

WMRA Anti-Doping Rules

*(applicable only to athletes who are not members of IAAF,
IAAF Members or Members athletic clubs)*

(updated May 2010)

Rule 1. Scope of the WMRA Anti-Doping rules

1. These Anti-doping rules shall apply **only to those athletes who do not come under the jurisdiction of the IAAF Member of their country** (referred to in these rule simply as **athletes**) and who wish to participate in those WMRA competitions listed in the WMRA anti-doping regulations, hereinafter referred to as 'WMRA Competitions'.
2. In order to compete or participate in WMRA Competitions 2, 3, 4 ,and 5 above, **athletes** must have signed a prior written acknowledgement and agreement to these Anti-Doping Rules and in a form to be decided by WMRA Council (Appendix 5)
3. It is the responsibility of each IAAF member to ensure that all national level testing requested for 'WMRA Competitions' complies with IAAF Anti- testing itself whilst, in others, some or all of the Members responsibilities may be delegated or assigned (either by the Member itself or under applicable national legislation or regulation) to a national anti-doping organisation or other third party. In respect of these countries, reference in these Anti-Doping Rules to the Member, shall where applicable, be a reference to the National anti-doping organisation, or other third party or its relevant officers.
4. It is the responsibility of WMRA Anti-Doping Commission to ensure that management of the test results from (3) above complies with WMRA Anti-Doping Rules.

Rule 2. WMRA Anti-Doping Organisation.

1. WMRA Council is delegated by Congress to handle all doping related matters (WMRA constitution item 8.9.p).
2. WMRA Council will appoint an Anti-Doping Commission (hereinafter 'the Commission') who will prepare the WMRA Anti-Doping Regulations and Rules for the approval of Council.
3. The Commission shall consist of 5 members appointed by Council, will include a member of the IAAF Anti-Doping administration., and will meet as necessary but at least once a year.
4. The Commission will appoint a WMRA Anti-Doping Administrator (herein_ after called the Administrator) from amongst their number who will look after the day-to-day business of the Commission.

5. The Commission will handle the management of Anti-Doping violations by **athletes** competing in WMRA Competitions.
6. The Commission will vet and grant all approved Therapeutic Use Exemption (TUE) applications from all **athletes** intending to compete in WMRA Competitions.
7. The Administrator will prepare a written report to be submitted to every Council meeting.

Rule 3. Anti-Doping Rule Violations

Doping is defined as the occurrence of one or more of the following anti-doping rule violations:

1. The presence of a prohibited substance or its metabolites or markers in an **athlete's** body tissues or fluids.
All references to a prohibited substance in these Anti-Doping Rules and the Procedural Guidelines shall include a reference, where applicable, to its metabolites or markers.
 - (i) it is each athlete's personal duty to ensure that no prohibited substance enters his body tissues or fluids. Athletes are warned that they are responsible for any prohibited substance found to be present in their bodies. It is not necessary that intent, fault, negligence or knowing use on an athlete's part be demonstrated in order to establish an anti-doping rule violation under Rule 3.1.
 - (ii) except those prohibited substances for which a reporting threshold is specifically identified in the Prohibited List, the detected presence of any quantity of a prohibited substance in an athlete's sample shall constitute an anti-doping rule violation.
 - (iii) as an exception to the general application of Rule 3.1, the Prohibited List may be establish specific criteria for the evaluation of prohibited substances that can also be produced endogenously.
2. the use or attempted use of a prohibited substance or prohibited method.
 - (i) the success or failure of the use of a prohibited substance or prohibited method is immaterial. It is sufficient that the prohibited substance or prohibited method is used, or attempted to be used, for an anti-doping rule violation to be committed.
 - (ii) an admission of use or attempted use of a prohibited substance or a prohibited method may be made either orally in a verifiable manner or in writing. A statement shall not however be admissible where it is made more than eight years after the facts to which it relates.

3. the refusal or failure, without compelling justification, to submit to doping control having been requested to do so by a responsible official or otherwise seeking to evade doping control.
4. tampering, or attempting to tamper, with any part of the doping control process or its related disciplinary procedures.
5. the possession of a prohibited substance or prohibited method.
 - (i) possession by an **athlete** means possession at any time or place of a substance that is prohibited out-of-competition or a prohibited method unless the athlete establishes that the possession is pursuant to a TUE granted in accordance with Appendix 2 of these regulations, or some other acceptable justification.
 - (ii) possession by **athlete** support personnel means possession of a substance that is prohibited out-of-competition or a prohibited method 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 Appendix 2 of these regulations or some other acceptable justification.
6. trafficking in a prohibited substance or prohibited method.
7. the administration, or attempted administration, of a prohibited substance or prohibited method to an **athlete** or assisting, encouraging, aiding, abetting, covering up or engaging in any other type of complicity involving an anti-doping rule violation or attempted violation.
8. competing, or attempting to compete, whilst provisionally suspended or ineligible under these Anti-Doping Rules.

Rule 4. Proof of Doping.

Burdens and Standards of Proof

1. The WMRA shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the IAAF, the Member or other prosecuting authority has established an anti-doping rule violation to the comfortable satisfaction of the relevant hearing panel, bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.
2. Where these Anti-Doping Rules place the burden of proof upon the Athlete or other Person alleged to have committed an anti-doping 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 Rules 40.4 (Specified Substances) and 40.6 (aggravating circumstances) where the Athlete must satisfy a higher burden of proof.

Methods of Establishing Facts and Presumptions

3. Facts related to anti-doping rule violations may be established by any reliable means, including but not limited to admissions, evidence of third Persons, witness statements, experts reports, documentary evidence, conclusions drawn from longitudinal profiling and other analytical information.

The following rules of proof shall be applicable in doping cases:

- (a) WADA-accredited laboratories are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories has occurred which could reasonably have caused the Adverse Analytical Finding. If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then the WMRA shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding.
- (b) Departures from any other International Standard or other anti-doping rule or policy which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such results. If the Athlete or other Person establishes that a departure from another International Standard or other anti-doping rule or policy has occurred which could reasonably have caused the Adverse Analytical Finding or other anti-doping rule violation, then the WMRA shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.

Rule 5. The Prohibited List.

1. The Prohibited list to be used with these Anti-Doping Rules is the WADA Prohibited List as amended from time to time.
2. WMRA will make the Prohibited List available to **athletes** taking part in WMRA Competitions by means of announcements on the WMRA web page and publication in the event regulations.
3. Athletes intending to enter WMRA Competitions who have a documented medical condition requiring the use of a prohibited substance or a prohibited method must first obtain a TUE. All those taking part in WMRA Competitions requiring a TUE must obtain the appropriate WMRA TUE application form and submit it to the WMRA Anti-Doping Commission in accordance with the WMRA TUE Regulations.

Rule 6. In Competition Testing.

1. Every **athlete**, under these Anti-Doping Rules, may be subject to in competition testing at WMRA Competitions in which they compete. **Athletes** shall submit to doping control whenever requested to do so by a responsible official.

2. Testing under this rule may be carried out on behalf of WMRA by any one of the following: an IAAF Member, governmental agency, national anti-doping organisation, or other third party deemed to be suitably qualified for the purpose.
3. Selection of athletes for in-competition testing will be in accordance with programme in the WMRA Anti-doping Regulations.

Rule 7. WMRA Results Management.

1. Following an anti-doping rule violation under these Anti-Doping Rules, **athletes** will be subject to the following Results Management process.
2. The results management process shall be conducted by the WMRA Anti-Doping Administrator.(hereafter referred to simply as the Administrator)
3. On notification of an adverse analytical finding, the Administrator shall conduct an initial review to determine whether:
 - (i) an applicable TUE has been granted to the **athlete** for the prohibited substance; or
 - (ii) there is any apparent departure (or departures) from the International Standard for Testing (or other applicable provision in the IAAF Anti-Doping Regulations) or the International Standard for Laboratories such as to undermine the validity of the finding.
4. If the initial review does not reveal an applicable TUE or departure or departures from the International Standard for Testing (or other applicable provision in IAAF Anti-Doping Regulations) or the International Standard for Laboratories such as to undermine the validity of the finding, the Administrator shall promptly notify the **athlete** of:
 - (i) the adverse analytical finding;
 - (ii) the anti-doping violation rule that has been breached or, in a case falling under Rule 7.5 below, a description of the additional investigation to be conducted to determine whether an anti-doping rule violation has occurred;
 - (iii)the time limit within which the **athlete** is to provide the WMRA, with an explanation for the adverse analytical finding;
 - (iv)the **athlete's** right to request promptly for the analysis of the "B" sample and, failing such request, that the "B" sample shall be deemed to be waived. The **athlete** shall be advised at the same time that, if the "B" sample analysis is requested, all related laboratory costs shall be met by the **athlete**, unless the "B" sample fails to confirm the "A", in which case the costs shall be met by the organization responsible for initiating the test;
 - (v) the right of the **athlete** and/or his representative to attend the "B" sample opening procedure and analysis, if such analysis is requested; and
 - (vi)the **athlete's** right to request copies of the "A" and "B" sample laboratory documentation package which shall include the information required by the International Standard for Laboratories.

5. Following notification to an athlete under Rule 7.4(b) above, the Administrator shall conduct any follow-up investigation that may be required. Upon the completion of such follow-up investigation, the Administrator shall promptly notify the **athlete** of the results of the follow-up investigation and whether it is asserted that an anti-doping rule violation has been committed. If this is the case, the **athlete** concerned shall then be afforded an opportunity, within a time limit set by the Administrator, to provide an explanation in response to the anti-doping rule violation asserted.
6. An **athlete** may accept an “A” sample analytical result by waiving his right to the “B” sample analysis. The WMRA may however request the analysis of a “B” sample at any time if it believes that such analysis will be relevant to consideration of the **athlete’s** case.
7. If an **athlete** requests that the “B” sample be analyzed, arrangements shall be made for such analysis to take place as soon as possible and no later than 2 weeks after the date of notification of the “A” sample result to the **athlete** under Rule 7.4 above (or the date of notification to the **athlete** that it is asserted that an anti-doping rule violation has been committed under Rule 7.5 above). If the laboratory concerned cannot accommodate the “B” sample analysis within the relevant 3 week period under this Rule, the “B” sample analysis shall take place at the earliest available date for the laboratory thereafter.
8. The **athlete** and/or his representative shall be allowed to be present at the “B” sample analysis and to attend throughout the analysis being carried out. A representative may also be present and attend throughout. An **athlete** shall remain provisionally suspended (see Rule 8.2 below) despite the fact that he has requested analysis of the “B” sample.
9. Once the analysis of the “B” sample has been concluded, a full laboratory report shall be sent to the Administrator together, in due course, with a copy of all relevant data required by the International Standard for Laboratories. A copy of this report and all relevant data shall be forwarded to the **athlete** if so requested.
10. On receipt of the “B” sample laboratory report, the Administrator shall conduct any follow-up investigation that may be required by the Prohibited List. Upon completion of the follow-up investigation, the Administrator shall promptly notify the **athlete** regarding the results of the follow-up investigation and whether or not the WMRA asserts, or continues to assert, that an anti-doping rule has been violated.
11. Persons connected with doping control shall take all reasonable steps to maintain confidentiality in a case until the “B” sample analysis has been concluded (or until any follow-up investigation to the “B” sample analysis as may be required by the Prohibited List under Rule 7.10 has been concluded), or until the “B” sample analysis is waived by the **athlete**.

12. In the case of any anti-doping rule violation where there is no adverse analytical finding, the Administrator shall conduct any investigation based on the facts of the case that he deems to be necessary and, on completing such an investigation, shall promptly notify the **athlete** concerned whether it is asserted that an anti-doping rule violation has been committed. If this is the case, the **athlete** shall be afforded an opportunity, within a time limit set by the Administrator, to provide an explanation in response to the anti-doping rule violation asserted.

Rule 8. Disciplinary Procedures

1. If no adequate explanation for the asserted anti-doping rule violation is received from the **athlete** within the time limit set by the Administrator, the **athlete** shall be suspended from WMRA competitions. Suspension at this time is provisional pending resolution of the **athletes** case by the WMRA Anti-Doping Commission who shall impose the relevant suspension by written notification to the **athlete**. Alternatively, the athlete may accept a voluntary suspension provided this is confirmed in writing to the WMRA Anti-Doping Commission.
2. The Administrator will notify WMRA Council of the provisional suspension, or voluntary suspension, of any non affiliated **athlete**.
3. **Athletes** shall have the right to request a hearing before the Commission before any sanction is determined in accordance with these anti-doping rules.
4. When an **athlete** is provisionally suspended he will be notified of his right to request a hearing. If the **athlete** fails to notify the Commission within 14 days of such notice he will be deemed to have waived his right to a hearing and to have admitted that he/she committed the doping offence in question.
5. If a hearing is requested by an **athlete** it will be organised to take place as soon as possible and no later than three months after the date of the request.
6. The **athlete** may if he wishes present evidence, call and question witnesses, be represented by legal council, and an interpreter (at the **athletes** expense). He may also have the opportunity to establish that there are exception circumstances to his case justifying a reduction in any sanction to be imposed.
7. At the hearing, the Commission shall consider the evidence being presented by the testing authorities for an anti-doping rule violation when the burden of proof lies with the authority.
8. The Commissions verdict as to whether or not an anti-doping violation has been committed will be given in writing to the **athlete**.
9. The Commission will notify the Athlete within 5 days of the Commission decision being made.

Rule 9. Exceptional circumstances.

All decisions taken under these Anti-Doping Rules regarding exceptional circumstances must be harmonised so that the same legal conditions can be guaranteed for all **athletes**, regardless of their nationality, domicile, level or experience. Consequently, in considering the question of exceptional circumstances, the following principles shall be applied:

- (i) it is each **athlete's** personal duty to ensure that no prohibited substance enters his body tissues or fluids. **Athletes** are warned that they shall be held responsible for any prohibited substance found to be present in their bodies (see Rule 3.a.(i) above).
- (ii) exceptional circumstances will exist only in cases where the circumstances are truly exceptional and not in the vast majority of cases. the following will not be regarded as cases which are exceptional: an allegation that the prohibited substance or prohibited method was given to an **athlete** by another person without his knowledge, an allegation that the prohibited substance was taken by mistake, an allegation that the prohibited substance was due to the taking of contaminated food supplements or an allegation that medication was prescribed by **athlete** support personnel in ignorance of the fact that it contained a prohibited substance.
- (iii) exceptional circumstances may however exist where an **athlete** has provided substantial evidence or assistance to the WMRA, which has resulted in the WMRA, discovering or establishing an anti-doping rule violation by another person involving possession (under Rule 3.6), trafficking (under Rule 3.7) or administration to an **athlete** (under Rule 3.8).

Rule 10. Disqualification of Results.

1. If an anti-doping violation is established, that **athletes** result for individual and team placings, will be removed from the WMRA Competition in which it occurred and the final result list adjusted accordingly.
2. An **athlete** guilty of an anti-doping violation shall surrender any financial reward or medal resulting from their performance in the WMRA Competition in which they were involved and in any WMRA Competition held after the violation occurred, but before suspension was imposed.

Rule 11. Sanctions against Individuals

Athletes who commit an anti-doping rule violation are subject to the following sanctions:

1. For a violation under Rule 3.1, 3.2, 3.3, 3.4, 3.5 and 3.8:
 - (i) first violation: a period of two years' ineligibility;
 - (ii) second violation: ineligibility for life.
2. Where it is established that the athlete has committed a doping violation under 3.1 (presence of a prohibited substance) involving a substance identified as a "specified substance" under the IAAF prohibited List and where the athlete can establish that how the substance entered his system and that the use of such a specified substance was not intended to enhance performance, the period of ineligibility set out in Rule 11.1 shall be replaced with the following:
3. *First Violation:* At a minimum, a reprimand and no period of Ineligibility from future Competitions and, at a maximum, two (2) years' Ineligibility.
4. To justify any elimination or reduction, the Athlete or other Person must produce corroborating evidence in addition to his word which establishes to the comfortable satisfaction of the hearing panel the absence of an intent to enhance sport performance or to mask the Use of a performance-enhancing substance. The Athlete or other Person's degree of fault shall be the criterion considered in assessing any reduction of period of Ineligibility.
4. For a violation under Rule 3.6 and Rule 3.7:
 - (i) ineligibility for life