



ANTI-DOPING RULES

Version 1.0

(Based upon the 2009 revised Code)

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INTRODUCTION

Preface

On 17 November 2003, JADCO has accepted the World Anti-Doping *Code* (the “*Code*”). These Anti-Doping Rules are adopted and implemented in conformance with JADCO’s responsibilities under the *Code*, and are in furtherance of JADCO continuing efforts to eradicate doping in Jamaica.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is played. *Athletes, Athlete Support Personnel*, 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. The *Code* defines National Anti-Doping Organisations as;

The entity(ies) designated by each country as possessing the primary authority 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.

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

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as “the spirit of sport”; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- Ethics, fair play and honesty
- Health

- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other *Participants*
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

JADCO Anti-Doping Programme

JADCO was established by the Government of Jamaica by the Anti-Doping in Sports Act of 25th July 2008, with the objective of acting as the independent *Anti-Doping Organization* for Jamaica, JADCO has the necessary authority and responsibility for:

- Planning, coordinating, implementing, monitoring and advocating improvements in *Doping Control*;
- Cooperating with other relevant national organizations, agencies and other *Anti-Doping Organizations*;
- Encouraging reciprocal *Testing* between *National Anti-Doping Organizations*;
- Promoting anti-doping research;
- Where funding is provided, withholding some or all funding, during any period of his or her *Ineligibility*, to any *Athlete* or *Athlete Support Personnel* who has violated anti-doping rules;
- Vigorously pursuing all potential anti-doping rule violations within its jurisdiction including investigating into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.
- Planning, implementing and monitoring anti-doping information and education programs.

JADCO thereby is a distinct body, independent from the disciplinary authorities (the Jamaica *Anti-Doping Disciplinary Panel* and Jamaica Anti-Doping Appeals Tribunal).

JADCO Anti-Doping Rules

These Anti-Doping Rules, like *Competition* rules, are sports rules governing the conditions under which sport is played. *Participants* accept these rules as a condition of participation in sport and shall be bound by them. These Anti-Doping Rules are distinct in nature and, therefore, not intended to be subject to, or limited by, any requirements and legal standards applicable to criminal proceedings or employment matters.

Scope

These Anti-Doping Rules shall apply to JADCO, each *National Federation* of Jamaica and each *Participant* in the activities of the *National Federations* by virtue of the *Participant's* membership, accreditation, or participation in their *National Federations*, or their activities or *Events*. Any *Person* who is not a member of a *National Federation* of Jamaica and who fulfills the requirements to be part of JADCO *Registered Testing Pool*, must become a member of the *Person's National Federation*, and shall make himself or herself available for *Testing*, at least twelve (12) months before participating in *International Events* or *Events* of his or her *National Federation*.

These Anti-Doping Rules shall apply to all *Doping Controls* over which JADCO has jurisdiction.

ARTICLE 1 APPLICATION OF RULES

1.1 Application to *National Sports Federations*

1.1.1 *National Sports Federations* shall accept these Anti-Doping Rules and incorporate these Anti-Doping Rules either directly or by reference into their governing documents, constitution and/or rules and thus as part of the rules of sport and the rights and obligations governing their members and *Participants*.

1.1.2 The application of these Anti-Doping Rules to *Participants* is based on the membership obligations that exist between *National Sports Federations* and their members or *Participants* through those

individuals' agreement to participate in sport according to its rules.

1.1.3 As a condition of receiving financial and/or other assistance from the Government of Jamaica and/or JADCO, *National Sports Federations* shall accept and abide by the spirit and terms of the Jamaica Anti-Doping Programme and these Anti-Doping Rules, including the application of its sanctions to individuals, and shall respect the authority of, and co-operate with, JADCO and the hearing bodies in all anti-doping matters which are not governed by the rules of the relevant International Federation in accordance with the *Code*.

1.1.4 By the adoption of these Anti-Doping Rules and their incorporation into their governing documents and rules of sport, *National Sports Federations* recognize the authority and responsibility of JADCO for implementing the Jamaica Anti-Doping Programme and authorize JADCO to carry out *Doping Control* and their members and *Participants* accordingly recognize and accept this authority and responsibility.

The International Federation and JADCO respect each other's authority and responsibility as foreseen in the *Code*.

1.1.5 By the adoption of these Anti-Doping Rules and their incorporation into their governing documents and rules of sport, *National Sports Federations* also formally submit the *National Sports Federation* and all *Athletes* under its jurisdiction or control or subject to its governing documents or rules of sport to these Anti-Doping Rules. They agree to abide by the decisions made pursuant to these Anti-Doping Rules, in particular the decisions of the Jamaica *Anti-Doping Disciplinary Panel* and the Jamaica Anti-Doping Appeals Tribunal. Their International Federations, members and *Participants* accordingly recognize and accept this submission and agreement subject to the rights of appeal foreseen in these rules.

1.2 Application to *Persons*

1.2.1 JADCO Anti-Doping Rules apply to all *Persons* who:

1.2.1.1 are members of a *National Sports Federation* of Jamaica, regardless of where they reside or are situated;

1.2.1.2 are members of a *National Sports Federation's* affiliated members, clubs, teams, associations or leagues;

1.2.1.3 participate in any capacity in any activity organized, held, convened or authorized by a *National Sports Federation* of Jamaica or its affiliated members, clubs, teams, associations or leagues; and

1.2.1.4 participate in any capacity in any activity organized, held, convened or authorized by a *National Event* organization, or a national league not affiliated with a *National Sports Federation*.

1.2.2 Participants including Minors are deemed to accept, submit to and abide by these Anti-Doping Rules by virtue of their participation in sport.

1.2.3 The Roles and Responsibilities of Athletes are to:

1.2.3.1 be knowledgeable of and comply with all applicable anti-doping policies and rules adopted pursuant to the *Code*;

1.2.3.2 be available for *Sample* collection;

1.2.3.3 take responsibility, in the context of anti-doping, for what they ingest and *Use*; and

1.2.3.4 inform medical personnel of their obligation not to Use Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules adopted pursuant to the Code.

1.2.4 The Roles and Responsibilities of *Athlete Support Personnel* are to:

1.2.4.1 be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the *Code* and which are applicable to them or the *Athletes* to whom they support;

1.2.4.2 cooperate with the *Athlete Testing* program; and

1.2.4.3 use their influence on *Athlete* values and behaviour to foster anti-doping attitudes.

1.2.5 If any *Person* is found to have committed an anti-doping rule violation, the *Consequences of these Anti-Doping Rules* shall apply. A *Person* sanctioned under these Anti-Doping Rules remains subject to them throughout the duration of the *Ineligibility* regardless of that *Person's* membership status in any *National Sports Federation* or sports organization. Unless the *Person* sanctioned retires during the period of *Ineligibility*, this shall include remaining subject to *Doping Control*.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of these Anti-Doping Rules (Anti-Doping Rule Violations). The following constitute Anti-Doping Rule Violations:

2.1 Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*.

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

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by either of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*.

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

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

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method

2.2.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

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

committed.

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

2.4 Violation of applicable requirements regarding *Athlete* availability for *Out-of-Competition Testing* set out in the *International Standard for Testing*, including failure to file whereabouts information in accordance with Article 11.3 of the *International Standard for Testing* (a "Filing Failure") and failure to be available for Testing at the declared whereabouts in accordance with Article 11.4 of the *International Standard for Testing* (a "Missed Test"). Any combination of three Missed Tests and/or Filing Failures committed within an eighteen-month period, as declared by NADO, shall constitute an anti-doping rule violation.

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

2.6 *Possession of Prohibited Substances and Methods:*

2.6.1 *Possession* by an *Athlete In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by an *Athlete Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited in *Out-of-Competition Testing*, unless the *Athlete* establishes that the *Possession* is pursuant to a therapeutic use exemption ("TUE") granted in accordance with Article 4.4 (*TUEs*) or other acceptable justification.

2.6.2 *Possession* by an *Athlete Support Personnel In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by

Athlete Support Personnel Out-of-Competition of any Prohibited Method or any Prohibited Substance which is prohibited in Out-of-Competition Testing, in connection with an Athlete, Competition or training, unless the Athlete Support Personnel establishes that the Possession is pursuant to a TUE granted to an Athlete in accordance with Article 4.4 (TUEs) or other acceptable justification.

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

2.8 Administration or Attempted administration to any Athlete *In-Competition of any Prohibited Method or Prohibited Substance, or administration or Attempted administration to any Athlete Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited in Out-of-Competition Testing, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation.*

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

JADCO has the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether JADCO has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation that is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.

Where these Anti-Doping Rules place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or

circumstances, the standard of proof shall be by a balance of probability, except as provided in Articles 10.4 and 10.6 where the *Athlete* must satisfy a higher burden of proof.

3.2 Methods of Establishing Facts and Presumptions

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

3.2.1 *WADA*-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratories. The *Athlete* or other *Person* may rebut this presumption by establishing that a departure from the *International Standard* occurred which could have reasonably caused the *Adverse Analytical Finding*.

If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred which could have reasonably caused the *Adverse Analytical Finding*, then JADCO shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.2 Departures from any other *International Standard* or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* or other *Person* establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse Analytical Finding* or other anti-doping rule violation occurred, then JADCO shall have the burden to establish that such a departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

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

3.2.4 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the tribunal) and to answer questions either from the tribunal or from JADCO asserting the anti-doping rule violation.

1 ARTICLE 4 THE *PROHIBITED LIST*

4.1 Incorporation of the *Prohibited List*

4.1.1 These Anti-Doping Rules incorporate the *Prohibited List* which is published and revised by WADA as described in Article 4.1 of the *Code*. JADCO will make the current *Prohibited List* available to each *National Federation*, and each *National Federation* shall ensure that the current *Prohibited List* is available to its members and constituents.

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

4.2.1 *Prohibited Substances and Prohibited Methods*

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication of the *Prohibited List* by WADA without requiring any further action by JADCO. As described in

Article 4.2 of the Code, IFs may [upon the recommendation of their Anti-Doping Commission] request that WADA expand the *Prohibited List* for their sport. IFs may also, [upon recommendation of their Anti-Doping Commission] request that WADA include additional substances or methods, which have potential for abuse in their sport, in the monitoring program described in Article 4.5 of the Code. As provided in the Code, WADA shall make the final decision on requests by IFs.

4.2.2 Specified Substances

For purposes of the application of Article 10 (Sanctions on Individuals), all *Prohibited Substances* shall be "Specified Substances" except (a) substances in the classes of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. *Prohibited Methods* shall not be Specified Substances.

4.2.3 New Classes of Prohibited Substances

In the event WADA expands the *Prohibited List* by adding a new class of *Prohibited Substances* in accordance with Article 4.1 of the Code, WADA's Executive Committee shall determine whether any or all *Prohibited Substances* within the new class of *Prohibited Substances* shall be considered Specified Substances under Article 4.2.2.

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

As provided in Article 4.3.3 of the Code, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* is final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

4.4 Therapeutic Use

4.4.1 *Athletes* with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a TUE. The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (Article 2.1), *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (Article 2.2), *Possession* of *Prohibited Substances* or *Prohibited Methods* (Article 2.6) or administration of a *Prohibited Substance* or *Prohibited Method* (Article 2.8) consistent with the provisions of an applicable TUE issued pursuant to the *International Standard* for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.

4.4.2 *Athletes* included by JADCO in its *Registered Testing Pool* and other *Athletes* participating in any *National Event* must obtain a TUE granted or recognized by JADCO. The application for a TUE must be made as soon as possible (in the case of an *Athlete* in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later than 21 days before the *Athlete's* participation in the *Event*.

4.4.3 TUE's granted by JADCO Therapeutic Use Exemption Committee (JADCO TUEC) shall be reported to the *Athlete's National Federation* and to WADA. Other *Athletes* subject to *Testing* who need to use a *Prohibited Substance* or a *Prohibited Method* for therapeutic reasons must obtain a TUE from their *National Anti-Doping Organization* or other body designated by their *National Federation*, as required under the rules of the *National Anti-Doping Organization/other body*. *National Federations* shall promptly report any such TUE's to JADCO TUEC and WADA.

4.4.4 JADCO shall appoint a panel of physicians to consider requests

for TUE's (JADCO **TUEC**). Upon JADCO's receipt of a TUE request, the Chair of JADCO TUEC shall appoint one or more members of JADCO TUEC (which may include the Chair) to consider such request. JADCO TUEC member(s) so designated shall promptly evaluate such request in accordance with the *International Standard for Therapeutic Use Exemptions* and render a decision on such request, which shall be the final decision of JADCO.

4.4.5 WADA, at the request of an *Athlete* or on its own initiation, may review the granting or denial of any TUE by JADCO.

If WADA determines that the granting or denial of a TUE did not comply with the *International Standard for Therapeutic Use Exemptions* in force at the time then WADA may reverse that decision. Decisions on TUE's are subject to further appeal as provided in Article 13.

ARTICLE 5 TESTING

5.1 Authority to Test

All *Athletes* under the jurisdiction of a *National Federation* shall be subject to *In-Competition Testing* by the *Athlete's National Federation*, the *Athlete's International Federation*, JADCO and any *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Athletes* under the jurisdiction of a *National Federation*, including *Athletes* serving a period of ineligibility or a *Provisional Suspension*, shall also be subject to *Out-of-Competition Testing* at any time or place, with or without advance notice, by WADA, the *Athlete's National Federation*, the *Athlete's International Federation*, JADCO, the *National Anti-Doping Organization* of any country where the *Athlete* is national, resident, license-holder or member of sport organizations, the IOC during the Olympic Games, and the IPC during the Paralympic Games. Target Testing will be made a priority.

5.2 Responsibility for JADCO Testing

JADCO shall be responsible for drawing up a test distribution plan in accordance with Article 4 of the *International Standard for Testing*, and for the implementation of that plan, including overseeing all *Testing* conducted by or on behalf of JADCO. *Testing* may be conducted by members of JADCO or by other qualified persons so authorized by JADCO.

5.3 Testing Standards

Testing conducted by JADCO and its *National Federations* shall be in substantial conformity with the *International Standard for Testing* in force at the time of *Testing*.

5.3.1 Blood (or other non-urine) *Samples* may be used to detect *Prohibited Substances* or *Prohibited Methods*, for screening procedure purposes, or for longitudinal hematological profiling (“the passport”).

5.4 Testing at Events

At *International Events*, the collection of *Doping Control Samples* shall be initiated and directed by the international organization that is the ruling body for the *Event*. If the international organization decides not to conduct any effective *Testing* at such an *Event*, JADCO may, in coordination with and with the approval of the international organization or *WADA*, initiate and conduct such *Testing*. At *National Events*, the collection of *Doping Control Samples* shall be initiated and directed by JADCO.

5.5 Athlete Whereabouts Requirements

5.5.1 JADCO shall identify a *Registered Testing Pool* of those *Athletes* who are required to comply with the whereabouts requirements of the *International Standard for Testing*,⁷ and shall publish the criteria for *Athletes* to be included in this *Registered Testing Pool* as well as a list of the *Athletes* meeting those criteria for the period in question. JADCO shall review and update as necessary its criteria for including *Athletes* in its Registered Testing Pool, and shall revise the membership of its *Registered Testing Pool* from time to time as appropriate in accordance with the set criteria. Each *Athlete* in the *Registered Testing Pool* (a) shall advise JADCO of

his/her whereabouts on a quarterly basis, in the manner set out in Article 11.3 of the *International Standard for Testing*; (b) shall update that information as necessary, in accordance with Article 11.4.2 of the *International Standard for Testing*, so that it remains accurate and complete at all times;; and (c) shall make him/herself available for *Testing* at such whereabouts, in accordance with Article 11.4 of the *International Standard for Testing*.

5.5.2 An *Athlete's* failure to advise the [NADO] of his/her whereabouts shall be deemed a Filing Failure for purposes of Article 2.4 where the conditions of Article 11.3.5 of the *International Standard for Testing* are met.

5.5.3 An *Athlete's* failure to be available for Testing at his/her declared whereabouts shall be deemed a Missed Test for purposes of Article 2.4 where the conditions of Article 11.4.3 of the *International Standard for Testing* are met.

5.5.4 Each *National Federation* shall also assist its *National Anti-Doping Organization* in establishing a national level *Registered Testing Pool* of top level national *Athletes* to whom the whereabouts requirements of the *International Standard for Testing* shall also apply.

5.5.5 Whereabouts information provided pursuant to Articles 5.5.1 and 5.5.4 shall be shared with WADA and other *Anti-Doping Organizations* having jurisdiction to test an *Athlete* in accordance with Articles 11.7.1(d) and 11.7.3(d) of the *International Standard for Testing*, including the strict condition that it be used only for *Doping Control* purposes.

5.6 Retirement and Return to Competition

5.6.1 An *Athlete* who has been identified by JADCO for inclusion in JADCO's *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to comply with the whereabouts requirements of the *International Standard for Testing*, unless and until the *Athlete* gives written notice to JADCO that he or

she has retired or until he or she no longer satisfies the criteria for inclusion in JADCO's *Registered Testing Pool* and has been so informed by JADCO.

5.6.2 An *Athlete* who has given notice of retirement to JADCO may not resume competing unless he or she notifies JADCO at least six months before he or she expects to return to competition and makes him/herself available for unannounced *Out-of-Competition Testing*, including (if requested) complying with the whereabouts requirements of the *International Standard for Testing*, at any time during the period before actual return to competition.

5.7 Testing of Minors

Testing under these Anti-Doping Rules may only be conducted on a *Minor* where a *Person* with legal responsibility for that *Minor* has given prior consent. The giving of such prior consent shall be a condition precedent to the participation of that *Minor* in sport, unless the rules of the relevant *National Sports Federation* provide otherwise.

5.8 Independent Observer Program

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

ARTICLE 6 ANALYSIS OF SAMPLES

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

6.1 Use of Approved Laboratories

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

6.2 Purpose of Collection and Analysis of *Samples*

Samples shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to the Monitoring Program described in Article 4.5 of the *Code* or to assist JADCO in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.

6.3 Research on *Samples*

No *Sample* may be used for any purpose other than as described in Article 6.2 without the *Athlete's* written consent. *Samples* used (with the *Athlete's* consent) for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular *Athlete*.

6.4 Standards for *Sample* Analysis and Reporting

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

6.5 Retesting *Samples*

A *Sample* may be reanalyzed for the purposes described in Article 6.2 at any time exclusively at the directive of NADO or WADA. The circumstances and conditions for retesting *Samples* shall conform with the requirements of the *International Standard* for Laboratories.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Laboratory Results and Possible Failure to Comply Reports

7.1.1 JADCO shall receive the analytical results from the laboratory by secure fax, hand delivery or electronically through the WADA Clearinghouse.

7.1.2 JADCO shall receive any Doping Control Officer Reports

indicating a possible Failure to Comply from the relevant Doping Control Officer along with other documentation from the *Sample* Collection Session, by secure fax, hand delivery or electronically through the WADA Clearinghouse.

7.2 Negative Analytical Findings

7.2.1 JADCO shall identify from the Doping Control Form all *Athletes* whose *Samples* have resulted in a Negative Analytical Finding.

7.2.2 JADCO shall notify via the WADA Clearinghouse, relevant stakeholders of Negative Analytical Findings to ratify Records.

7.2.3 JADCO may notify *Athletes* or their representative of Negative Analytical Findings if so required. However, JADCO shall reserve the possibility to conduct further *Testing* on the *Sample* as long as they are stored securely.

7.2.4 All documentation from the *Sample* Collection Session along with the notification of Negative Analytical Findings shall be retained by JADCO for a minimum of eight (8) years.

7.3 Adverse Analytical Findings

7.3.1 Initial Review

[Comment: Refer to Code Articles 3.2, 3.2.1 and 3.2.2]

7.3.1.1 Upon receipt of an *Adverse Analytical Finding*, JADCO shall review for any irregularity all of the documentation relating to the *Sample* Collection Session (including the Doping Control Form, Doping Control Officer Report and other Records), and the laboratory analysis.

7.3.1.2 If there are any irregularities in the documentation, JADCO shall determine whether the irregularity can be considered to undermine the validity of the *Adverse Analytical Finding*.

7.3.1.3 If irregularities are reasonably considered to undermine the validity of the *Adverse Analytical Finding*, JADCO shall

declare the test result void.

7.3.1.4 If a test is declared void due to an irregularity, it is recommended that JADCO schedule an additional test on the *Athlete* at a later time.

7.3.1.5 If JADCO declares a test result void, it shall immediately inform the *Athlete*, the *Athlete's* International Federation, *National Sporting Federation* and *WADA*.

7.3.2 Follow-up Investigations

7.3.2.1 If the *Sample* shows the presence of a *Prohibited Substance* (for example endogenous substances) where further investigations are required to determine an Anti-Doping Rule Violation, JADCO may conduct an investigation before issuing a notice to an *Athlete* asserting that an Anti-Doping Rule Violation has occurred.

7.3.2.2 In the case where the laboratory has reported the presence of a testosterone/epitestosterone ratio greater than 4 to 1 in the urine, further investigation is obligatory in order to determine whether the ratio is due to a physiological or pathological condition. The investigation will include a review of any previous tests, subsequent tests, results of endocrinological investigations and/or CIRMS analyses. Where previous tests are not available, the *Athlete* shall undergo an endocrine investigation or be tested on a *No Advance Notice* basis at least once per month for three months.

7.3.2.3 JADCO may request the assistance of the laboratory and other scientific and/or medical expertise as necessary to conduct an investigation, not revealing the identity of the *Athlete*.

7.3.2.4 If JADCO determines that the past doping test history of the *Athlete* is relevant to the investigation, and JADCO does not already have this information, JADCO must notify the

Athlete in writing that the *Athlete's* past doping test history is required and provide reasoning for such request. The *Athlete* must then forward details of their past doping test history to JADCO within seven (7) days of receiving the notice and authorize JADCO to request information from other *Anti-Doping Organizations*. JADCO may contact other *Anti-Doping Organizations*, other laboratories or WADA to verify the *Athlete's* past doping test history.

7.3.2.5 JADCO shall make the final consideration as to whether the follow-up investigation procedures evidence of an Anti-Doping Rule Violation. In making the consideration, JADCO *must* take into account all laboratory analyses and the findings and recommendation of any medical advisory or review committee. JADCO may consult the laboratory and any other experts to assist in the interpretation of the follow-up investigation results.

7.3.2.6 If JADCO determines that the investigation indicates that the *Adverse Analytical Finding* is due to a physiological or pathological condition and not due to an Anti-Doping Rule Violation, JADCO shall advise the *Athlete* accordingly and no further action shall be taken in relation to the *Adverse Analytical Finding*.

7.3.2.7 If JADCO determines that the investigation establishes evidence of an Anti-Doping Rule Violation, then JADCO shall follow these Anti-Doping Rules with respect to the *Adverse Analytical Finding*.

7.3.3 TUEs

7.3.3.1 If the analysis reveals a *Prohibited Substance* or method for which a TUE has been granted in accordance with the International Standards for TUEs, no further action is required.

7.3.3.2 If the *Athlete* has been granted a TUE in accordance

with the *International Standard for TUEs*, but the level of the *Prohibited Substance* in the *Sample* is not consistent with the *TUE*, then JADCO shall continue to follow these Anti-Doping Rules in respect to the *A Sample Adverse Analytical Finding*.

7.3.3.3 If the *Athlete* has not been granted a *TUE* in accordance with the *International Standard for TUEs*, then JADCO shall follow these Anti-Doping Rules in respect to the *A Sample Adverse Analytical Finding*.

7.3.3.4 Despite the fact that the *Athlete* has produced any other medical information at the time of the *Doping Control* JADCO shall follow these Anti-Doping Rules in respect to the *A Sample Adverse Analytical Finding*.

7.3.4 Notification After Initial Review

7.3.4.1 Once JADCO has determined that the *Adverse Analytical Finding* is not due to any irregularity that undermines its validity and that there is no applicable *TUE*, then JADCO shall ensure that the *Athlete* is notified in writing of the *Adverse Analytical Finding*. The notice shall include the following details:

- a) *Athletes* name, country, sport and discipline;
- b) *In-Competition* or *Out-of-Competition* control and date of the collection;
- c) Confirmation that the *A Sample* has returned an *Adverse Analytical Finding* and the details of the *Prohibited Substance* identified in the *A Sample*;
- d) The anti-doping rule asserted to be violated in accordance with the *[NADO]*, *International Federation* and/or *National Sports Federation* rules;

- e) The possible *Consequences of the Anti-Doping Rule Violation*;
- f) The *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived and the *A Sample* finding used as evidence of the Anti-Doping Rule Violation;
- g) The scheduled date, time and place for the *B Sample* analysis if the *Athlete* or JADCO chooses to request an analysis of the *B Sample*;
- h) The opportunity for the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis within the time period specified in the *International Standard for Laboratories* if such analysis is requested;
- i) The other parties that will be notified of the *A Sample Adverse Analytical Finding*;
- j) The *Athlete's* right to request copies of the *A* and *B Sample* laboratory report which includes information as required by the *International Standard for Laboratories*;
- k) The *Athlete's* right to respond to any assertion that an anti-doping rule had been violated;
- l) In cases where a *Provisional Suspension* is to be imposed in accordance with Article 7.6 below, details of that *Provisional Suspension*, the provisional

hearing and/or expedited hearing as applicable; and

- m) The *Athlete's* right to waive their right to a hearing by acknowledging the Anti-Doping Rule Violation asserted and the identified *Consequences of the Anti-Doping Rule Violation*.

7.3.4.2 JADCO shall also notify the IF and *WADA*. If JADCO decides not to bring forward the Adverse Analytical Finding as an anti-doping rule violation, it shall so notify the *Athlete*, the IF and *WADA*.

7.3.4.3 In an *Event* where a *Provisional Suspension* (*Article 7.6*) is to be imposed or other instances where time dictates, the above details may be given to the *Athlete* and other relevant organizations verbally in the first instance and followed up by notice in writing as soon as possible.

7.3.5 B *Sample* Analysis

7.3.5.1 Should the *Athlete* and/or JADCO decide to have the B *Sample* analysed JADCO shall contact the laboratory and confirm the date and time for analysis of the B *Sample*.

7.3.5.2 JADCO shall notify the *Athlete* of the time for the B *Sample* analysis, which should be no later than 5 working days after the *Athlete* requests that it be analysed.

7.3.5.3 The time for analysis of the B *Sample* may be extended by mutual agreement between the *Athlete*, JADCO and the laboratory.

7.3.5.4 The *Athlete* or the *Athlete's* representative has the right to attend the identification, opening and analysis of the B *Sample*.

7.3.5.5 Where neither the *Athlete* nor his/her representative

attends the identification, opening and analysis of the B *Sample*, JADCO or the laboratory shall appoint an independent *Person*.

7.3.5.6 The B *Sample* must be performed at the same laboratory and shall be tested by a different analyst than the A *Sample*.

7.3.5.7 If the B *Sample* analysis does not confirm the A *Sample* analysis, JADCO shall notify the *Athlete* that the *Sample* has been declared negative and that no further action will occur. In circumstances where a *Provisional Suspension* has been imposed, refer to Article 7.6.4.

7.3.5.8 If the B *Sample* analysis does confirm the A *Sample Adverse Analytical Finding*, JADCO shall continue to follow these Anti-Doping Rules with respect to the *Adverse Analytical Finding*.

7.4 Other Anti-Doping Rule Violations

7.4.1 Initial Review

7.4.1.1 Upon receipt of a Doping Control Officer Report and/or other related documents showing a possible Anti-doping Rule Violation, JADCO shall review for any irregularity all of the documentation relating to the case.

7.4.1.2 If there are any irregularities in the documentation JADCO shall determine whether the irregularity can reasonably be considered to undermine the possibility of an Anti-Doping Rule Violation.

7.4.1.3 If irregularities are reasonably considered to undermine the possibility of an Anti-Doping Rule Violation, JADCO shall not pursue the Doping Control Officer Report further.

7.4.1.4 If JADCO decides not to pursue the Doping Control

Officer Report further, it shall immediately inform the *Athlete's* International Federation, *National Sports Federation* and WADA.

7.4.1.5 The *Athlete* and/or *Support Personnel* may make a submission in relation to a possible Anti-Doping Rule Violation. JADCO shall consider this submission in suggesting whether to issue notice to the *Athlete* and/or *Support Personnel* that there has been a possible Anti-Doping Rule Violation.

7.4.2 Notification After Initial Review

7.4.2.1 Once JADCO has determined that the Doping Control Officer Report and/or other related documentation showing a possible Anti-Doping Rule Violation is not due to an irregularity that undermines the possibility of an Anti-Doping Rule Violation, then JADCO shall ensure that the *Athlete* is notified in writing of the possible Anti-Doping Rule Violation.

The notice shall include the following details:

- a) The *Athlete* and/or *Support Personnel* name, country, sport and discipline.
- b) An outline of the Doping Control Officer Report and/or other related documentation indicating the specific Anti-Doping Rule Violation;
- c) The anti-doping rule asserted to be violated in accordance with JADCO or applicable International Federation or *National Sports Federation's* rules;
- d) The possible *Consequences of the Anti-Doping Rule Violation*;
- e) The *Athlete's* and/or *Support Personnel* right to present submissions relating to the possible Anti-Doping Rule Violation;
- f) The other parties that will be notified about the Anti-Doping Rule Violation; and
- g) In cases where a *Provisional Suspension* is to be imposed in accordance with Article 7.6 below, details of that *Provisional*

Suspension, the provisional hearing and/or expedited hearing as applicable.

7.4.2.2 In an *Event* where a *Provisional Suspension* (Article 7.6) is to be imposed or other instances where time dictates, the above details may be given to *Athlete* and/or *Support Personnel* and other relevant organizations verbally in first instance and followed up with notice in writing as soon as possible.

7.5 Identity of *Athletes*

7.5.1 JADCO shall identify from the *Doping Control* Form and/or other relevant documentation all *Athletes* whose *Samples* have resulted in an *Adverse Analytical Finding*/or possible Anti-Doping Rule Violation.

7.5.2 The *Athlete's* and/or *Athlete Support Personnel's* identity shall be kept confidential throughout the results management process. Only the *Athlete* or other *Person* who may have breached an Anti-Doping Rule Violation shall be notified. The *Athlete's* National *Anti-Doping Organization*, *National Sports Federation*, International Federation and *WADA* shall be notified following the completion of the Notification After Initial Review process (Article 7.3.4).

7.6 Provisional Hearings and Suspensions

7.6.1 Once the *Athlete* has received notification following the initial review as set out in Article 7.3.4 above, JADCO and/or applicable International Federation may impose a *Provisional Suspension* on the *Athlete*.

7.6.2 Where a *Provisional Suspension* is imposed on an *Athlete*, the *Athlete* must be given either:

- a) A provisional hearing prior to the imposition of the *Provisional Suspension*;

b) A provisional hearing as soon as possible (within 10 days) after the imposition of the *Provisional Suspension*. Extensions can be granted upon written notification; or

c) An expedited hearing as soon as possible after the imposition of the *Provisional Suspension*.

7.6.3 All provisional hearings or expedited hearings must be conducted in accordance with Articles 7.5 and 8 of the *Code*. Separate guidelines for hearings may also be applicable.

7.6.4 Where a *Provisional Suspension* has been imposed in relation to an A *Sample Adverse Analytical Finding*, the *Athlete* has requested that the B *Sample* analysis be conducted and the B *Sample* analysis does not confirm the A *Sample* analysis, then the *Provisional Suspension* shall be rescinded immediately.

7.6.5 Where a *Provisional Suspension* has been imposed in relation to a Doping Control Officer Report and/or related documentation showing a possible Anti-Doping Rule Violation and JADCO determines, following the *Athlete's* submission, that there has been no Anti-Doping Rule Violation, then the *Provisional Suspension* shall be rescinded immediately.

7.6.6 Where the *Athlete* or the *Athlete's* team has been removed from a *Competition* or *Event* following a *Provisional Suspension* and the *Provisional Suspension* is then rescinded in accordance with Article 7.6.4 or 7.6.5 above, and it is still possible for the *Athlete* or team to be reinserted without otherwise affecting the *Competition* or *Event*, the *Athlete* or team shall be allowed to continue to take part in the *Competition* or *Event*.

7.6.7 If JADCO declares that there has been no Anti-Doping Rule Violation, it shall immediately inform the *Athlete's* International Federation, *National Sports Federation*, National Anti-Doping Organization and WADA.

7.7 Assertion of an Anti-Doping Rule Violation

7.7.1 Where there has been an *Adverse Analytical Finding* and:

- a) The test has not been declared void due to an irregularity in accordance with Article 7.3.1;
 - b) The presence of the *Prohibited Substance* is not consistent with a *TUE* that has been granted in accordance with Article 4;
 - c) The *Athlete* has not requested that the *B Sample* be analysed, or the *B Sample Analysis* has been conducted and confirms the *A Sample Adverse Analytical Finding* in accordance with Article 7.3.5;
 - d) Any follow-up investigation conducted that has led to the conclusion of a possible Anti-Doping Rule Violation in accordance with Article 7.3.2; and
 - e) The *Athlete* has not provided any information or evidence on the validity of the test that requires further investigation,
- then JADCO shall assert that there has been an Anti-Doping Rule Violation.

7.7.2 Where JADCO asserts that there has been an Anti-Doping Rule Violation, JADCO shall notify the *Person*, the *Person's* National Anti-Doping Agency, International Federation, *National Sports Federation* and *WADA* in writing of this assertion.

7.7.3 Where JADCO asserts that there has been an Anti-Doping Rule Violation, JADCO shall notify the *Jamaica Anti-Doping Disciplinary Panel* of the assertion, for a hearing to be conducted in accordance with Article 8 and any applicable guidelines. JADCO shall provide the *Jamaica Anti-Doping Disciplinary Panel* with all of the documentation relevant to the assertion.

7.7.4 The *Person* is also entitled to copies of all of the documentation relevant to the assertion that there has been an Anti-Doping Rule Violation, and JADCO shall provide this to the *Person* or his/her representative upon request.

ARTICLE 8 DISCIPLINARY PROCEDURE

8.1 Appointment of the Jamaica *Anti-Doping Disciplinary Panel*

8.1.1 The Jamaica Government shall appoint the independent Jamaica *Anti-Doping Disciplinary Panel* which will comprise of the following:

- a) A Chair and two (2) Vice-Chairs, each of whom shall be legal practitioners of not less than ten (10) years standing; and
- b) Three (3) medical practitioners of not less than five (5) years standing; and
- c) Three (3) additional members; each of whom shall be, or has previously been, a sports administrator or an *Athlete*, all of whom will be appointed on the basis that they are in a position to hear the cases fairly, impartially and independently.

8.1.2 Each panel member shall be appointed for a term of three (3) years.

8.1.3 If a panel member dies or resigns, the Jamaica Government may appoint an independent *Person* to be a panel member to fill the resultant vacancy. The *Person* so appointed shall be appointed for the remainder of the term of the member who occasioned the vacancy.

8.1.4 A panel member may be re-appointed by the Jamaica Government.

8.2 Jurisdiction of the Jamaica *Anti-Doping Disciplinary Panel*

8.2.1 The Jamaica *Anti-Doping Disciplinary Panel* has the power to hear and determine all issues arising from any matter which is referred to it pursuant to these Anti-Doping Rules. In particular, the Jamaica *Anti-Doping Disciplinary Panel* has the power to determine the *Consequences* of Anti-Doping Rule Violations to be imposed pursuant to these Anti-Doping Rules.

8.2.2 The Jamaica *Anti-Doping Disciplinary Panel* shall be fair and impartial in the performance of its functions.

8.2.3 The Jamaica *Anti-Doping Disciplinary Panel* has all powers necessary for, and incidental to, the exercise of its functions.

8.2.4 No final decision of, or *Consequences* of Anti-Doping Rule Violations imposed by, the Jamaica *Anti-Doping Disciplinary Panel* shall be quashed, varied or held invalid, by any court, arbitrator, tribunal or other hearing body other than the Jamaica Anti-Doping Appeals Tribunal or CAS for any reason, including for reason of any defect, irregularity, omission or departure from the procedures set out in these Anti-Doping Rules, provided there has been no miscarriage of justice.

8.3 Hearings Before the Jamaica *Anti-Doping Disciplinary Panel*

8.3.1 When it appears, following the results management process described in Article 7 (Results Management), that these Anti-Doping Rules may have been violated, JADCO shall refer the matter to the Jamaica *Anti-Doping Disciplinary Panel* for adjudication as to whether a violation of these Anti-Doping rules has occurred and if so what *Consequences* should be imposed.

8.3.2 The Chair of the Jamaica Anti-Doping Disciplinary Panel, or in his/her absence, a Vice-Chair, shall appoint three (3) members from the panel to hear and determine each case. Each such hearing panel shall comprise the Chair or a Vice-Chair as chair of the hearing panel, one medical practitioner member and one sports administrator or *Athlete* member.

8.3.3 The appointed members shall have had no prior involvement with the case. Each member, upon appointment, shall disclose to the Chair any circumstances likely to affect impartiality with respect to any of the parties.

8.3.4 An *Athlete* or other *Person* may forego a hearing by waiving the right to a hearing in writing and acknowledging the violation of

these Anti-Doping Rules and accepting the *Consequences* consistent with *Code* Article 9 (Automatic *Disqualification* of Individual Results) and *Code* Article 10 (Sanctions on Individuals) as notified by JADCO .

8.3.5 The *Jamaica Anti-Doping Disciplinary Panel* shall have the power, at its absolute discretion, to appoint an expert to assist or advise the panel as required by the panel.

8.3.6 JADCO, the International Federation, and/or the *National Sports Federation* concerned, if not a party to the proceedings, the *National Olympic Committee*, if not a party to the proceedings, and WADA shall each have the right to attend hearings of the *Jamaica Anti-Doping Disciplinary Panel* as an observer.

8.3.7 Hearings pursuant to this Article should be completed expeditiously and in all cases within three (3) months of the completion of the results management process described in Article 7 (Results Management), save where exceptional circumstances apply.

8.3.8 Unless otherwise agreed between the parties, the *Jamaica Anti-Doping Disciplinary Panel* shall;

8.3.8.1 commence the hearing within fourteen (14) days of the notification date;

8.3.8.2 issue a written decision within twenty (20) days of the notification date; and

8.3.8.3 issue written reasons for the decision within thirty (30) days of the notification date.

8.3.9 Hearings held in connection with *Events* may be conducted on an expedited basis.

8.4 Proceedings of the Jamaica Anti-Doping Disciplinary Panel

8.4.1 Subject to the provisions of these Anti-Doping Rules, the *Jamaica Anti-Doping Disciplinary Panel* and its hearing panels shall have the power to regulate their procedures.

8.4.2 Hearings of the *Jamaica Anti-Doping Disciplinary Panel* shall be

open to the public, unless the Jamaica Anti-Doping Disciplinary Panel determines that there are special circumstances warranting otherwise.

8.4.3 JADCO shall present the case against the *Person* before the Jamaica Anti-Doping Disciplinary Panel and, where requested by JADCO, the *National Sports Federation* of the *Person* concerned shall assist JADCO.

8.4.4 The *Person*, against whom the case is brought, has the right to respond to the asserted anti-doping rule violation and resulting *Consequences*.

8.4.5 A failure by any party or their representative to attend a hearing after notification will be deemed to be an abandonment of their right to a hearing. This right may be reinstated on reasonable grounds.

8.4.6 Each party shall have the right to be represented at a hearing, at that party's own expense.

8.4.7 Every party shall have the right to an interpreter at the hearing, if deemed necessary by the hearing panel. The hearing panel shall determine the identity and responsibility for the cost of any interpreter.

8.4.8 Each party to the proceedings has the right to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone, written statement or submission, whether by fax, email or other means).

8.4.9 Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The hearing panel may receive evidence, including hearsay, as it thinks fit and shall be entitled to attach such weight to that evidence as it deems appropriate.

8.4.10 The hearing panel may postpone or adjourn a hearing.

8.4.11 The hearing panel, at the request of one of the parties to the

proceedings or on its own initiative, may require one or more parties to the proceedings, prior to the hearing, to supply it and/or the other parties to the proceedings with further particulars of the case to be presented by that party at the hearing, including what witnesses they intend to call and that party shall comply with that direction.

8.4.12 Any failure by the *Person* concerned to comply with any requirement or direction of the hearing panel shall not prevent the hearing panel from proceeding and such failure may be taken into consideration by the hearing panel when making its decision.

8.4.13 Hearings may be recorded and JADCO shall own and retain any recording.

8.5 Decisions of the Jamaica Anti-Doping Disciplinary Panel

8.5.1 The deliberations of the hearing panel on its decision shall be private.

8.5.2 Any minority or dissenting decisions shall be noted in the written reasons. In the event of a majority decision, this shall be the decision of the hearing panel.

8.5.3 The decision of the hearing panel shall be written, dated and signed. In order to expedite the finalization of the hearing, the decision may be handed down without written reasons in accordance with the time schedule outlined in Article 8.3.8. In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under Article 10.5.2 (*No Significant Fault or Negligence*) the decision shall explain the basis for the elimination or reduction.

8.5.4 The decision of the hearing panel shall be advised to the parties to the proceedings, *WADA*, the relevant International Federation (and to the *National Olympic Committee* and *National Sports Federation* if not a party to the proceedings) as soon as practicable after the conclusion of the hearing.

8.5.5 Decisions of the *Jamaica Anti-Doping Hearing Panel* may be

appealed as provided in Article 13 (Appeals).

ARTICLE 9 AUTOMATIC *DISQUALIFICATION* OF INDIVIDUAL RESULTS

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

ARTICLE 10 SANCTIONS ON INDIVIDUALS

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

10.1.1 An anti-doping rule violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.2.

10.1.2 If the *Athlete* establishes that they bear *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified* unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

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

The period of *Ineligibility* imposed for a violation of *Code* Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), *Code* Article 2.2 (*Use or Attempted Use of Prohibited Substance* or

Prohibited Method) and *Code Article 2.6 (Possession of Prohibited Substances and Prohibited Methods)* shall be as follows, unless the conditions for eliminating or reducing the period of *Ineligibility*, as provided in Articles 10.4 and 10.5, or the conditions for increasing the period of *Ineligibility*, as provided in Article 10.6, are met :

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

10.3 *Ineligibility* for Other Anti-Doping Rule Violations

The period of *Ineligibility* for anti-doping rule violations Rules other than as provided in Article 10.2 shall be as follows:

10.3.1 For violations of *Code Article 2.3 (Refusing or Failing to Submit to Sample Collection)* or *Code Article 2.5 (Tampering with Doping Control)*, the *Ineligibility* period shall be two (2) years unless the conditions provided in Article 10.5, or the conditions provided in *Code Article 10.6*, are met.

10.3.2 For violations of *Article Code 2.7 (Trafficking)*, *Code Article 2.8 (Administration of Prohibited Substance or Prohibited Method)* the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility* unless the conditions provided in Article 10.5 are met. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than Specified Substances referenced in Article 4.2.2, shall result in lifetime *Ineligibility* for such *Athlete Support Personnel*. In addition, significant violations of such Articles that also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

10.3.3 For violations of *Code* Article 2.4 (whereabouts filing failures and/or missed tests), the period of *Ineligibility* shall be:

First Violation: A minimum of one (1) year to a maximum of two (2) years *Ineligibility* based on the *Athlete's* degree of fault;

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

Where an *Athlete* or other *Person* can establish how a Specified Substance entered his or her body or came into his or her possession and that such Specified Substance was not intended to enhance the *Athlete's* sport performance or mask the use of a performance-enhancing substance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, two (2) years' *Ineligibility*.

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

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

10.5.1 *No Fault or Negligence*

If an *Athlete* establishes in an individual case that he or she bears *No Fault or Negligence*, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its

Markers or its *Metabolites* is detected in an *Athlete's Sample* in violation of *Code Article 2.1 (Presence of Prohibited Substance)*, the *Athlete* shall also establish how the *Prohibited Substance* entered their system in order to have the period of *Ineligibility* eliminated.

In the event that this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation only for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.7.

10.5.2 *No Significant Fault or Negligence*

If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Sample* in violation of *Code Article 2.1 (Presence of Prohibited Substance)*, the *Athlete* shall also establish how the *Prohibited Substance* entered their system in order to have the period of *Ineligibility* reduced.

10.5.3 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

The *Jamaica Anti-Doping Disciplinary Panel* or *Jamaica Anti-Doping Appeals Tribunal* 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 where the *Athlete* or other *Person* has provided Substantial Assistance to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *Person* or which

results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another *Person*. After a final appellate decision under Article 13 or the expiration of time to appeal, the *Jamaica Anti-Doping Disciplinary Panel* or *Jamaica Anti-Doping Appeals Tribunal* may only suspend a part of the applicable period of *Ineligibility* with the approval of WADA and the applicable International Federation. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this section must be no less than 8 years. If the *Jamaica Anti-Doping Disciplinary Panel* or *Jamaica Anti-Doping Appeals Tribunal* suspends any part of the period of *Ineligibility* under this Article, it shall promptly provide a written justification for its decision to each *Anti-Doping Organization* having a right to appeal the decision. If the *Jamaica Anti-Doping Disciplinary Panel* or *Jamaica Anti-Doping Appeals Tribunal* subsequently reinstates any part of the suspended period of *Ineligibility* because the *Athlete* or other *Person* has failed to provide the *Substantial Assistance* which was anticipated, the *Athlete* or other *Person* may appeal the reinstatement pursuant to Article 13.2.

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

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1,

before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.

10.5.5 Where an *Athlete* or Other *Person* Establishes Entitlement to Reduction in Sanction Under More than One Provision of this Article Before applying any reductions under Articles 10.5.2, 10.5.3 or 10.5.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4 and 10.6. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 10.5.2, 10.5.3 or 10.5.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter of the otherwise applicable period of *Ineligibility*.

10.6 Aggravating Circumstances Which May Increase the Period of *Ineligibility*

If the *Jamaica Anti-Doping Disciplinary Panel* or *Jamaica Anti-Doping Appeals Tribunal* establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (Trafficking) and 2.8 (Administration) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four years unless the *Athlete* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he did not knowingly commit the anti-doping rule violation.

An *Athlete* or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after

being confronted with the anti-doping rule violation by the *Jamaica Anti-Doping Disciplinary Panel* or *Jamaica Anti-Doping Appeals Tribunal*.

10.7 Multiple Violations

10.7.1 For an *Athlete* or other *Person's* first anti-doping rule violation, the period of *Ineligibility* is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction or suspension under Articles 10.4 or 10.5, or to an increase under Article 10.6). For a second anti-doping rule violation the period of *Ineligibility* shall be within the range set forth in the table below.

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

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

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

FFMT (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Article 10.3.3 (Filing Failures and/or Missed Tests).

NSF (Reduced sanction for *No Significant Fault or Negligence*): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.5.2 because *No Significant Fault or Negligence* under Article 10.5.2 was proved by the *Athlete*.

St (Standard sanction under Article 10.2 or 10.3.1): The anti-doping

rule violation was or should be sanctioned by the standard sanction of two years under Article 10.2 or 10.3.1.

AS (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 10.6 because the *Anti-Doping Organization* established the conditions set forth under Article 10.6.

TRA (*Trafficking* and Administration): The anti-doping rule violation was or should be sanctioned by a sanction under Article 10.3.2 for *Trafficking* or Administration.

10.7.2 Application of Articles 10.5.3 and 10.5.4 to Second Violation.

Where an *Athlete* or other *Person* who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article 10.5.3 or Article 10.5.4, the *Jamaica Anti-Doping Disciplinary Panel* or *Jamaica Anti-Doping Appeals Tribunal* shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table in Article 10.7.1, and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 10.5.3 and 10.5.4, must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

10.7.3 Third Anti-Doping Rule Violation.

A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.4 or involves a violation of Article 2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of *Ineligibility* shall be from eight years to life ban.

10.7.4 Additional Rules for Certain Potential Multiple Violations.

For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if JADCO can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to *Code* Article 7 (Results Management), or after JADCO made reasonable efforts to give notice, of the first anti-doping rule violation. If JADCO cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining Aggravating Circumstances (Article 10.6).

If, after the resolution of a first anti-doping rule violation, JADCO discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then JADCO shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 10.8. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.6) on account of the earlier-in-time but later-discovered violation, the *Athlete* or other *Person* must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he or she is first charged. The same rule shall also apply when JADCO discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

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

For purposes of Article 10.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

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

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.

10.8.1 As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the *Athlete* must first repay all prize money forfeited under this Article.

10.8.2 Allocation of Forfeited Prize Money.

Unless the rules of the International Federation provide that forfeited prize money shall be reallocated to other *Athletes*, it shall be allocated first to reimburse the collection expenses of the *Anti-Doping Organization* that performed the necessary steps to collect the prize money back, then to reimburse the expenses of the *Anti-Doping Organization* that conducted results management in the case, with the balance, if any, allocated in accordance with the International Federation's rules.

10.9 Commencement of *Ineligibility* Period

10.9.1 Except as provided below, the period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed.

10.9.2 Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served.

10.9.3 Delays Not Attributable to the *Athlete* or other *Person*.

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete* or other *Person*, the *Jamaica Anti-Doping Disciplinary Panel* may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred.

10.9.4 Timely Admission.

Where the *Athlete* promptly (which, in all events, means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by JADCO, 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 *Athlete* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction or the date of a hearing decision imposing a sanction.

10.9.5 If a *Provisional Suspension* is imposed and respected by the *Athlete*, then the *Athlete* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may

ultimately be imposed.

10.9.6 If an *Athlete* voluntarily accepts a *Provisional Suspension* in writing from JADCO and thereafter refrains from competing, the *Athlete* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under *Code Article 14.1*.

10.9.7 No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension* regardless of whether the *Athlete* elected not to compete or was suspended by his or her team.

10.10 Status During *Ineligibility*

10.10.1 No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *NOC or National Federation Team, Competition* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by any *Signatory, Signatory's* member organizations, including a *National Sports Federation* or a club or other member organization of a *Signatory's* member organization, including a *National Sports Federation*, or in *Competitions* authorized or organized by any professional league or any international or national level *Event* organization.

10.10.2 A *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport *Events* in a sport other than the sport in

which the *Person* committed the anti-doping rule violation, but only so long as the local sport *Event* is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a *National Event* or *International Event*. A *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

10.10.3 Violation of the Prohibition of Participation During *Ineligibility*.

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.10.1, the results of such participation shall be *Disqualified* and the period of *Ineligibility* which was originally imposed shall start over again as of the date of the violation. The new period of *Ineligibility* may be reduced under Article 10.5.2 if the *Athlete* or other *Person* establishes he or she bears *No Significant Fault or Negligence* for violating the prohibition against participation. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether a reduction under Article 10.5.2 is appropriate, shall be made by the *Anti-Doping Organization* whose results management led to the imposition of the initial period of *Ineligibility*.

10.10.4 Withholding of Financial Support during *Ineligibility*.

In addition, for any anti-doping rule violation not involving a reduced sanction for Specified Substances as described in Article 10.4, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by any *Signatory*, *Signatories'* member, including a *National Sports Federation*, and governments.

10.11 Reinstatement Testing

10.11.1 As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* shall, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by JADCO, the applicable *National Sports Federation* and/or any *Anti-Doping Organization* having *Testing* jurisdiction, and shall, if requested, provide current and accurate whereabouts information as provided in Article 5.5 (Whereabouts Requirements).

10.11.2 If an *Athlete*, subject to a period of *Ineligibility*, retires from sport and is removed from *Out-of-Competition Registered Testing Pools* and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified JADCO, Jamaica Olympic Association, the applicable *National Sports Federation* and relevant *Anti-Doping Organizations* and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of the period set forth in Article 5.5.2 or the period of *Ineligibility* remaining as of the date the *Athlete* had retired. During such remaining period of *Ineligibility*, the *Athlete* shall undergo *Out-of-Competition Testing*. JADCO shall determine the number and frequency of *Testing*.

10.11.3 JADCO shall be responsible for conducting the *Out-of-Competition Testing* required under this Article 10.10, but *Testing* by any *Anti-Doping Organization* may be used to satisfy the requirement.

10.11.4 Once the period of an *Athlete's* suspension has expired, and the *Athlete* has fulfilled the conditions of reinstatement then the *Athlete* shall become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Sports Federation* shall then be necessary.

ARTICLE 11 CONSEQUENCES TO TEAM SPORTS

11.1 Testing of Team Sports.

Where more than one member of a team in a *Team Sport* has been notified of a possible anti-doping rule violation under Article 7 (Results Management) in connection with an *Event*, the ruling body for the *Event* shall conduct appropriate *Target Testing* of a team during the *Event* period.

11.2 Consequences for Team Sports.

If more than two members of a team in a *Team Sport* are found to have committed an anti-doping rule violation during an *Event Period*, the ruling body of the *Event* shall impose an appropriate sanction on the team (e.g., loss of points, *Disqualification* from a *Competition* or *Event*, or other sanction) in addition to any *Consequences* imposed upon the individual *Athlete(s)* committing the anti-doping rule violation.

11.3 Event Ruling Body May Establish Stricter Consequences for Team Sports.

The ruling body for an *Event* may elect to establish rules for the *Event* which impose *Consequences* stricter than those in Article 11.2 for purposes of the *Event*.

ARTICLE 12 SANCTIONS AGAINST NATIONAL SPORTS FEDERATIONS

12.1 Financial and/or other non-financial support from JADCO may be withheld in whole or in part from *National Sports Federations* which are not in compliance with, or fail in the implementation of, these Anti-Doping Rules.

12.2 Membership or recognition of National Sports Federations by JADCO may be withdrawn or withheld until the National Sports Federation anti-doping rules are in compliance with these Anti-Doping Rules and the

Code.

12.3 Decisions of JADCO pursuant to this Article 12 (Sanctions against *National Sports Federations*) may be appealed as provided for in Article 13.9 (Appeals from Decisions Pursuant to Article 12).

ARTICLE 13 APPEALS

13.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth in this Article 13 or as otherwise provided in the *Code*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

13.1.1 Where *WADA* has a right to appeal under Article 13 and no other party has appealed a final decision within JADCO's process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in JADCO's process.

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

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Article 10.10.2 (prohibition of participation during *Ineligibility*); a decision that an *Anti-Doping Organization* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision by any *National Federation* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under *Code* Article 7.4; and a decision to impose a *Provisional Suspension* as a result of a Provisional hearing or in violation of Article 7.5 may be appealed

exclusively as provided in this Article 13.2.

13.2.1 In cases arising from *Competition* in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to the CAS in accordance with the provisions applicable before such court.

13.2.2 In cases involving national-level *Athletes*, as defined by JADCO, that do not have a right to appeal under Article 13.2.1, the decision may be appealed to the Jamaica Anti-Doping Appeals Tribunal.

13.2.3 *Persons Entitled to Appeal*

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS:

- a) the *Athlete* or other *Person* who is the subject of the decision being appealed;
- b) the other party to the case in which the decision was rendered;
- c) the relevant International Federation;
- d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and
- e) *WADA*

In cases under Article 13.2.2, the parties having the right to appeal to the Jamaica Anti-Doping Appeals Tribunal shall at a minimum include the:

- (1) *Athlete* or other *Person* who is the subject of the decision being appealed;
- (2) The other party to the case in which the decision was rendered;
- (3) The relevant International Federation;
- (4) *Jamaica Olympic Association*;

(5) *Athlete's* or other *Person's* National Anti-Doping Organization;
and

(6) *WADA*.

For cases under Article 13.2.2, *WADA* and the International Federation shall also have the right to appeal to *CAS* with respect to the decision of the Jamaica Anti-Doping Appeals Tribunal.

Notwithstanding any other provision herein, the only *Person* that may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

The filing deadline for an appeal or intervention filed by *WADA* shall be the later of:

(a) Twenty-one (21) days after the last day on which any other party in the case could have appealed, or

(b) Twenty-one (21) days after *WADA's* receipt of the complete file relating to the decision.

13.3 Failure to Render a Timely Decision by JADCO

Where, in a particular case, JADCO fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by *WADA*, *WADA* may elect to appeal directly to *CAS* as if JADCO had rendered a decision finding no anti-doping rule violation. If the *CAS* panel determines that an anti-doping rule violation was committed and that *WADA* acted reasonably in electing to appeal directly to *CAS*, then *WADA's* costs and attorneys fees in prosecuting the appeal shall be reimbursed to *WADA* by JADCO.

13.4 The Jamaica Anti-Doping Appeals Tribunal

13.4.1 The Jamaica Government shall appoint the independent Jamaica *Anti-Doping Appeals Tribunal*.

13.4.2 Each Tribunal member shall be appointed for a term of three years.

13.4.3 If a Tribunal member dies or resigns, the Jamaica Government may appoint an independent *Person* to be a tribunal member to fill the resultant vacancy. The *Person* so appointed shall be appointed for the remainder of the term of the member who occasioned the vacancy.

13.4.4 A Tribunal member may be re-appointed.

13.5 Jurisdiction of the *Jamaica Anti-Doping Appeals Tribunal*

13.5.1 The *Jamaica Anti-Doping Appeals Tribunal* has the power to hear and determine all issues arising from any matter which is appealed to it pursuant to these Anti-Doping Rules. In particular, the *Jamaica Anti-Doping Appeals Tribunal* has the power to determine the *Consequences* of an Anti-Doping Rule Violation to be imposed pursuant to these Anti-Doping Rules.

13.5.2 The Jamaica Anti-Doping Appeals Tribunal shall be independent and impartial in the performance of its functions.

13.5.3 The Jamaica Anti-Doping Appeals Tribunal has all powers necessary for, and incidental to, the exercise of its functions.

13.5.4 No final decision of, or *Consequences* of Anti-Doping Rule Violations imposed by, the Jamaica Anti-Doping Appeals Tribunal may be quashed, varied or held invalid, by any court, arbitrator, tribunal or other hearing body other than CAS for any reason including for reason of any defect, irregularity, omission or departure from the procedures set out in these Anti-Doping Rules provided there has been no miscarriage of justice.

13.6 Hearings Before the *Jamaica Anti-Doping Appeals Tribunal*

13.6.1 A *Person* entitled to appeal a decision of the *Jamaica Anti-Doping Disciplinary Panel* who wishes to do so shall lodge notice of the appeal with the *Jamaica Anti-Doping Appeals Tribunal* within fourteen (14) days of the date of the decision of the *Jamaica Anti-Doping Disciplinary Panel*.

13.6.2 The Jamaica Anti-Doping Appeals Tribunal shall consist of six persons:

a) A Chairman and Vice Chairman being both persons who have served and either a Judge of the Court of Appeal or of the Supreme Court;

b) Persons who have served in –

- the post of a Director of Public Prosecutions or a senior member of staff of the Office of Director of the Director of Public Prosecutions;
- sports administration for at least 10 years;
- sports medicine for at least 10 years.

13.6.3 The appointed members shall have had no prior involvement with the case, or any aspect of the case. In particular, no member may have previously considered any *TUE* application or appeal involving the same *Athlete* as in the current case. Each member, upon appointment, shall disclose to the Chair any circumstances likely to affect impartiality with respect to any of the parties.

13.6.4 If a member, appointed by the Chair to hear a case, is unwilling or unable, for whatever reason, to hear the case, the Chair may appoint a replacement or appoint a new hearing panel from the pool.

13.6.5 The *Jamaica Anti-Doping Appeals Tribunal* has the power, at its absolute discretion, to appoint an expert to assist or advise the panel as required by the panel.

13.6.6 JADCO has the right to join proceedings and attend hearings of the Jamaica Anti-Doping Appeals Tribunal as a party.

13.6.7 JADCO, the International Federation and/or the *National Sports Federation* concerned, if not a party to the proceedings, the *National Olympic Committee*, if not a party to the proceedings, and *WADA* each have the right to attend hearings of the Jamaica Anti-Doping Appeals Tribunal as an observer.

13.6.8 Hearings pursuant to this Article should be completed

expeditiously and in all cases within three (3) months of the date of the decision of the *Jamaica Anti-Doping Disciplinary Panel*, save where exceptional circumstances apply.

13.6.9 Hearings held in connection with *Events* may be conducted on an expedited basis.

13.7 Proceedings of the *Jamaica Anti-Doping Appeals Tribunal*

13.7.1 Subject to the provisions of these Anti-Doping Rules, the Jamaica Anti-Doping Appeals Tribunal shall have the power to regulate their procedures.

13.7.2 Hearings of the Jamaica Anti-Doping Appeals Tribunal shall be open to the public, unless the Jamaica Anti-Doping Disciplinary Panel determines that there are special circumstances warranting otherwise.

13.7.3 The appellant shall present their case and the respondent party or parties shall present their cases in reply.

13.7.4 A failure by any party or their representative to attend a hearing after notification will be deemed to be an abandonment of their right to a hearing. This right may be reinstated on reasonable grounds.

13.7.5 Each party shall have the right to be represented at a hearing, at that party's own expense.

13.7.6 Every party shall have the right to an interpreter at the hearing, if deemed necessary by the hearing panel. The hearing panel shall determine the identity and responsibility for the cost of any interpreter.

13.7.7 Each party to the proceedings has the right to present evidence, including the right to call and question witnesses (subject to the hearing *Tribunal's* discretion to accept testimony by telephone, written statement or submission, whether by fax, email or other means).

13.7.8 Facts relating to anti-doping rule violations may be

established by any reliable means, including admissions. The *Appeals Tribunal* may receive evidence, including hearsay, as it thinks fit and shall be entitled to attach such weight to that evidence as it deems appropriate.

13.7.9 The *Appeals Tribunal* may postpone or adjourn a hearing.

13.7.10 The *Appeals Tribunal*, at the request of one of the parties to the proceedings or on its own initiative, may require one or more parties to the proceedings, prior to the hearing, to supply it and/or the other or other parties to the proceedings with further particulars of the case to be presented by that party at the hearing, including what witnesses they intend to call and that party shall comply with that direction.

13.7.11 Any failure by any party to comply with any requirement or direction of the *Appeals Tribunal* shall not prevent the *Appeals Tribunal* from proceeding and such failure may be taken into consideration by the *Appeals Tribunal* when making its decision.

13.7.12 Hearings may be recorded and any recording is owned and shall be retained by JADCO.

13.8 Decisions of the *Jamaica Anti-Doping Appeals Tribunal*

13.8.1 The deliberations of the *Jamaica Anti-Doping Appeals Tribunal* on its decision shall be private.

13.8.2 Any minority or dissenting decisions shall be noted in the written reasons. In the *Event* of a majority decision, this shall be the decision of the *Jamaica Anti-Doping Appeals Tribunal*.

13.8.3 The decision of the *Jamaica Anti-Doping Appeals Tribunal* shall be written, dated and signed and shall state brief reasons. In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under Article 10.5.2 (*No Significant Fault or Negligence*) the decision shall explain the basis for the elimination or reduction. The signature of the Chair or Vice-Chair as applicable shall suffice.

13.8.4 The decision of the *Jamaica Anti-Doping Appeals Tribunal* shall be advised to the parties to the proceedings and to JADCO if not a party to the proceedings as soon as practicable after the conclusion of the hearing.

13.9 Appeals from Decisions Granting or Denying a TUE

13.9.1 Decisions by JADCO denying *TUEs*, which are not reversed by *WADA*, may be appealed exclusively to *CAS* by the *International-Level Athlete* or to the *Jamaica Anti-Doping Appeals Tribunal* where the *Athlete* is not an *International-Level Athlete*. If the *Jamaica Anti-Doping Appeals Tribunal* reverses the decision to deny a *TUE*, that decision may be appealed to *CAS* by *WADA*. The *Jamaica Anti-Doping Appeals Tribunal* considering an appeal under this Article will not include members of the *TUEC*.

13.9.2 Decisions by *WADA* reversing the grant or denial of a *TUE* may, subject to the rules of *CAS*, be appealed exclusively to *CAS* by the *Athlete* or JADCO.

13.9.3 When JADCO fails to take action on a properly submitted therapeutic use exemption application within a reasonable time, its failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

13.10 Appeals from Decisions Pursuant to Article 12

Decisions of JADCO pursuant to Article 12 (*Sanctions Against National Sporting Federations*) may be appealed exclusively to *CAS* by the *National Sports Federation* concerned.

ARTICLE 14 REPORTING

14.1 Reporting of TUEs

JADCO shall promptly report any *TUE* granted to an *Athlete* (except those *Athletes* not in JADCO's *Registered Testing Pool*), to the applicable *International Federation*, to the *Athlete's National Sports Federation* and to *WADA*.

14.2 Reporting of Testing

JADCO shall submit to *WADA* current *Athlete* whereabouts information. *WADA* shall make this information accessible to other *Anti-Doping Organizations* having authority to test the *Athlete*.

14.2.1 JADCO shall report all *In-Competition* and *Out-of-Competition* tests to *WADA* as soon as possible after such tests have been conducted.

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

14.3 Reporting Regarding Results Management

14.3.1 When a *National Sports Federation* has received an *Adverse Analytical Finding* on one of its *Athletes*, JADCO, on its behalf, shall report the following information to its International Federation and *WADA* not later than the end of the process described in Article 7.2 (Initial Review Regarding *Adverse Analytical Findings*): the *Athlete's* name, country, sport and discipline within the sport, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory. The same parties shall be regularly updated on the statutes and findings, including results management, hearings and appeals.

14.3.2 Where the *Athlete* requests the analysis of the B *Sample* JADCO shall report the result of such analysis to the International Federation and to *WADA*.

14.3.3 In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 (*No Fault or Negligence*) or reduced under

Article 10.5.2 (*No Significant Fault or Negligence*) JADCO shall provide the International Federation and WADA with a copy of the written reasoned decision.

14.4 Reporting Under the Code

JADCO shall publish annually, a general statistical report of its *Doping Control* activities during the calendar year with a copy provided to WADA.

ARTICLE 15 PUBLIC DISCLOSURE

JADCO, the *Athlete's* National Anti-Doping Organization, any *National Sports Federation*, the *Jamaica Anti-Doping Disciplinary Panel* or any other *Person* shall not *Publicly Disclose or Publicly Report* the identity of *Athletes* whose *Samples* have resulted in *Adverse Analytical Findings*, or of *Persons* who are alleged to have committed an anti-doping rule violation pursuant to these Anti-Doping Rules until the administrative review described in Articles 7.3 and 7.4 has been completed. No later than twenty (20) days after it has been determined in a hearing in accordance with Article 8 (Disciplinary Procedure) that an anti-doping rule violation has occurred or such hearing has been waived, JADCO shall *Publicly Report* the disposition of the anti-doping matter. This disposition shall include the name of the *Person* concerned and the reasons for decisions.

ARTICLE 16 MUTUAL RECOGNITION OF DECISIONS

16.1 Recognition of Decisions Pursuant to these Rules

Subject to the right to appeal, any decision of the *Jamaica Anti-Doping Disciplinary Panel* or the *National Anti-Doping Appeal Tribunal* regarding a violation of these Anti-Doping Rules within the authority of JADCO, shall be recognized by all *Anti-Doping Organizations* and each of their affiliated Organizations, which shall take all necessary action to render such results effective.

16.2 Recognition of Decisions of Other Organizations

16.2.1 Subject to any applicable right to appeal, the *Testing, TUEs* and hearing results or other final adjudications of any *Signatory* to the *Code* which are consistent with the *Code* and are within the *Signatory's* authority, shall be recognized and respected by JADCO, the *National Sports Federations*, the *Jamaica Anti-Doping Disciplinary Panel* and the *Jamaica Anti-Doping Appeals Tribunal*.

16.2.2 JADCO and *National Sports Federations* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

ARTICLE 17 STATUTE OF LIMITATION

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

ARTICLE 18 AMENDMENT AND INTERPRETATION

18.1 Amendment

18.1.1 JADCO shall be responsible for overseeing the evolution and improvement of these Anti-Doping Rules, including implementing any amendments to the *Code*. *Participants* and *National Sports Federations* shall be invited to participate in such process.

18.1.2 Amendments to these Anti-Doping Rules initiated by JADCO shall, after appropriate consultation, be approved by JADCO. JADCO shall notify *National Sports Federations* promptly of all such amendments.

18.1.3 Amendments shall, unless provided otherwise in the amendment, go into effect and shall be implemented by *National Sports Federations* three months after such approval.

18.2 Interpretation

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

18.2.2 The INTRODUCTION and the APPENDIX 1 DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.

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

ARTICLE 19 INFORMATION AND NOTICES

19.1 Information

Any *Person* who submits information including data or medical information to any organization or *Person* in accordance with these Anti-Doping Rules shall be deemed to have agreed that such information may be utilised by such organization or *Person* for the purposes of the implementation of these Anti-Doping Rules.

19.2 Notices

19.2.1 All notices referred to in these Anti-Doping Rules shall be governed by the provisions of this Article 19.2 (Notices).

19.2.2 Each *Athlete* in JADCO *Registered Testing Pool* shall provide JADCO with an address to which notice may be delivered and in the event of a change of address it is the responsibility of the *Athlete* to provide JADCO with such amended details.

19.2.3 Notice to an *Athlete* in JADCO *Registered Testing Pool* shall be delivered by means of registered post to the address provided to

JADCO by that *Athlete*. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

19.2.4 Notice to any other *Athlete* or other *Person* shall be accomplished by posting the notice by registered post to the address furnished by that *Athlete* or *Person*. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

19.2.5 JADCO may, with the prior agreement of the intended recipient, as an alternative to, or in conjunction with, notice by registered post, use any other method of communication available, including, but not limited to, facsimile, email, and telephone.

ARTICLE 20 COMMENCEMENT, VALIDITY AND GOVERNING LAW

20.1 Commencement

20.1.1 These Anti-Doping Rules shall come into full force and effect on, and shall be adopted and incorporated by *National Sports Federations* pursuant to Article 1.1 (Application to *National Sports Federations*) by 1st January 2009.

20.1.2 These Anti-Doping Rules shall not apply retrospectively to matters pending before the date these Anti-Doping Rules come into effect. Outstanding protests, appeals and applications for reinstatement initiated under any prior JADCO, JOA or *National Sports Federation* anti-doping policy may be completed under that policy and, to the extent relevant, their results shall be recognized for the purposes of these Anti-Doping Rules. The term of outstanding suspensions under any prior JADCO, JOA or *National Sports Federation* anti-doping policy shall also be recognized under these Anti-Doping Rules.

20.2 Validity

20.2.1 Any deviation from these Anti-Doping Rules or the procedures

referred to herein shall not invalidate any finding, decision or result unless it was such as to cast material doubt on that finding, decision or result.

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

20.2.3 All acts bona fide done by any *Person* in the implementation of these Anti-Doping Rules, notwithstanding that it be afterwards discovered that there was some defect in the appointment, qualification or authority of such *Person* so acting, shall be as valid as if every such *Person* had been duly appointed, qualified or authorized.

20.3 Governing Law

The laws of Jamaica govern these Anti-Doping Rules.

DEFINITIONS

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

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

Athlete: Any *Person* who participates in sport at the international level (as defined by each International Federation), the national level (as defined by each *National Anti-Doping Organization*, including but not limited to those *Persons* in its *Registered Testing Pool*), and any other competitor in sport who is otherwise subject to the jurisdiction of any *Signatory* or other sports organization accepting the *Code*. All provisions of the *Code*, including, for example, *Testing*, and therapeutic use exemptions must be applied to international and national-level competitors. Some *National Anti-Doping Organizations* may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national caliber competitors. *National Anti-Doping Organizations* are not required, however, to apply all aspects of the *Code* to such *Persons*. Specific national rules may be established for Doping Control for non-international-level or national-level competitors without being in conflict with the *Code*. Thus, a country could elect to test recreational-level competitors but not require therapeutic use exemptions or whereabouts information. In the same manner, a *Major Event Organization* holding an *Event* only for masters-level competitors could elect to test the competitors but not require advance therapeutic use exemptions or whereabouts information. For purposes of *Code* Article 2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and

education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

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

Attempt: Engaging in conduct that constitutes a substantial step in a course of conduct which could or did culminate in the commission of an anti-doping rule violation. Provided, however, there must be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

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

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping *Code* first adopted by WADA on 5 March 2003, and any subsequent amendments.

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

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

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

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

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, sample collection and handling, laboratory analysis, therapeutic use exemptions, results management and hearings.

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

Event Period: The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*.

In-Competition: Unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, "*In-Competition*" means the period commencing twelve hours before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*.

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

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

Individual Sport: Any sport that is not a *Team Sport*.

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

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

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

Jamaica Anti-Doping Appeals Tribunal: The panel appointed by the Jamaica Government to adjudicate on appeals from decisions of the *Jamaica Anti-Doping Disciplinary Panel*

JADCO: Jamaica Anti-Doping Commission

Jamaica Anti-Doping Disciplinary Panel: The panel appointed by the Jamaica Government to adjudicate on alleged violations of these Anti-Doping Rules.

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

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

Metabolite: Any substance produced by a biotransformation process.

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

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement Anti-Doping Rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional *Anti-Doping Organization* for such countries. If this designation has not been made by the competent public authority(ies), the entity must be the country's *National Olympic Committee* or its designee. For the purposes of these Anti-Doping Rules, the [NADO] will be the designated entity.

National Event: A sport *Event* involving *International-Level Athletes* or *National-Level Athletes* that is not an *International Event*.

National-Level Athlete: An *Athlete*, other than an *International-Level Athlete*, who is designated by the [NADO] as being within the [NADO] *Registered Testing Pool*.

National Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* must 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 Sports Federation: Any national, provincial or territorial *Person* governing sport in [Nation] or part thereof and its affiliated members, clubs, teams, associations and leagues.

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

NOC Team: any [National] Olympic Team or other team selected by the Jamaica Olympic Association.

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

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

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

Participant: Any *Athlete* or *Athlete Support Personnel*.

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

Possession: The actual, physical possession, or the constructive *Possession* (which must be found only if the *Person* has exclusive control over the *Prohibited Substance/Method* or the premises or property in which a *Prohibited Substance/Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive *Possession* must only be found if the *Person* knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, there must be no anti-doping rule violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have possession and has renounced possession by explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes possession by the *Person* who makes the purchase.

Prohibited List: The WADA List identifying the *Prohibited Substances* and *Prohibited Methods*.

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

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

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

Publicly Disclose or Publicly Report: To disseminate or distribute information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14 of the *Code* (Confidentiality and Reporting).

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

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

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

Substantial Assistance: For purposes of Article 10.5.3, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or 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, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

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

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

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

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

Trafficking: Selling, giving, transporting, sending, delivering or distributing a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Personnel* or any other *Person* subject to the jurisdiction of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes.

TUE: Therapeutic use exemption.

TUEC: TUE Committee established by the [NADO].

UNESCO Convention: The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 2005 including any and all amendments adopted by the States Parties to the Convention

and the Conference of Parties to the International Convention against Doping in Sport.

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

WADA: The World Anti-Doping Agency, being a Foundation constituted under the Swiss Civil Code in Lausanne on 10 November 1999 and any *National Anti-Doping Organization* contracted by WADA.