Substance, and the Athlete or other Person can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years of Ineligibility, depending on the Player's or other Person's degree of Fault.

(b) Contaminated Products

In cases where the Player or other Person can establish No Significant Fault or Negligence and that the detected Prohibited Substance came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Player's or other Person's degree of Fault.

10.5.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.5.1:

In an individual case where Article 10.5.1 is not applicable, if a Player or other Person establishes that he/she bears No Significant Fault or Negligence, then (subject to further reduction or elimination as provided in Article 10.6) the otherwise applicable period of Ineligibility may be reduced based on the Player's or other Person's degree of Fault, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight years.

**10.6 Elimination, Reduction, or Suspension of the Period of Ineligibility or other Consequences for Reasons Other than Fault**

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

(a) The NADO may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case in which it has results management authority where the Player or other Person has provided Substantial Assistance to an Anti-Doping Organisation, criminal authority or professional disciplinary body which results in:

(i) the Anti-Doping Organisation discovering or bringing forward an Anti-Doping Rule Violation by another Person, or

(ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to the NADO. After a final appellate decision under Article 13 or the expiration of time to appeal, the NADO may only suspend a part of the otherwise applicable period of Ineligibility with the approval of WADA and the International Golf Federation.

(b) The extent to which the otherwise applicable period of Ineligibility and/or other Consequences may be suspended shall be based on the seriousness of the Anti-Doping Rule Violation committed by the Player or other Person and the significance of the Substantial Assistance provided by the Player or

other Person to the effort to eliminate doping in sport. No more than three quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Article must be no less than eight years. If the Player or other Person fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility was based, the NADO shall reinstate the original period of Ineligibility and/or other Consequences. If the NADO decides to reinstate a suspended period of Ineligibility and/or other Consequences or decides not to reinstate a suspended period of Ineligibility and/or other Consequences that decision may be appealed by any Person entitled to appeal under Article 13.

- (c) To further encourage Players and other Persons to provide Substantial Assistance to Anti-Doping Organisations, at the request of the NADO (provided it has results management authority) or at the request of the Player or other Person who has, or has been asserted to have, committed an Anti-Doping Rule Violation, WADA may agree at any stage of the results management process, including after a final appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of Ineligibility and other Consequences. In exceptional circumstances, WADA may agree to suspensions of the period of Ineligibility and other Consequences for Substantial Assistance greater than those otherwise provided in this Article, or even no period of Ineligibility, and/or no return of prize money or payment of fines or costs. WADA's approval shall be subject to reinstatement of sanction, as otherwise provided in this Article. Notwithstanding Article 13, WADA's decisions in the context of this Article may not be appealed by any other Anti-Doping Organisation.
- (d) If the NADO suspends any part of an otherwise applicable sanction because of Substantial Assistance, then notice providing justification for the decision shall be provided to each Interested Party. In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorise the NADO to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.
- (e) Where the NADO declines to exercise the discretion conferred on it by this Article 10.6.1, and the matter comes before a hearing panel under Article 8 or an appeal panel under Article 13, the hearing panel/appeal panel (as applicable) may exercise such discretion if the conditions of Article 10.6.1(a) are satisfied.

#### 10.6.2 Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence:

Where a Player or other Person voluntarily admits the commission of an Anti-Doping Rule Violation before having received either (a) notification of a Sample collection that could establish the Anti-Doping Rule Violation (in the case of an Anti-Doping Rule Violation under Article 2.1), or (b) a Notice of Charge (in the case of any other Anti-Doping Rule Violation), and that admission is the only reliable evidence of the violation at the time of the admission, then the otherwise applicable period of Ineligibility may be reduced, but not by more than one half.

10.6.3 Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Article 10.2.1 or Article 10.3.1:

A Player or other Person potentially subject to a four-year sanction under Article 10.2.1 or 10.3.1 (for evading or refusing Sample Collection or Tampering with Sample Collection), may receive a reduction in the period of Ineligibility down to a minimum of two years, depending on the seriousness of the violation and the Player's or other Person's degree of Fault by promptly admitting the asserted Anti-Doping Rule Violation after being confronted with it, upon the approval and at the discretion of WADA and the NADO.

10.6.4 Application of Multiple Grounds for Reduction of a Sanction:

Where a Player or other Person establishes entitlement to a reduction in sanction under more than one provision of Article 10.4, 10.5 or 10.6, before applying any reduction or suspension under Article 10.6, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.2, 10.3, 10.4, and 10.5. If the Player or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.6, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

## **10.7 Multiple Violations**

10.7.1 For a Player's or other Person's second Anti-Doping Rule Violation, the period of Ineligibility shall be the greater of:

- (a) six months;
- (b) one-half of the period of Ineligibility imposed for the first Anti-Doping Rule Violation without taking into account any reduction under Article 10.6; or
- (c) twice the period of Ineligibility otherwise applicable to the second Anti-Doping Rule Violation treated as if it were a first violation, without taking into account any reduction under Article 10.6.

The period of Ineligibility established above may then be further reduced by the application of Article 10.6.

10.7.2 A third Anti-Doping Rule Violation will always result in a lifetime period of Ineligibility, except if the third Anti-Doping Rule Violation fulfils the conditions for elimination or reduction of the period of Ineligibility under Article 10.4 or 10.5, or involves an Anti-Doping Rule Violation under Article 2.4. In these particular cases, the period of Ineligibility shall be from eight years to lifetime Ineligibility.

10.7.3 An Anti-Doping Rule Violation for which a Player or other Person has established No Fault or Negligence shall not be considered a prior violation for purposes of this Article.

10.7.4 Additional rules for certain potential multiple offences:

(a) For the purposes of imposing sanctions under Article 10.7, an Anti-Doping Rule Violation will only be considered a second Anti-Doping Rule Violation if the NADO can establish that the Player or other Person committed the second Anti-Doping Rule Violation after he/she received notice, or after the NADO or its designee made a reasonable attempt to give notice, of the first Anti-Doping Rule Violation. Otherwise, the Anti-Doping Rule Violations shall be considered as one single first Anti-Doping Rule Violation, and the sanction imposed shall be based on the Anti-Doping Rule Violation that carries the more severe sanction.

(b) If, after the imposition of a sanction for a first Anti-Doping Rule Violation, the NADO discovers a second Anti-Doping Rule Violation by the same Player or other Person that occurred prior to notification of the first Anti-Doping Rule Violation, then an additional sanction shall be imposed based on the sanction that could have been imposed if the two Anti-Doping Rule Violations had been adjudicated at the same time. Results in all Competitions dating back to the earlier Anti-Doping Rule Violation will be subject to Disqualification in accordance with Article 10.8.

#### 10.7.5 Multiple Anti-Doping Rule Violations during a ten-year period:

Any prior Anti-Doping Rule Violation shall only be taken into account for purposes of Article 10.7 if it took place within ten years of the Anti-Doping Rule Violation now under consideration.

10.7.6 For the avoidance of doubt, where a Player or other Person is found to have committed two or more separate Anti-Doping Rule Violations, the Ineligibility periods for the separate offences shall run sequentially, not concurrently.

### **10.8 Disqualification of Results in Competitions Taking Place After the Commission of the Anti-Doping Rule Violation**

Unless fairness requires otherwise, in addition to the automatic Disqualification of results under Article 9.1 and Article 10.1, any other results obtained by the Player, in Competitions taking place after the date the Sample in question was collected or other Anti-Doping Rule Violation occurred through to the commencement of any Provisional Suspension or Ineligibility period, shall be Disqualified, with all of the resulting Consequences, including forfeiture of any medals, titles, points and prizes.

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

The priority for repayment of CAS cost awards and forfeited prize money shall be: first, payment of costs awarded by CAS; second, reallocation of forfeited prize money to other Players only if provided for in the rules of the International Golf Federation and/or the ruling body of the Event in question.

### **10.10 Financial Consequences**

[Intentionally left blank]

### **10.11 Commencement of Ineligibility Period**

The period of Ineligibility shall start on the date of the final decision providing for Ineligibility, or if the hearing is waived, or there is no hearing, on the date Ineligibility is accepted or otherwise imposed, save as follows:

#### 10.11.1 Delays not attributable to the Player or other Person:

Where there have been substantial delays in the hearing process or other aspects of Doping Control that are not attributable to the Player or other Person charged, the period of Ineligibility may be deemed to have started at an earlier date, commencing as far back as the date of Sample collection or the date on which another Anti-Doping Rule Violation last occurred. All competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.

#### 10.11.2 Timely Admission:

Where the Player or other Person promptly (which means, in any event, before he/she competes again) admits the Anti-Doping Rule Violation after being confronted with it by the NADO, the period of Ineligibility may start as early as the date of Sample collection or the date on which another Anti-Doping Rule Violation last occurred. In each case, however, where this Article is applied, the Player or other Person shall serve at least one-half of the period of Ineligibility going forward from the date the Player or other Person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed. This Article shall not apply where the period of Ineligibility has already been reduced under Article 10.6.3.

#### 10.11.3 Credit for Provisional Suspension or period of Ineligibility Served:

- (a) Any period of Provisional Suspension (whether imposed or voluntarily accepted) that has been respected by the Player or other Person shall be credited against the total period of Ineligibility to be served. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Player or other Person shall receive credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal. To get credit for any period of voluntary Provisional Suspension, however, the Player or other Person must have given written notice at the beginning of such period to the NADO (and the NADO shall copy that notice to each Interested Party) and have respected the Provisional Suspension.
- (b) No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension (whether imposed or voluntarily accepted), regardless of whether the Player elected not to compete or was suspended by his or her team.
- (c) In Team Sports, where a period of Ineligibility is imposed upon a team, unless fairness requires otherwise, the period of Ineligibility shall start on the date of the final decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed. Any period of team Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility served.

### **10.12 Status During Ineligibility**

10.12.1 A Participant who has been declared Ineligible may not, during the period of Ineligibility, participate in any capacity (or, in the case of Player Support Personnel, assist any Player participating in any capacity) in a Competition, Event or other

activity (other than authorised anti-doping education or rehabilitation programmes) organised, convened, authorised or recognised by England Golf or by any body that is a member of, or affiliated to, or licensed by (a) England Golf; (b) any Signatory; (c) any club or other body that is a member of, or affiliated to, or licensed by, a Signatory or Signatory's member organisation; or (d) any professional league or any international or national level Event organisation. In addition, save where the Anti-Doping Rule Violation involved only a Specified Substance, some or all financial support or benefits (if any) that England Golf might have otherwise provided to the Participant shall be withheld. In addition, England Golf shall take all steps within its power to have the period of Ineligibility recognised and enforced by all other Signatories pursuant to Code Article 15.1.

10.12.2 Where an Event that will take place after the period of Ineligibility has an entry deadline that falls during the period of Ineligibility, the Player may submit an application for entry in the Event in accordance with that deadline, notwithstanding that at the time of such application he/she is still Ineligible.

10.12.3

A Player who is Ineligible shall remain subject to Testing and must provide whereabouts information (as applicable) for that purpose during the period of Ineligibility.

10.12.4 The only exceptions to Article 10.12.1 are as follows:

- (a) A Participant who is subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate as a Player in local sport events not sanctioned or otherwise under the jurisdiction of the NGB or by any body that is a member of, or affiliated to, or licensed by the NGB or a Signatory or member of a Signatory, but only so long as the local sports events are not at a level that could otherwise qualify such Player or other Person directly or indirectly to compete in (or accumulate points towards) a national championship or International Event, and does not involve the Player or other Person working in any capacity with Minors; and
- (b) a Player may return to train with a team or to use the facilities of a club or other member organisation of England Golf or a Signatory's member organisation during the shorter of: (1) the last two months of the Player's period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.

10.12.5 If a Participant who is Ineligible violates the prohibition against participation set out in Article 10.12.1, any results he/she obtained during such participation shall be Disqualified, with all resulting Consequences, including forfeiture of all medals, titles, points and prizes, and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. . The new period of Ineligibility may be adjusted based on the Participant's degree of Fault and other circumstances of the case. The determination of whether a Participant has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organisation which brought the charge that led to the initial period of Ineligibility. This decision may be appealed under Article 13.



10.12.6 Where a Player Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility, the NADO (or the Anti-Doping Organisation with jurisdiction over such Player Support Person or other Person) shall impose sanctions for an Anti-Doping Rule Violation under Article 2.9 for such assistance.

#### **10.13 Automatic Publication of Sanction**

A mandatory part of each sanction shall include automatic publication, as provided in Articles 8.4 and 13.8.

#### **10.14 Reinstatement**

10.14.1 In order to be eligible for reinstatement at the end of any period of Ineligibility, a Player must, during any period of Provisional Suspension and/or Ineligibility, (a) make himself available for Out-of-Competition Testing by the NADO and any other Anti-Doping Organisation having jurisdiction to test him/her; and (b) if requested, provide current and accurate whereabouts information for this purpose.

10.14.2 If a Player who is subject to a period of Ineligibility retires from representative/elite men's or women's amateur golf and later seeks reinstatement, he/she shall not be eligible for reinstatement until he/she has notified England Golf and the NADO of his desire for reinstatement and has made him/herself available for Out-of-Competition Testing for a period of time equal to the period of Ineligibility that remained to be served as of the date that the Player retired.

10.14.3 Provided the conditions in Article 10.11.1 and 10.11.2 have been met, once a Person's period of Ineligibility has expired and the Participant has fulfilled all conditions of reinstatement, has satisfied in full all forfeiture penalties due under these Rules and any costs order made against him/her by a England Golf Disciplinary Tribunal, NADP tribunal and/or CAS, the Participant will become automatically re-eligible to compete and no application by the Participant for reinstatement will then be necessary (unless the Participant is otherwise ineligible for reasons not related to the Anti-Doping Rule Violation for which the expired period of Ineligibility was imposed).

### **Article 11: Consequences to Teams**

In a Team Sport or a sport in which awards are given to teams:

11.1 Where more than one member of a team has been notified of a possible Anti-Doping Violation in connection with an Event, the team may be subjected to Target Testing during the Event Period.

11.2 If more than two members of a team are found to have committed an Anti-Doping Rule Violation during an Event Period, this shall be treated as misconduct pursuant to England Golf's disciplinary rules for which an appropriate sanction shall be imposed on the team (e.g., loss of points, disqualification from a Competition or Event, or other sanction) over and above any Consequences that are imposed on the individual team members under these Rules. In addition, the Event organiser may provide in the Event rules for further (Event-specific) sanctions to be imposed on the team in such circumstances.

## **Article 12: Sanctions against Sporting Bodies**

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## **Article 13: Appeals**

### **13.1 Appeal Rights**

Decisions made under these Rules may be challenged only by appeal exclusively as set out in this Article 13 or as otherwise provided under this Policy. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

### **13.2 Appeals from TUE Decisions**

13.2.1 In the event that the TUE application of a Player who is not an International-Level Player is denied by the UK TUE Committee, the Player may appeal the decision, in whole or in part, exclusively to the UK TUE Appeal Panel, in the manner set out in the UK Anti-Doping Procedures Guide for Sport.

13.2.2 Decisions of the UK TUE Appeal Panel shall be final and binding and are not subject to appeal (but for the avoidance of doubt, they may still be reviewed by WADA at any time in accordance with Article 4.5.1).

13.2.3 Any TUE decision by the International Golf Federation that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Player and or NADO exclusively to CAS.

13.2.4 A decision by WADA to reverse a TUE decision may be appealed by the Player, England Golf or the NADO, and/or the International Golf Federation, exclusively to CAS.

### **13.3 Appeals from Provisional Suspensions**

13.3.1 If an application under Article 7.9.3 not to impose (or to lift) a Provisional Suspension is rejected, only the Player or other Person upon whom the Provisional Suspension is imposed shall have a right to appeal that decision (save that there shall be no right to appeal a decision not to eliminate a mandatory Provisional Suspension on account of the Player's assertion that the violation is likely to have involved a Contaminated Product). The Player or other Person shall have the right to an immediate expedited appeal in accordance with Articles 13.4 and 13.7. The Provisional Suspension shall remain in effect pending a decision on the merits of the appeal.

13.3.2 If an application under Article 7.9.3 not to impose (or to lift) a Provisional Suspension is granted, that decision shall be final and binding on the parties (subject only to reconsideration in the light of any new evidence), and neither the NADO nor any other Person shall have a right to appeal against it.

### **13.4 Appeals from Other Decisions**

13.4.1 The following decisions -- a decision that an Anti-Doping Rule Violation was (or was not) committed, a decision imposing (or not imposing) Consequences for an Anti-Doping Rule Violation (other than as provided for in Article 13.3); a decision that a charge cannot go forward for procedural reasons (e.g., because of lapse of time); a decision by WADA not to grant an exception to the six month notice requirement for a retired Player to return to Competition under Article 1.4.2; a decision by WADA assigning results management under Code Article 7.1; a decision not to bring forward an Adverse Analytical Finding or an Atypical Finding as an Anti-Doping Rule Violation, or a decision not to go forward with a charge after an investigation under Article 7.6; a decision on an application made pursuant to Article 1.6.1(c); a decision that UKAD or a hearing panel lacks jurisdiction to deal with an alleged Anti-Doping Rule Violation or its Consequences; a decision made pursuant to Article 10.6.1 in relation to suspension or reinstatement of a period of Ineligibility; a decision under Article 10.12.5; and a decision not to recognise a decision of another Anti-Doping Organisation under Code Article 15.1 -- may be appealed by any of the following parties exclusively as provided in this Article 13:

- a. the Participant who is the subject of the decision being appealed;
- b. England Golf;
- c. the NADO;
- d. the National Anti-Doping Organisation(s) of the Person's country of residence, country of nationality, and country where he/she is licensed to participate in sport (if different from the NADO);
- e. the International Golf Federation;
- f. any other Anti-Doping Organisation under whose rules a sanction could have been imposed for the Anti-Doping Rule Violation in question;
- g. the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and
- h. WADA.

In the absence of any such appeal, such decisions shall be final and binding on all of the above Persons.

13.4.2 Subject to Article 13.5, an appeal pursuant to Article 13.4.1 shall be made as follows:

- a. In a case arising from participation in an International Event or involving an International-Level Player, the appeal shall be made to CAS, following the procedures set out in CAS's Code of Sports-related Arbitration and in Article 13.7 of these Rules,
- b. In all other cases, the appeal shall be made to the NADP, in accordance with Article 12 of the NADP Rules, and following the procedures set out in the NADP Rules and in Article 13.7 of these Rules.

### **13.5 Appeals by WADA**

- a. Notwithstanding any other provision of these Rules, where WADA has a right of appeal under these Rules against a decision, and no other party has appealed against that decision, WADA may appeal such decision directly to CAS without having first to exhaust any other remedy, including (without limitation) without having to appeal to an NADP appeal tribunal.
- b. Where WADA considers that the NADO fails to render a decision with respect to whether an Anti-Doping Rule Violation was committed within a reasonable deadline set by WADA, WADA shall have a right of appeal to CAS as if the NADO had rendered a decision finding no Anti-Doping Rule Violation. If CAS determines that an Anti-Doping Rule Violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in pursuing the appeal shall be reimbursed to WADA by the NADO.

### **13.6 Appeals from NADP Appeal Tribunal Decisions**

For cases under Article 13.4.2, decisions of an NADP appeal tribunal may be challenged by appeal to CAS only by WADA, the International Golf Federation, and, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, by the International Olympic Committee and International Paralympic Committee (as applicable). . Subject thereto, decisions of the NADP shall be the full, final and complete disposition of the appeal and will be binding on all of the Persons identified in Article 13.4.1. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organisation whose decision is being appealed and the information shall be provided if CAS so directs.

### **13.7 Appeal Procedure**

13.7.1 The time to file an appeal to the NADP or to CAS (as applicable) shall be twenty-one (21) days from the date of receipt of the decision by the appealing party; save that:

- a. Within ten (10) days of receipt of the decision, a potential appellant that was not a party to the proceedings that gave rise to the decision shall have the right to request from the body that issued the decision a copy of the file on which such body relied. It shall then have twenty-one (21) days from receipt of the file to file an appeal.
- b. The filing deadline for an appeal filed by WADA shall be the later of:
  - i. Twenty-one (21) days after the last day on which any other party in the case could have appealed; and
  - ii. Twenty-one (21) days after WADA's receipt of a copy of the file on which the body that issued the decision relied.

13.7.2 Each Interested Party, if not joined as a party to the appeal, shall have the right to be kept apprised of the status and outcome (with reasons) of the appeal, as well as the right to attend appeal hearings as an observer.

- 13.7.3 Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under these Rules or the Code are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.
- 13.7.4 The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.
- 13.7.5 In making its decision, CAS need not give deference to the discretion exercised by the body whose decision is being appealed.
- 13.7.6 The NADO (or any other Anti-Doping Organisation that is a party to an appeal) shall promptly provide the appeal decision to the Player or other Person and to the Interested Parties. Any Interested Party may, within 15 days of receipt of a decision pursuant to this Article 13.7.6, request a copy of the full case file pertaining to the decision.

### 13.8 Publication of Decisions

- 13.8.1 A decision on appeal that an Anti-Doping Rule Violation has been committed shall be Publicly Reported within 20 days of the decision, unless a further appeal right exists, in which case the decision shall not be Publicly Reported (a) until the deadline for appeal has passed and no appeal has been filed; or (b) if an appeal against that decision is filed, unless and until the decision that an Anti-Doping Rule Violation has been committed has been affirmed on appeal (in which case the final appellate decision shall also be Publicly Reported within 20 days of that decision). However, this mandatory Public Reporting requirement shall not apply where the Player or other Person who has been found to have committed an Anti-Doping Rule Violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.
- 13.8.2 A decision on appeal that an Anti-Doping Rule Violation has not been committed shall not be Publicly Disclosed unless the Participant who is the subject of the decision consents to such disclosure. Where he/she does not so consent, a summary of the decision may be Publicly Disclosed provided that what is disclosed does not enable the public to identify the Participant.

## **Article 14: Confidentiality and Reporting**

### **14.1 Reporting of Pending Cases**

- 14.1.1 Any notice given to Interested Parties and/or other third parties of pending cases pursuant to these Rules shall be provided to them on the confidential basis set out in Code Article 14.1.5.
- 14.1.2 Subject to Article 7.7.7, the identity of a Participant charged with an Anti-Doping Rule Violation shall not be Publicly Disclosed except in accordance with Article 8.4 and Article 13.8. Where such Public Disclosure is permitted under those Articles, the Participant's identity shall be disclosed publicly, including on the NADO's website.

14.1.3 The NADO will not comment publicly on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the Participant charged or his/her representatives.

14.1.4 The NADO may consult with England Golf at any time in relation to pending investigations and/or cases on the confidential basis set out in Code Article 14.1.5.

## **14.2 Reporting of Testing**

To ensure efficient use of anti-doping resources, completed tests conducted pursuant to these Rules shall be reported by the NADO to the WADA clearinghouse, using ADAMS or another system approved by WADA as soon as possible after such tests have been conducted. This information will be made accessible, where appropriate and in accordance with the applicable rules, to the Player, the International Golf Federation, and any other Anti-Doping Organisation with Testing authority over the Player.

## **14.3 Reporting under the Code**

The number of Adverse Analytical Findings and Anti-Doping Rule Violations arising under these Rules shall be publicly reported by the NADO, as a minimum on a quarterly basis.

## **Article 15: Application and Recognition of Decisions**

### **15.1 Recognition of Signatories' Decisions**

The Testing, TUEs and hearing results or other final adjudications of any Signatory that are consistent with the Code and are within that Signatory's authority shall be recognised and respected by England Golf, its member and affiliate organisations, its licensees and all those subject to these Rules automatically upon receipt of the same, without the need for further formality.

### **15.2 Recognition of Non-Signatories' Decisions**

The NADO and the England Golf shall recognise the measures taken by other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.

## **Article 16: Challenges to a Decision or these Rules**

### **16.1 Governing Law and Jurisdiction**

- a. Subject to Article 1.5.4, these Rules and all matters and proceedings arising in connection with the Rules shall be governed by the laws of England & Wales.
- b. These Rules shall constitute an agreement to arbitrate, and proceedings before an England Golf first instance tribunal pursuant to Article 8, or before an NADP appeal tribunal pursuant to Article 13, shall constitute arbitration proceedings with a seat in England or Wales to which the Arbitration Act 1996 shall apply.
- c. To the greatest extent allowable under applicable law:

- i. any challenge to these Rules or to a decision made pursuant to these Rules shall be made exclusively in accordance with the provisions of Article 13, and shall not be made by recourse to any court or other forum; and
  - ii. all Participants shall be deemed to have waived irrevocably any right to appeal against, to seek review of, or otherwise to challenge any decision made by a first instance England Golf tribunal, an NADP appeal tribunal, or a CAS Panel under these Rules.
- d. Subject strictly to Article 16.1.2 and 16.1.3, the courts of England & Wales shall have exclusive jurisdiction in relation to these Rules and any decision made hereunder.

## **16.2 Limitation of Liability**

None of England Golf, the NADO, or any of their respective members, directors, officers, employees, agents, representatives and other Persons involved in the administration of the Rules shall be liable to any Person in any way, in relation to acts done or omitted to be done in good faith in connection with the policing and enforcement of these Rules.

## **16.3 Severability**

If any part of these Rules is held invalid, unenforceable or illegal for any reason, these Rules shall remain otherwise in full force apart from such part, which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

## **Article 17: Miscellaneous**

### **17.1 Data**

17.1.1 England Golf and the NADO shall comply with the Code and International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information) and with applicable data protection and privacy laws in respect of the handling of personal information provided to them under these Rules.

### **17.2 Notices**

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

17.2.2 Each Player in the National Registered Testing Pool or Domestic Pool shall provide England Golf and the NADO with a proper postal address to which notice may be delivered. In the event of a change of address, it is the responsibility of the Player to provide England Golf and the NADO with such amended details.

17.2.3 Notice to a Player in the National Registered Testing Pool or Domestic Pool shall be delivered by first class registered post to the address provided by that Player pursuant to Article 17.2.2. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

- 17.2.4 Notice to any other Person shall be accomplished by sending the notice first class registered post to the address provided by that Person to England Golf, or to the last known address of such Person, as applicable. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.
- 17.2.5 England Golf or the NADO may, at its discretion, as an alternative to, or in conjunction with notice by post, use any other method of secure and confidential communication available, including but not limited to facsimile, email and/or telephone. In the case of such means of communication, there shall be no deemed receipt; if disputed by the Person, actual receipt must be proved.
- 17.2.6 Written notice or other written communications to England Golf or the NADO given or made under or referred to in these Rules shall be accomplished by hand delivery or by first class registered post to England Golf or the NADO at its registered office or the fax number listed on its official website and shall be deemed to have been given or served on England Golf or the NADO on the day of delivery (if delivered by hand or faxed before 5 pm on a business day; otherwise, on the next business day) or upon the expiry of three (3) working days after the date of posting (if delivered by first class registered post), as applicable.
- 17.2.7 Written notices or other written communications given or made under, or referred to in these Rules, other than as set out in the preceding sub-articles, shall be accomplished by sending the notice by first class registered post to the address of the addressee. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

### **17.3 Matters Not Otherwise Provided For**

Where a matter arises that is not otherwise provided for in these Rules, the Person or body called upon to resolve the matter shall have discretion to do so in such manner as he/she/it sees fit, provided that such resolution does not materially undermine the reliability of proceedings under this Policy or otherwise cause material injustice to the Participant to whom the Policy is being applied.



## **Appendix One: Definitions**

### **ADAMS:**

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

### **Administration:**

Providing, supplying, supervising, facilitating, or otherwise participating in the Use or Attempted Use by another Person of a Prohibited Substance or Prohibited Method. However, this definition shall not include the actions of bona fide medical personnel involving a Prohibited Substance or Prohibited Method used for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate that such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

### **Adverse Analytical Finding:**

A report from a WADA-accredited laboratory or other WADA-approved entity that, consistent with the International Standard for Testing and related technical documents, identifies in a Sample the presence of a Prohibited Substance or any of its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

### **Adverse Passport Finding**

A report described as an Adverse Passport Finding as described in the applicable International Golf Federation or NADO implemented ABP Programme

### **Amateur**

As defined by the Royal & Ancient (R&A) within the 'Rules of Golf' : " An '*amateur golfer*' whether he/she plays competitively or recreationally, is one who plays golf for the challenge it presents, not as a profession and nor for financial gain.

### **Anti-Doping Organisation:**

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

### **Anti-Doping Rule Violation:**

One of the prohibited acts or omissions set out at Article 2.

### **APMU**

See definition of Athlete Passport Management Unit.

### **Athlete Biological Passport (or ABP):**

The program and methods of gathering and collating data as described in the International Standard for Testing and Investigations and International Standard for Laboratories.

### **Athlete Passport Management Unit (or APMU):**



One or more person(s) designated by UKAD to administer and manage the ABP Programme with and on behalf of UKAD.

**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 if the Participant renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

**Atypical Finding:**

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

**Atypical Passport Finding:**

A report described as an Atypical Passport Finding as described in the applicable 54 International Standards.

**CAS:**

The Court of Arbitration for Sport in Lausanne, Switzerland.

**Code:**

The World Anti-Doping Code See Article 1.1.1.

**Competition:**

A tournament (a contest that is recognised by England Golf).

**Consequences of Anti-Doping Rule Violations (or Consequences):**

A Player or other Person's violation of an anti-doping rule may result in one or more of the following:

- a. Disqualification means the Player's results in a particular Competition or Event are invalidated, with all resulting consequences including forfeiture of any medals, titles, points and prizes;
- b. Ineligibility means the Participant is barred for a specified period of time from participating in any Competition or other activity or funding, in accordance with Article 10.12.1 and
- c. Provisional Suspension means the Participant is barred temporarily from participating in any Competition, Event or other activity organised, convened, authorised or recognised by England Golf or by any body that is a member of, or affiliated to, or licensed by England Golf pending determination of a charge that he/she has committed an Anti-Doping Rule Violation, as provided in Article 7.9.
- d. **Public Disclosure or Public Reporting** (or to **Publicly Disclose** or **Publicly Report**) means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with these Rules.

Teams in Team Sports or a sport in which awards are given to teams may also be subject to Consequences as provided in Article 11.

**Contaminated Product:**

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

**Disqualification:**

See definition of Consequences of Anti-Doping Rule Violations.

**Domestic Pool:**

See Article 4.2.4(b).

**Doping Control:**

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

**Effective Date:**

22 September 2015

**Elite Amateur Player:** Any person who is a member of the National Golf squad (as determined by England Golf), and any other person selected to represent England Golf at International Events.

**England Golf:**

The Governing Body for Men's and Women's Amateur Golf in England

**England Golf Disciplinary Panel:** an arbitral panel convened under these regulations and to whom matters may be referred under Articles 8 and who shall conduct themselves in accordance with the England Golf Disciplinary Regulations

**England Golf Disciplinary Regulations:** The rules issued by England Golf, as amended from time to time, setting out the procedures to be followed by the England Golf Disciplinary Panel in matters referred to them under these Rules. The England Golf Disciplinary Regulations in force as of the Effective Date are available on the England Golf website ([www.Englandgolf.org](http://www.Englandgolf.org))

**Event:**

A tournament or competition.

**Event Period:**

The time between the beginning and the end of an Event, as established by the ruling body of the Event. (see definition of In-Competition)

**Expert Panel:**

Suitably qualified, independent experts from an expert panel for purposes of the ABP Programme.

**Fault:**

Fault is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an Athlete or other Person's degree of Fault include, for example, the Athlete's or other Person's experience, whether the Athlete or other Person is a Minor, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of care and investigation exercised by the Athlete in relation to what should have been the perceived level of risk. In assessing

the Athlete's or other Person's degree of Fault, the circumstances considered must be specific and relevant to explain the Athlete's or other Person's departure from the expected standard of behaviour. Thus, for example, the fact that an Athlete would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact that the Athlete only has a short time left in his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.5.1 or 10.5.2.

**Filing Failure:**

See Article 2.4.

**In-Competition:**

The period commencing at midnight the night before the first day of a tournament in which a Player is entered through midnight of the day a Player finished Participating in a tournament. The "*In-Competition*" period shall include the day on which a 'Pro-Am' is played.

**Independent Observers:**

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

**Independent Reviewer(s)**

One or more suitably qualified experts, who are independent of the NADO, and who are appointed by the NADO to carry out the functions ascribed to Independent Reviewers in these Rules

**Ineligibility:**

See definition of Consequences of Anti-Doping Rule Violations.

**Interested Party:**

The International Golf Federation, WADA, England Golf and any other Anti-Doping Organisation that has a right to appeal the decision in question under Article 13.4.

**International Event:**

An Event where the International Olympic Committee, the International Paralympic Committee, the International Golf Federation, Major Event Organisation, or another international sport organisation is the ruling body for the Event or appoints the technical officials for the Event.

**International-Level Players:**

Players designated by the International Golf Federation as being within its International Registered Testing Pool.

**International Registered Testing Pool:**

A pool of Players designated by the International Golf Federation in accordance with ISTI Article I.2.

**International Standard:**

A standard adopted by WADA in support of the Code (including any technical documents issued pursuant to such standard). Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly. WADA's Executive Committee may approve revisions to an International

Standard at any time, and such revisions shall become effective in relation to the Rules on the date specified by WADA, without the need for any further action by WADA, England Golf or the NADO. In the case of any differences between the International Standards as set out in the appendices to these Rules and the International Standards in effect and published on WADA's website, ([www.wada-ama.org](http://www.wada-ama.org)), the latter shall prevail. International Standards shall include any Technical Documents issued pursuant to the International Standard.

**International Standard for Laboratories:**

The International Standard of the same name adopted by WADA in support of the Code, the current version of which (as of the Effective Date) is available on WADA's website ([www.wada-ama.org](http://www.wada-ama.org)).

**International Standard for the Protection of Privacy and Personal Information:**

The International Standard of the same name adopted by WADA in support of the Code, the current version of which (as of the Effective Date) is available on WADA's website ([www.wada-ama.org](http://www.wada-ama.org))

**International Standard for Testing and Investigations (or ISTI):**

The International Standard of the same name adopted by WADA in support of the Code, the current version of which (as of the Effective Date) is available on WADA's website ([www.wada-ama.org](http://www.wada-ama.org)).

**International Standard for Therapeutic Use Exemptions:**

The International Standard of the same name adopted by WADA in support of the Code, the current version of which (as of the Effective Date) is available on WADA's website ([www.wada-ama.org](http://www.wada-ama.org)).

**ISTI:**

See definition of International Standard for Testing and Investigations

**Major Event Organisation:**

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 parameter(s) that indicate(s) the Use of a Prohibited Substance or Prohibited Method.

**Metabolite:**

Any substance produced by a biotransformation process.

**Minor:**

A natural Person under the age of 18.

**Missed Test:**

See Article 2.4.

**NADP:**

See National Anti-Doping Panel.

**NADP Rules:**



The rules issued by the National Anti-Doping Panel, as amended from time to time, setting out the procedures to be followed by NADP appeal tribunals in matters referred to them under these Rules. The NADP Rules are available on the NADP website ([www.nadp.co.uk](http://www.nadp.co.uk))

**National Anti-Doping Organisation (NADO):**

The entity designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional Anti-Doping Organisation for such countries. If this designation has not been made by the competent public authorities, the entity shall be the country's National Olympic Committee or its designee. The National Anti-Doping Organisation for the UK is UK Anti-Doping and entity referred to in these Rules as "the NADO".

**National Anti-Doping Panel:**

The panel of arbitrators administered by Sport Resolutions (UK) or its successor to whom matters may be referred under Article 13.

**National Anti-Doping Policy:**

The document of that name issued by or on behalf of the UK Government, compliance with which is a condition of access to public funding in the UK.

**National Event:**

A sport Event involving international or national level Players held in the UK that does not qualify as an International Event.

**National-Level Player:**

Players in a national Registered Testing Pool or as otherwise identified by England Golf or his/her national or regional Anti-Doping Organisation.

**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.

**National Registered Testing Pool:**

See Article 5.4.1.

**National Union or Federation:**

A national or regional entity that is a member of the IGF and recognised in its country as the entity governing golf in that nation or region. Professional golf tours are specifically excluded from the definition of National Unions or Federations.

**No Advance Notice:**

Testing that takes place with no advance warning to the Player and where the Player is continuously chaperoned from the moment of notification through Sample collection.

**No Fault or Negligence:**

The Player or other Person establishing that he/she did not know or suspect, and could not reasonably have known or suspected, even with the exercise of utmost caution, that he/she had Used or been administered the Prohibited Substance or Prohibited Method or otherwise violated an anti-doping rule. Except in the case of a Minor, for any violation of

Article 2.1, the Athlete must also establish how the Prohibited Substance entered his/her system.

**No Significant Fault or Negligence:**

The Player or other Person establishing that his/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 relation to the Anti-Doping Rule Violation. Except in the case of a Minor, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his/her system.

**Out-of-Competition:**

Any period which is not In-Competition.

**Participant:**

Any Player or Player Support Personnel.

**Person:**

A natural person or an organisation or other entity.

**Player:**

Any International-Level Player, National-Level Player *and* other competitor in the sport of golf who is otherwise subject to the jurisdiction of any Signatory or other sports Organisation accepting the *Code*. A Player is any Person who competes in sport at the international level (as defined by each International Federation), or the national level (as defined by each *National Anti-Doping Organisation*). An *Anti-Doping Organisation* has discretion to apply anti-doping rules to a *Player* who is neither an *International-Level Player* nor a *National-Level Player*, and thus to bring them within the definition of "Player." In relation to *Players* who are neither *International-Level* nor *National-Level Players*, an *Anti-Doping Organisation* may elect to: conduct limited *Testing* or no *Testing* at all; analyse *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Player* over whom an *Anti-Doping Organisation* has authority who competes below the international or national level, then the *Consequences* set forth in the *Code* (except Article 14.3.2) must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports Organisation accepting the *Code* is a *Player*.

**Player Support Personnel:**

Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting a *Player* participating in or preparing for sports *Competition*.

**Possession:**

The actual, physical Possession, or the constructive Possession (which shall be found only if the Participant has exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists or if the Participant 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 he/she has committed an Anti-Doping Rule Violation, the Participant has taken concrete action demonstrating that he/she never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited



Substance or a Prohibited Method constitutes Possession by the Participant who makes the purchase.

**Prohibited List:**

The Prohibited List International Standard issued by WADA, identifying the Prohibited Substances and Prohibited Methods, as amended from time to time, the current version of which (as of the Effective Date) is available on WADA's website ([www.wada-ama.org](http://www.wada-ama.org))

**Prohibited Method:**

Any method so described on the Prohibited List.

**Prohibited Substance:**

Any substance so described on the Prohibited List.

**Provisional Hearing/Appeal**

For purposes of Article 7.9.3 and Article 7.9.4, an expedited abbreviated hearing in accordance with Article 6 of the NADP Rules, occurring prior to a hearing under Article 8 (Right to a Fair Hearing and Disciplinary Proceedings) that provides the *Player* with notice and an opportunity to be heard in either written or oral form.

**Provisional Suspension:**

See definition of Consequences of Anti-Doping Rule Violations.

**Registered Testing Pool:**

The pool of highest-priority Players established separately at the international level by the International Golf Federation and at the national level by UKAD, who are subject to focused In-Competition and Out-of-Competition Testing as part of the IGF's or UKAD's test distribution plan and therefore are required to provide whereabouts information as provided in Code Article 5.6 and the ISTI.

**Rules:**

See Article 1.1.1.

**Rules of Golf:**

The Rules of Golf as approved by the United States Golf Association and R&A Rules Limited.

**Sample:**

Any biological material collected for the purposes of Doping Control. Biological material collected for other purposes (e.g. DNA collected as part of an investigation for identification purposes) shall not be considered a 'Sample' (and so shall not be subject to Article 6 for purposes of these Rules).

**Signatories:**

Those entities signing the Code and agreeing to comply with the Code, as provided in Code Article 23.

**Specified Substance:**

See Article 3.3.1. and the WADA Prohibited List International Standard.

**Strict Liability:**

The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent, Fault, negligence, or knowing Use on the Athlete's part be demonstrated by the NADO in order to establish an Anti-Doping Rule Violation.



**Substantial Assistance:**

For purposes of Article 10.6.1, a Participant providing Substantial Assistance must: (1) fully disclose in a signed written statement all information that he/she possesses in relation to Anti-Doping Rule Violations; and (2) fully cooperate with the investigation and adjudication of any case related to that information, including (for example) by testifying at a hearing if requested to do so by the NADO or the hearing panel. Further, the information provided must be credible and must comprise an important part of any case that is initiated or, if no case is initiated, must have provided a sufficient basis upon which such a case could have been brought.

**Tampering:**

Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring; or providing fraudulent information to an Anti-Doping Organisation.

**Target Testing:**

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

**Team Sport:**

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

**Testing:**

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

**Trafficking:**

Selling, giving, transporting, sending, delivering or distributing a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by a Participant to any third party; provided, however, that this definition shall not include (a) the actions of bona fide medical personnel involving a Prohibited Substance used for genuine and legal therapeutic purposes or other acceptable justification; or (b) actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate that such Prohibited Substances were not intended for genuine and legal therapeutic purposes.

**TUE:**

Therapeutic Use Exemption See Article 4.1.2.

**TUE Committee**

As defined in the WADA International Standard for Therapeutic Use Exemptions

**UK Anti-Doping Procedures Guide:**

The document of that name issued by the NADO, as amended by the NADO from time to time, the current version of which (as of the Effective Date) is available on the NADO's website ([www.ukad.org.uk](http://www.ukad.org.uk))

**UK TUE Committee:**

The committee established by the NADO to review TUE applications in accordance with the UK Anti-Doping Procedures Guide.

**UK TUE Appeal Panel:**

The panel established by the NADO to hear an appeal regarding a denial or conditional grant of a TUE in accordance with the UK Anti-Doping Procedures Guide.

**Use:**

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

**WADA:**

The World Anti-Doping Agency.

**Weighted:**

A ranking method of selecting Players using criteria where the ranking is based on the potential risk of doping and possible doping patterns.

**Whereabouts Failure:**

A Filing Failure or a Missed Test.