

## Anti-Doping Policy

**Policy endorsed by Executive:**

**Policy approved by NSWIS Board: Sept 2019**

CEO: \_\_\_\_\_  
(signature)

**Next formal review by Executive: Sept 2021**

**Policy Author and  
Contact person for more information:**

Chief Medical Officer

**NOTE:** Any agreed changes to the Policy approved by the NSWIS Board between the date of issue and the date for next review are to be updated and made available to all staff for advice.

## Revision History

This policy, and all related appendices, will be reviewed as it is deemed appropriate, but no less frequently than every 24 months.

Date	Version	Reviewed by	Changes made
August 2019	1.0	Chief Medical Officer (C Cunningham)	Initial Version
June 2020	1.1	Chief Medical Officer (C Cunningham)	Change to Sport Integrity Australia

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## Purpose

### World Anti-Doping Code

This Policy is adopted and implemented as a result of the New South Wales Institute of Sport's (NSWIS) commitment to the purposes of the World Anti-Doping Programme of WADA and the Code and the Australian anti-doping framework including the *Sport Integrity Australia Act 2020* (Cth); (**Sport Integrity Act**) and the *Sport Integrity Australia Regulations 2020* (Cth) (**Sport Integrity Regulations**) including Schedule 1 which comprises the National Anti-Doping scheme (**NAD scheme**). It is in conformance with the NSWIS's responsibilities under the Code and in furtherance of the NSWIS's continuing efforts to eradicate doping in Australia.

### Fundamental Rationale for the Code and the NSWIS's Anti-Doping Policy

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, the pursuit of human excellence through the dedicated perfection of each person's natural talents. It is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is reflected in values we find in and through sport, including:

- 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.

## Responsibilities

The NSWIS agrees and accepts that it will perform the following functions, roles and responsibilities:

1. To ensure that its anti-doping policies and rules conform with the Code.
2. To respect the autonomy of the *National Anti-Doping Organisation* in its country namely, *Sport Integrity Australia* and not to interfere in its operational decisions and Sport Integrity Australia activities.
3. To require that persons under the jurisdiction of NSWIS adhere to applicable anti-doping policies and rules which are in compliance with the applicable provisions of the Code.
4. To use its best endeavours to require persons under the jurisdiction of NSWIS to report any information suggesting or relating to an *anti-doping rule violation* to *Sport Integrity Australia* and to cooperate with investigations conducted by any *Anti-Doping Organisation* with authority to conduct the investigation.

5. To fully cooperate with and assist *Sport Integrity Australia* to vigorously pursue all potential *anti-doping rule violations* within its jurisdiction, including fully cooperating with any investigation *Sport Integrity Australia* is conducting into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.
6. To promote anti-doping education, including to make available or conduct anti-doping education in cooperation with *Sport Integrity Australia*.
7. To co-operate with relevant national organisations and agencies and other *Anti-Doping Organisations*.
8. To the fullest extent permitted by law, to have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* within the NSWIS's authority.

## Application

This policy applies to:

1. The persons on the NSWIS Executive; persons participating on any commission or committee established pursuant to the Constitution of the NSWIS; officers, employees, interns and volunteers of the NSWIS;
2. *Athletes*;
3. *Athlete Support Personnel*; and
4. Any other *Person* under the NSWIS's authority or jurisdiction, including any *Person* receiving funding or other valuable benefits from the NSWIS (such as scholarships) or who is either employed by the NSWIS or a member of the NSWIS's staff.

Sanctions are applicable in the event of any *anti-doping rule violation* or other breach of this Policy.

## Obligations (clause 3)

3.1 All *Athletes* bound by this Policy must:

1. be knowledgeable of and comply with all applicable anti-doping policies and rules that apply to the *Athlete*, namely the *Code*, the *International Standards*, this Policy and the policies and rules of the NSWIS, the Sport Australia, *Sport Integrity Australia* and their relevant *National Federation* and *International Federation* (together the **Athlete Applicable Anti-Doping Rules**);
2. co-operate with and assist Sport Integrity Australia, including by:
  - a. attending an interview to fully and truthfully answer questions;
  - b. giving information; and
  - c. producing documents,in an investigation being conducted by Sport Integrity Australia in accordance with the Sport Integrity Act, Sport Integrity Regulations, NAD scheme and Athlete Applicable Anti-Doping Rules, even if to do so might tend to incriminate them or expose them to a penalty, sanction or other disciplinary measure;
3. be available for *Sample* or *Specimen* collection conducted in accordance with Athlete Applicable Anti-Doping Rules, at all times;

4. take responsibility, in the context of anti-doping, for what they ingest and *Use*;
5. 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 the Athlete Applicable Anti-Doping Rules;
6. disclose to NSWIS, *Sport Integrity Australia* and their *National Federation and International Federation* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten years; and
7. co-operate with *Anti-Doping Organisations* investigating *anti-doping rule violations*.

3.2 All *Athletes* who are not regular members of a *National Federation* must be available for *Sample* collection conducted according to the *Code* and Athlete Applicable Anti-Doping Rules, and provide accurate and up-to-date whereabouts information on a regular basis, if required.

3.3 Any *Athlete* bound by this Policy who is not a member of a *National Federation* and who fulfills the requirements to be part of the *Sport Integrity Australia Registered Testing Pool*, must become a member of his or her *National Federation*, and must make himself or herself available for *Testing*, at least twelve months before participating in *International Events* or at least six months before participating in *National Events* of his or her *National Federation*.

3.4 All *Athlete Support Personnel* must:

1. be knowledgeable of and comply with all anti-doping policies and rules that apply to the *Athlete Support Personnel*, namely the *Code*, the *International Standards*, this Policy and the policies and rules of their relevant *National Anti-Doping Organisation(s)*, *National Federation(s)*, *Sport Australia* and *International Federation(s)*, applicable to them or to the *Athletes* whom they support (together the **Support Personnel Applicable Anti-Doping Rules**);
2. co-operate with the *Athlete Testing* programme;
3. use his or her influence on *Athlete* values and behaviour to foster anti-doping attitudes;
4. disclose to NSWIS, *Sport Integrity Australia* and his or her *National and International Federation(s)* any decision by a non- *Signatory* finding that he or she committed an *anti-doping rule violation* within the previous ten years;
5. cooperate with *Anti-Doping Organisations* investigating *anti-doping rule violations*;
6. not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification; and
7. co-operate with and assist *Sport Integrity Australia*, including by:
  - a. attending an interview to fully and truthfully answer questions;
  - b. giving information; and
  - c. producing documents,in an investigation being conducted by Sport Integrity Australia in accordance with the Sport Integrity Act, Sport Integrity Regulations, NAD scheme and Support Personnel Applicable Anti-Doping Rules, even if to do so might tend to incriminate them or expose them to a penalty, sanction or other disciplinary measure.

## Testing (clause 4)

4.1 The NSWIS will recognise the results of accredited laboratory analysis of *Testing* conducted by *Anti-Doping Organisations* (including *Sport Integrity Australia* ) conducted in accordance with the *Code*.

4.2 The NSWIS may request any *Anti-Doping Organisation* to conduct *Testing* and analysis of *Samples of Athletes* in accordance with the *Code*.

4.3 Where the NSWIS requests the conduct of *Testing* and analysis of *Samples of Athletes* by *Sport Intergirty Australia*, whether by itself or, in the case of *Athletes* not within *Sport Integrity Australia's* jurisdiction, by another *National Anti-Doping Organisation* under Articles 20.5.3 and 20.5.4 of the *Code*, then *Sport Integrity Australia* will either by itself or the other *National Anti-Doping Organisation* which conducts the *Testing* ensure that there is timely initial review pursuant to Article 7.1 of the *Code* and a follow-up review and investigation of any *Adverse Analytical Finding* or *Atypical Finding* required pursuant to Articles 7.3 and 7.4 of the *Code* and advise the NSWIS, and the *Athlete's National Federation* and *International Federation* of the results thereof.

## Breaches of this policy (clause 5)

5.1 Without limiting any other term of this Policy, the commission of an *anti-doping rule violation* is a breach of this Policy.

5.2 Without limitation, articles 1, 2, 3, 4, 5, 6, 7, 17, 24, 25 and Appendix 1 of the *Code* apply to determine whether any *anti-doping rule violation* has been committed.

5.3 It is an infraction of this Policy for an *Athlete, Athlete Support Personnel* or *other Person* to breach any of their obligations to the NSWIS derived from this Policy.

## Mutual recognition of anti-doping rule violations (clause 6)

6.1 The NSWIS will recognise *Testing, hearing* results or other final adjudications or determinations (a **determination**) by any *Signatory and National Federation* that a *Person* has committed an *anti-doping rule violation* provided the finding is consistent with the *Code* and within that *Signatory's* or *National Federation's* authority.

6.2 The NSWIS will recognise the same *Sport Integrity Australia* Actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code* and provided that NSWIS is satisfied after due enquiry that the obligations of procedural fairness afforded to a person bound by the *Code* have been duly met and discharged.

6.3 Upon being advised of a determination under clause 6.1 or 6.2 and provided that the NSWIS can lawfully do so in the circumstances, the Chief Executive Officer will give the *Person* concerned notice in writing of:

1. the recognition by the NSWIS of such determination; and
2. the automatic imposition of the applicable sanction under clause 8 for the period determined by the *Anti-Doping Organisation*, the *CAS*, or other sporting tribunal to apply to the *anti-doping rule violation* in question.

6.4 Except as provided in the *Code* or otherwise provided for by law, no *Person* may appeal against or challenge any recognition by the NSWIS under this clause 6 of an *anti-doping rule violation* by that *Person* unless that *Person* has first exhausted all his or her rights of appeal and other legal rights (if any) in respect of the hearing and finding of the *Signatory* or *National Federation* concerned (before any tribunal as provided for in the anti-doping policy of the *Signatory* or *National Federation* concerned). In the event that a *Person* challenges or appeals the hearing, finding or determination of the *Signatory* or *National Federation* concerned, the NSWIS will defer recognition of the *anti-doping rule violation* pending the conclusion of the challenge or appeal and will abide by the decision of the tribunal concerned.

### Non-recognised *Anti-Doping Rule* violations (clause 7)

7.1 Where:

1. there is evidence of an *anti-doping rule violation* by any *Person* including *Athlete Support Personnel* and the Chief Executive Officer believes (in consultation with Sport Integrity Australia) that it is inappropriate in the circumstances of the particular case to refer the matter to a *National Federation* for prosecution as a breach of its anti-doping policy; or
2. the Chief Executive Officer believes that a *Person* holding a position within the NSWIS or on the NSWIS Executive, or other *Person* including *Athlete Support Personnel* may have committed an *anti-doping rule violation* and is not subject to the anti-doping policy of any *National Federation* in respect of that alleged *anti-doping rule violation*;

the Chief Executive Officer will issue an infraction notice under clause 7.2 provided that it is lawful to do so.

7.2 The infraction notice referred to in the preceding clause will:

1. be in writing and be given to the *Person* by:
  - a. personal service; or
  - b. delivered to the person's last known address or to the person's last known e-mail address or as otherwise advised by the *National Federation* or *Sport Integrity Australia* to the NSWIS; or
  - c. any other means permitted by the terms of any contract entered into between the NSWIS and that *Person*.
2. set out the nature and particulars of the alleged *anti-doping rule violation*;
3. set out the sanction that may be imposed under this Policy in respect of the *anti-doping rule violation*; and
4. (except in any circumstance where NSWIS cannot refer the matter to the CAS because the relevant law or applicable contract provides otherwise, or requires that a matter be determined in a different forum) state that the matter has been referred to the Oceania Registry of CAS for hearing as soon as possible to determine:
  - a. whether or not the *anti-doping rule violation* has been committed; and
  - b. the sanction to be imposed in respect of the *anti-doping rule violation* should it be found to have been committed.

## NSWIS imposed sanctions for Anti-Doping Rule violations (clause 8)

8.1 Subject to clause 8.6, any *Athlete*, *Athlete Support Personnel* or other *Person* who is found to have committed an *anti-doping rule violation* will be ineligible to receive funding from NSWIS, utilise NSWIS facilities or to hold any position within the NSWIS or on the NSWIS Executive for the period or periods specified in the *Code* as applicable to the *anti-doping rule violation* in question.

8.2 For the purposes of clause 8.1, the period or periods of any sanction will be determined according to Articles 9, 10, 11 and appendix 1 of the *Code*.

8.3 Subject to any exemption by the NSWIS Executive, any *Person* who is found to have committed an anti-doping rule violation as an *Athlete* or *Athlete Support Personnel* will be ineligible to receive funding from or hold any position with the NSWIS.

8.4 The above sanctions may be applied to a *Person* independently of any sanction or penalty, its duration or timing or whether current or past, imposed by any *Signatory* or *National Federation* provided that the NSWIS will recognise previous sanctions imposed by any *Signatory* or *National Federation* to determine whether the breach is a first, second or third offence.

8.5 Any period of sanction in respect of an *anti-doping rule violation* may be reduced or otherwise varied by CAS solely in accordance with the provisions of the *Code*.

## Other breaches of this policy (clause 9)

9.1 The sanctions set out in this clause 9 do not apply in respect of the commitment of an *anti-doping rule violation* by the relevant *Person*.

9.2 Without limiting clause 9.2, any *Person* who, in the sole and absolute discretion of the NSWIS Executive, fails to comply with the obligations set out in clauses 3.1(2) and (7) or 3.4(5) and (7) may be ineligible to receive funding from NSWIS, use NSWIS facilities or to hold any position within the NSWIS for such period as the NSWIS Executive determine in their sole and absolute discretion.

9.3 Any sanctions imposed under this clause 9 are non-exclusive and the *Person* may be subject to additional sanctions in accordance with any other terms applicable to that *Person's relationship* with the NSWIS, including any terms of employment.

## CAS Hearing (clause 10)

10.1 A hearing by CAS under this Policy will be conducted:

1. by a single arbitrator appointed by the Permanent Secretary of the Oceania Registry of CAS;
2. as an ordinary arbitration proceeding; and
3. pursuant to the Code of Sports Related Arbitration, provided that the Award and the arbitrator's reasons therefore will be made public and to this extent Rule 43 of the Code of Sports-Related Arbitration will not apply.

10.2 All instances of alleged *anti-doping rule violations* will be determined in conformity with the *Code* and must be established according to the provisions of the *Code*.

10.3 If CAS determines that a person has committed an *anti-doping rule violation*, it will impose on the person the relevant sanction pursuant to clause 8.

### Appeals from determinations of CAS (clause 11)

11.1 A *Person* including the NSWIS and those entitled to appeal under Article 13.2.3 of the *Code*) aggrieved of a determination of CAS under clause 10 may appeal that decision to CAS.

11.2 Any appeal hearing by CAS under this clause 11 will be conducted:

1. by a panel of three arbitrators appointed by the Permanent Secretary of the Oceania Registry of CAS;
2. as an appeal arbitration proceeding; and
3. pursuant to the Code of Sports Related Arbitration, provided that the Award and the arbitrator's reasons therefore will be made public and to this extent Rule 43 of the Code of Sports-Related Arbitration regarding confidentiality will not apply.

11.3 Any appeal from a determination of CAS under clause 10 must be solely and exclusively resolved by CAS. The determination of CAS will be final and binding on the parties to the appeal and no *Person* may institute or maintain proceedings in any court or tribunal other than CAS. In particular, and without restricting the generality of the provisions of the *Commercial Arbitration Act 2010* (NSW), neither party will have the right to appeal under sections 34 or 34A or to apply for the determination of a question of law under section 27J of the *Commercial Arbitration Act 2010* (NSW) or equivalent legislation in any of the Australian States or Territories.

11.4 An appeal will be a rehearing of the matters appealed against by way of a hearing de novo and the provisions of clause 10 will apply, mutatis mutandis, to any appeal to CAS.

### Notification (clause 12)

12.1 Upon the imposition of a sanction under this Policy, the NSWIS will subject to any constraints imposed by applicable law, send details of the sanction imposed to:

1. those *Persons* entitled to notification under Article 14.1 of the *Code*
2. the *National Federation* of the *Person* concerned;
3. the *International Federation* of the *Person* concerned;
4. the Sport Australia;
5. *Sport Integrity Australia*;
6. *WADA*; and
7. any other *Person* or organisation the NSWIS believes should be informed in this respect.

12.2 If on appeal CAS overturns the finding that an *anti-doping rule violation* has occurred or alters the sanction imposed, the NSWIS will advise the decision to all those *Persons* notified of the initial imposition of the sanction pursuant to clause 12.1.

## Disputes

[intentionally not used]

## Costs and expenses of hearings & appeals to CAS

In any hearing before CAS pursuant to clause 10 or clause 11, the NSWIS will bear the costs of CAS in respect of the arbitration save that the fee payable to CAS pursuant to Rule 64.1 of the Code on lodgment of any appeal under clause 11 will be paid by the party instituting that appeal.

## Review of Anti-Doping Rule violation

If a *Person* recorded as having committed an *anti-doping rule violation* is subsequently found not to have committed that *anti-doping rule violation* or is otherwise cleared or pardoned of any relevant wrongdoing by CAS or any other *Anti-Doping Organisation's* Appellate Body Sport Integrity Australia Acting in conformity with the *Code*, the NSWIS will overturn the *anti-doping rule violation* and any sanction which had been imposed as a result of that *anti-doping rule violation* and will report the decision to all those *Persons* notified of the initial imposition of the sanction pursuant to clause 12.

## Review of NSWIS imposed sanction (clause 16)

16.1 Where a *Person* to whom a sanction has been applied under this Policy or any preceding NSWIS anti-doping policy in respect of an *anti-doping rule violation* has new and relevant information concerning the subject *anti-doping rule violation*, he or she may make written application to the Chief Executive Officer setting out the grounds for a possible review of that NSWIS-imposed sanction.

16.2 The Chief Executive Officer will consider the application and determine in his or her sole and absolute discretion whether to review any sanction imposed under this Policy or any preceding NSWIS anti-doping policy and may alter a sanction imposed previously including a reduction or withdrawal of that NSWIS imposed sanction.

16.3 The Chief Executive Officer will not alter any sanction under clause 16.2 without first consulting with any other sports organisation(s) which he or she knows has a current sanction over the *Person*.

16.4 In the event of any alteration to a sanction by the Chief Executive Officer pursuant to this clause 16, the Chief Executive Officer will promptly notify the *Person* concerned as well as those *Persons* who received notification from the NSWIS of that sanction. In such instance, those *Persons* entitled to appeal under Article 13.2.3 of the *Code* (other than the *Person* to whom the sanction has been applied) will have the right to appeal the decision of the Chief Executive Officer in accordance with the *Code*. Clauses 11.2 – 11.4 will apply to any such appeal.

## Interpretation

In this policy, the following words have the following respective meanings:

**“Adverse Analytical Finding”**

means a report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

**“Anti-Doping Organisation”**

means a *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the Doping Control process. This includes, but is not limited to, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organisations* that conduct *Testing* at their *Events*, *WADA*, *International Federations*, and *National Anti-Doping Organisations* (which for Australia is *Sport Integrity Australia*).

**“Anti-doping rule violation”**

means the anti-doping rule violations described in Article 2 of the *Code*.

**“NSWIS Executive”**

means the Board as appointed by the relevant Minister in accordance with Part 3 of the *Institute of Sport Act 1995* (NSW) and the Chief Executive of the Office of Sport or a person employed in the Office of Sport nominated by the Chief Executive.

**"Athlete"**

means:

- a. any *Person* who competes or participates in sport at the international level (as defined by each International Federation) or the national level (as defined by *Sport Integrity Australia*);
- b. any *Person* who is neither an *International-Level Athlete* nor a *National-Level Athlete* to whom *Sport Integrity Australia* applies its anti-doping rules;
- c. for purposes of Articles 2.8 and 2.9 of the *Code* and for purposes of anti-doping information and education, any *Person* who competes or participates in sport under the authority of any *Signatory*, government or other sports organisation accepting the *Code*;
- d. any *Person* who competes or participates in sport under the authority of a *National Federation* or under the authority of a member of a *National Federation*; or
- e. any *Person* who is registered as an *Athlete* or competitor or *Participant* (however described) with a *National Federation* or with a member of a *National Federation* or a club recognised by a *National Federation*.

**“Athlete Support Personnel”**

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

**“Atypical Finding”**

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

**"CAS"**

means the Court of Arbitration for Sport.

**"Code"**

means the World Anti-Doping Code as in force from time to time.

**“Competition”**

means a single race, match, game or singular sport contest.

**"Doping"**

means the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through to Article 2.10 of the *Code*.

- “Doping Control”** means all steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, *Sample* collection and handling, laboratory analysis, *TUEs*, results management and hearings.
- “International Event”** means an *Event* or *Competition* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organisation*, or another international sport organisation is the ruling body for the *Event* or appoints the technical officials for the *Event*.
- “International Federation”** means an International Federation being an organization controlling a branch of sport.
- “International-Level Athlete”** means *Athletes* who compete in sport at the international level, as defined by each International Federation, consistent with the International Standard for Testing and Investigations;
- “International Standard”** means a standard adopted by WADA in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* shall include any Technical Documents issued pursuant to the *International Standard*.
- “Major Event Organisations”** means the continental associations of *National Olympic Committees* and other international multi-sport organisations that function as the ruling body for any continental, regional or other *International Event*.
- “National Anti-Doping Organisation”** means 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 at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country’s *National Olympic Committee* or its designee.
- “National Event”** means a sport *Event* or *Competition* involving *International-* or *National-Level Athletes* that is not an *International Event*.
- “National Federation”** means a National or regional entity which is a member of or is recognised by an International Federation as the entity governing the International Federation’s sport in that nation or region.
- “National-Level Athlete”** means *Athletes* who compete in sport at the national level, as defined by each *National Anti-Doping Organization*, consistent with the *International Standard for Testing and Investigations*.
- “Person”** means a natural *Person* or an organisation or other entity.
- “Prohibited List”** means the List identifying the *Prohibited Substances* and *Prohibited Methods*.
- “Prohibited Method”** means any method so described on the *Prohibited List*.
- “Prohibited Substance”** means any substance, or class of substances, so described on the *Prohibited List*.
- “Sample or Specimen”** means any biological material collected for the purposes of *Doping Control*.

**“Signatory”** An entity signing the *Code* and agreeing to comply with the *Code*, as provided in Article 23 of the *Code*.

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

**“TUE”** means Therapeutic Use Exemption as described in Article 4.4 of the *Code*.

**“Use”** means the utilisation, application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

**“WADA”** means the World Anti-Doping Agency.

All the words utilised in this Policy shall have the same meaning as that ascribed to them in the *Code* and the *International Standards*.

The *Code* and the *International Standards* shall be considered as part of this Policy, apply automatically and prevail in case of conflict.

Words not defined in this Policy have the meaning ascribed to them in the *Code* and the *International Standards* unless a contrary meaning appears from the context.

In the interpretation of this Policy, should there be any inconsistency or conflict between this Policy and the *Code* and the *International Standards*, then the provisions of the *Code* and the *International Standards* will prevail.

Reference to:

- a. the singular includes the plural and the plural includes the singular; and
- b. a *Person* includes a body corporate.

If a *Person* or *National Federation* to whom this Policy applies consists of more than one *Person*, then this Policy binds them jointly and severally.

Headings are for convenience only and do not form part of this Policy or affect its interpretation.

"Including" and similar words are not words of limitation.

Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.