

VANCOUVER ATHLETIC COMMISSION

ANTI-DOPING RULES

INTRODUCTION

Preface

The Vancouver Athletic Commission (the “VAC”), pursuant to its jurisdiction under section 2.8(11) of Vancouver Athletic Commission By-law No. 2875, as amended, has instituted these “in-competition” anti-doping testing rules for those professional combative sports events that require anti-doping testing hosted in the jurisdiction of the *VAC*.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is contested. *Athletes* and other *Persons* accept these rules as a condition of competition and shall be bound by them.

These sport specific rules and procedures, aimed at enforcing anti-doping policies 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.

Scope

These Anti-Doping Rules expressed in this policy hereby apply to the *VAC* and to the competitors competing in the UFC competition in Vancouver, British Columbia, Canada, June 11, 2011 at Rogers Arena.

ARTICLE 1 DEFINITIONS

Adverse Analytical Finding means 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 means 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*. For the purpose of these Anti-Doping Rules, the *VAC* will be deemed to constitute a *Signatory* and an *Anti-Doping Organization*.

Athlete means a *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 TUE's 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 TUE's 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 TUE or whereabouts information. For purposes of Article 2.6 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 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*.

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

Atypical Finding means 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 means the Court of Arbitration for Sport.

Code means the World Anti-Doping Code.

Competition means a single race, match, bout, game or singular athletic contest. For example, a basketball game or a mixed martial arts bout of 3-5 rounds, or the finals of the Olympic 100-meter sprint in athletics.

Consequences of anti-doping rule violations means 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* as provided in Article 10.9; 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 (Right to a Fair Hearing).

Disqualification. See Consequences of anti-doping rule violations, above.

Doping means the occurrence of one (1) or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.6 of these Anti-Doping Rules.

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, TUE's, results management and hearings.

Vancouver Athletic Commission ("VAC") means the City-appointed volunteer Commission in the City of Vancouver, British Columbia, which Commission has the authority and power to regulate professional boxing, kickboxing, and wrestling contests and exhibitions in the City of Vancouver.

Event means a series of individual *Competitions* conducted together under one ruling body.

Event Period means 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 means 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.

Individual Sport means any sport that is not a Team Sport.

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

International Event means 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 means *Athletes* 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) 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*.

Jurisdiction. The extent to which these rules apply which is: any combative sports contestant under the jurisdiction of the *VAC*.

Major Event Organizations means 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 means a compound, group of compounds or biological parameter(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Metabolite means any substance produced by a biotransformation process.

Minor means a natural *Person* who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Anti-Doping Organization 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, 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 shall be the country's *National Olympic Committee* or its designee.

National Event means a sport *Event* involving international or national-level *Athletes* that is not an *International Event*.

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

No Advance Notice means 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.

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

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

Out-of-Competition means any *Doping Control* which is not *In-Competition*.

Participant means any *Athlete* or *Athlete Support Personnel*.

Person means a natural *Person* or an organization or other entity.

Possession means the actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); 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 shall 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 shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* 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 means the list identifying the Prohibited Substances and Prohibited Methods which is published and revised by *WADA* as described in Article 4.1 of the *Code*.

Prohibited Method means any method so described on the *Prohibited List*.

Prohibited Substance means any substance so described on the *Prohibited List*.

Provisional Hearing means, for purposes of Article 7.6, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension. See Consequences above.

Publicly Disclose or Publicly Report means to disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 12.

Registered Testing Pool means 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.

Retroactive TUE. As defined in the *International Standard for Therapeutic Use Exemptions*.

Sample means any biological material collected for the purposes of *Doping Control*.

Signatories means 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*.

Specified Substances. As defined in Article 4.2.2.

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 means 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 means the 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 means a sport in which the substitution of players is permitted during a *Competition* (such as relays, for example).

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

Trafficking means 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. As defined in Article 2.5.1.

TUE Panel. As defined in Article 4.4.5.

UNESCO Convention means 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 means the utilization, application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

WADA means the World Anti-Doping Agency.

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

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

The following constitute anti-doping rule violations:

2.1 The 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 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* 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 Evading

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 *Tampering* or *Attempted Tampering*, with any part of *Doping Control* and

2.5 *Possession* of *Prohibited Substances* and *Methods*

2.5.1 *Possession* by an *Athlete In-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited unless the *Athlete* establishes that the

Possession is pursuant to a therapeutic use exemption (“TUE”) granted in accordance with Article 4.4 or other acceptable justification.

2.6 Trafficking or Attempted Trafficking of any Prohibited Substance or Prohibited Method and Administration or Attempted Administration

Administration or Attempted Administration to any *Athlete In-Competition* of any *Prohibited Method* or *Prohibited Substance*, 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

The *VAC* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the *VAC* has established an anti-doping rule violation to the comfortable satisfaction of the 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. Where these 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 10.5, 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 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* occurred which could reasonably have caused the *Adverse Analytical Finding* then the *VAC* 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 the *VAC* 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 irrefutable 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's* 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 hearing panel or from the *Anti-Doping Organization* asserting the anti-doping rule violation.

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

These Anti-Doping Rules incorporate the *Prohibited List* which is published and revised by *WADA* as described in Article 4.1 of the *Code*. The *VAC* will use the current *Prohibited List*.

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 (3) months after publication of the *Prohibited List* by *WADA* without requiring any further action by the RCSC. As described in Article 4.2 of the *Code*, the *VAC* may request that *WADA* expand the *Prohibited List*. As provided in the *Code*, *WADA* shall make the final decision on such requests by the *VAC*.

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 2.5) or administration of a *Prohibited Substance* or *Prohibited Method* (Article 2.6) 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 Subject to Article 4.4.3, *Athletes* competing in Vancouver must obtain a TUE from the *VAC* (regardless of whether the *Athlete* previously has received a TUE in Vancouver.) Application for a TUE must be made as soon as possible, preferably no later than twenty (21) days before the *Athlete's* participation in the *Event*.

4.4.3 The only exception to Article 4.4.2 is that, in accordance with Article 7.13 of the *International Standard* for Therapeutic Use Exemptions, *Athletes* who inhale Glucocorticosteroids and/or formoterol, salbutamol, salmeterol or terbutaline to treat asthma or one of its clinical variants do not need a TUE in advance of participating in an *Event* unless so specified by the *VAC*. Instead, if necessary, any such *Athlete* may apply for a Retroactive TUE after the *Event* in accordance with Article 7.13 of the *International Standard* for Therapeutic Use Exemptions and Article 7.1.3 of these Anti-Doping Rules.

4.4.4 TUE's granted by the *VAC* shall be reported as required to the UFC. Other *Athletes* subject to *Testing* who need to use a *Prohibited Substance* or a *Prohibited Method* for therapeutic reasons must obtain a TUE from the *VAC*.

4.4.5 Upon the *VAC's* receipt of a TUE request, the *VAC* shall appoint a panel of ringside physicians to consider requests for TUE's (the "TUE Panel"). In respect of a specific TUE request, the Chair of the TUE Panel shall appoint three (3) members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel members 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 the *VAC*.

ARTICLE 5 *TESTING*

5.1 Authority to Test

All *Athletes* who wish to compete in Vancouver at the UFC mixed martial arts event June 11, 2011 shall be subject to *In-Competition Testing* by the *VAC*, through random testing (subject to Article 5.5).

5.2 Responsibility for *VAC Testing*

The *VAC* shall be responsible for drawing up a test distribution plan for *Athletes* competing in combative events sanctioned or otherwise endorsed by the *VAC* 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 the *VAC*. *Testing* may be conducted by any qualified persons so authorized by the *VAC*.

5.3 *Testing Standards*

Testing conducted by the *VAC* 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”). If the *Sample* is collected for screening only, it will have no consequences for the *Athlete* other than to identify him/her for a urine test under these anti-doping rules. In these circumstances, the *VAC* may decide at its own discretion which blood parameters are to be measured in the screening *Sample* and what levels of those parameters will be used to indicate that an *Athlete* should be selected for a urine test. If however, the *Sample* is collected for longitudinal hematological profiling (“the passport”), it may be used for anti-doping purposes in accordance with Article 2.2 of the *Code*.

5.4 Coordination of *Testing*

The *VAC* shall promptly report completed tests to the Association of Boxing Commissions.

5.5 Selection of *Athletes* to be Tested

5.5.1 At *Events*, the *VAC* shall determine the number of finishing placement tests, random tests and target tests to be performed, as applicable.

5.5.2 In addition to the selection procedures set forth in Articles 5.5.1 the *VAC* may also select *Athletes* for *Target Testing* at the event, so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.

ARTICLE 6 ANALYSIS OF *SAMPLES*:

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

6.1 Use of Approved Laboratories

The *VAC* 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 the *VAC*, with Laboratoire de contrôle du dopage INRS - Institut Armand-Frappier in Montreal, Quebec the normal first choice of the *VAC*.

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 the *VAC* 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 direction of the *VAC* 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 Results Management for Tests Initiated by the *VAC*

Results management for tests initiated by the *VAC* (including tests performed by *WADA* pursuant to agreement with the *VAC*) shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to the VAC in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted in confidentiality.

7.1.2 Upon receipt of an A *Sample Adverse Analytical Finding*, the VAC shall conduct a review to determine whether:

- a) the *Adverse Analytical Finding* is consistent with an applicable TUE, or
- b) there is any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Adverse Analytical Finding*.

7.1.3 If the *Adverse Analytical Finding* is for a Glucocorticosteroid, formoterol, salbutamol, salmeterol or terbutaline; then, before the matter is referred to the VAC Doping Hearing Panel, the *Athlete* shall be given an opportunity to apply to the TUE Committee for a Retroactive TUE in accordance with Article 7.13 of the *International Standard for Therapeutic Use Exemptions*. The result of that application shall be forwarded to the VAC for consideration in its review of the *Adverse Analytical Finding* under Article 7.1.2.

7.1.4 If the initial review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an applicable TUE, or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, the VAC shall promptly notify the *Athlete* of:

- a) the *Adverse Analytical Finding*;
- b) the anti-doping rule violated;
- c) 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;
- d) the scheduled date, time and place for the B *Sample* analysis (which shall be within the time period specified in the *International Standard for Laboratories*) if the *Athlete* or the VAC chooses to request an analysis of the B *Sample*;
- e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the B *Sample* opening and analysis at the scheduled date, time and place if such analysis is requested; and
- f) the *Athlete's* right to request copies of the A and B *Sample* laboratory documentation package which includes information as required by the *International Standard for Laboratories*.

If the VAC decides not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Athlete*.

7.1.5 Where requested by the *Athlete* or the *VAC*, arrangements shall be made for *Testing* the B *Sample* within the time period specified in the *International Standard for Testing*. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. The *VAC* may nonetheless elect to proceed with the B *Sample* analysis.

7.1.6 The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample* within the time period specified in the *International Standard for Laboratories*. Also a representative of the *VAC* shall be allowed to be present.

7.1.7 If the B *Sample* proves negative, then the entire test shall be considered negative and the *Athlete*, and the *VAC* shall be so informed.

7.1.8 If a *Prohibited Substance* or the *Use* of a *Prohibited Method* is identified, the findings shall be reported to the *Athlete* and the *VAC*.

7.1.9 For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, the *VAC* shall conduct any necessary follow-up investigation and, at such time as it is satisfied that an anti-doping rule violation has occurred, it shall then promptly notify the *Athlete* of the anti-doping rule which appears to have been violated, and the basis of the violation.

7.2 Results Management for Atypical Findings

7.2.1 As provided in the *International Standards for Laboratories*, in certain circumstances laboratories are directed to report the presence of *Prohibited Substances* that may also be produced endogenously as *Atypical Findings* that should be investigated further.

7.2.2 If a laboratory reports an *Atypical Finding* in respect of a *Sample* collected from an *Athlete* by or on behalf of the *VAC*, the *VAC* shall conduct a review to determine whether:

- a) the *Atypical Finding* is consistent with an applicable TUE that has been granted as provided in the *International Standard for Therapeutic Use Exemptions*, or
- b) there is any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Atypical Analytical Finding*.

7.2.3 If the initial review of an *Atypical Finding* under Article 7.2.2 reveals an applicable TUE or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete* and the *VAC* shall be so informed.

7.2.4 If the initial review of an *Atypical Finding* under Article 7.2.2 does not reveal an applicable TUE or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding*, the *VAC*

shall conduct the follow-up investigation required by the *International Standards*. If, once that investigation is completed, it is concluded that the *Atypical Finding* should be considered an *Adverse Analytical Finding* the *VAC* shall pursue the matter in accordance with Article 7.1.3.

7.2.5 The *VAC* will not provide notice of an *Atypical Finding* until it has completed its investigation and has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless the following circumstance exists:

(a) If the *VAC* determines the B *Sample* should be analyzed prior to the conclusion of its follow-up investigation, it may conduct the B *Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 7.1.4(c) to (f).

7.6 Provisional Suspensions

7.6.1 If analysis of an A *Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, and a review in accordance with Article 7.1.2 does not reveal an applicable TUE or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, the *VAC* shall *Provisionally Suspend* the *Athlete* pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.

7.6.2 In any case not covered by Article 7.6.1 where the *VAC* decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 7, the *VAC* may *Provisionally Suspend* the *Athlete* pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.

7.6.3 Where a *Provisional Suspension* is imposed, whether pursuant to Article 7.6.1 or Article 7.6.2, the *Athlete* shall be given either:

- a) an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or
- b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after imposition of a *Provisional Suspension*.

7.6.4 If a *Provisional Suspension* is imposed based on an *Adverse Analytical Finding* in respect of an A *Sample*, and any subsequent analysis of the B *Sample* analysis does not confirm the A *Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 of the *Code*. In circumstances where the *Athlete* has been removed from a *Competition* based on a violation of Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, if, without otherwise affecting the *Competition*, it is still possible for the *Athlete* to be reinserted, the *Athlete* may continue to take part in the *Competition*.

7.7 Retirement from Sport

If an *Athlete* or other *Person* retires while a results management process is underway, the *VAC* retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun and the *VAC* would have had results management jurisdiction over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, the *VAC* has jurisdiction to conduct results management.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings arising out of VAC *Testing* or *Tests* at *Events Held in Vancouver*

8.1.1 The *VAC* Chairman shall appoint a standing panel consisting of a Chair and four other experts, preferably ringside physicians, with experience in anti-doping ("VAC Doping Hearing Panel"). The Chair may be a member of the *VAC*, but otherwise each panel member shall be independent of the *VAC*. Each panel member shall serve a term of up to four (4) years or such term as determined by the *VAC*.

8.1.2 When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated in connection with *VAC Testing* then the case shall be assigned to the VAC Doping Hearing Panel for adjudication.

8.1.3 The Chair of the VAC Doping Hearing Panel shall appoint two other members from the panel to hear each case. The appointed members shall have had no prior involvement with the case and shall not have the same nationality as the *Athlete* or other *Person* alleged to have violated these Anti-Doping Rules.

8.1.4 Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 7 or hearings held in connection with *Events* may be conducted on an expedited basis.

8.1.5 The *Athlete* or other *Person* alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.

8.1.6 An *Athlete* or other *Person* may forego a hearing by acknowledging the Anti-Doping Rule violation and accepting *Consequences* consistent with Articles 9 and 10 as proposed by the *VAC*. The right to a hearing may be waived either expressly or by the *Athlete's* or other *Person's* failure to challenge the *VAC's* assertion that an anti-doping rule violation has occurred within twenty-one (21) days. Where no hearing occurs, the *VAC* shall submit to the persons described in Article 11.2.3 a reasoned decision explaining the action taken.

8.1.7 Decisions of the VAC Doping Hearing Panel may be appealed to Court of Arbitration for Sport as provided in Article 11.

8.3 Principles for a Fair Hearing

All hearings pursuant to Article 8.1 shall respect the following principles:

- a) a timely hearing;
- b) fair and impartial hearing panel;
- c) the right to be represented by counsel at the *Person's* own expense;
- d) the right to be informed in a fair and timely manner of the asserted anti-doping rule violation;
- e) the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;
- f) the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);
- g) the *Person's* right to an interpreter at the hearing, with the hearing panel to determine the identity, and responsibility for the cost of the interpreter; and
- h) a timely, written, reasoned decision, specifically including an explanation of the reason(s) for any period of *Ineligibility*.

ARTICLE 9 AUTOMATIC *DISQUALIFICATION* OF INDIVIDUAL RESULTS

A violation of these Anti-Doping Rules in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition*.

ARTICLE 10 SANCTIONS ON INDIVIDUALS

10.1 Imposition of Fines and Suspensions

Any *Athlete* who violates any *Anti-Doping Rule* in connection with a *Competition* or an *Event* will be subject to imposition of a fine and/or suspension (i.e. a period of *Ineligibility*), in such amount or duration as determined by the *VAC* in its discretion pursuant to section 2.8(9) of *Vancouver Athletic Commission By-law* No. 2875, as amended.

10.2 *Ineligibility* for Presence, *Use* or *Attempted Use*, or *Possession* of *Prohibited Substances* and *Prohibited Methods*

The period of *Ineligibility* imposed for a violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 2.2 (*Use* or *Attempted Use* of *Prohibited Substance* or *Prohibited Method*) or Article 2.6 (*Possession* of *Prohibited Substances* and *Methods*) shall be of six (6) months for anabolic steroid use or growth hormone specifically, 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.

10.3 *Ineligibility* for Other *Anti-Doping Rule* Violations

The period of *Ineligibility* for violations of these Anti-Doping Rules other than as provided in Article 10.2 shall be as follows:

10.3.1 For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.4 (*Tampering with Doping Control*), the *Ineligibility* period shall be six (6) months unless the conditions provided in Article 10.4, or the conditions provided in Article 10.5, are met.

10.3.2 For violations of Article 2.6 (*Trafficking or Administration of Prohibited Substance or Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of twelve (12) months. In addition, significant violations of such Articles which also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

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: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, three (3) months of *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 criterion 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 *Metabolites* is detected in an *Athlete's Sample* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated.

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 eight (8) years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Sample* in violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

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

The *VAC* may, prior to a final appellate decision under Article 11 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 11 or the expiration of time to appeal, the *VAC* may suspend a part of the applicable period of *Ineligibility*. 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 *VAC* 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 *VAC* 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 11.2.

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 *VAC* establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.6 (Trafficking and 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 two (2) years unless the *Athlete* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he did not knowingly violate the anti-doping rule. 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 *VAC*.

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 or pay the full amount of any fine imposed under this Article, as applicable.

10.9 Commencement of *Ineligibility* Period

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.

10.9.1 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 *VAC* or *Anti-Doping Organization* imposing the sanction 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.

10.9.2 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 the *VAC*, 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, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.

10.9.3 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.

10.9.4 If an *Athlete* voluntarily accepts a *Provisional Suspension* in writing from the *VAC* 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 Article 12.1.

10.9.5 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.

10.10 Status During *Ineligibility*

10.10.1 Prohibition against Participation during *Ineligibility*

No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *Event* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by the *VAC* or any municipal, provincial, territorial, state or tribal commission or any international or national level *Event* organization. An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

10.10.2 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 *VAC*.

ARTICLE 11 APPEALS

11.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 11.2 through 11.4 or as otherwise provided in these anti-doping rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in these rules must be exhausted, except as provided in Article 11.1.1

11.1.1 WADA Not Required to Exhaust Internal Remedies

Where *WADA* has a right to appeal under Article 11 and no other party has appealed a final decision within the *VAC*, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in the *VAC* process.

11.2 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; or a decision that the *VAC* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; may be appealed exclusively as provided in this Article 11.2. 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.

11.2.3 Persons Entitled to Appeal

In cases under Article 11.2, 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; and
- c) the *VAC*.

11.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

Decisions reversing the grant or denial of a TUE may be appealed exclusively to *CAS* by the *Athlete* or the *VAC*.

11.5 Time for Filing Appeals

The time to file an appeal to *CAS* shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:

- a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- b) If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to *CAS*.

12. ARTICLE TWELVE *DOPING CONTROL INFORMATION CLEARINGHOUSE*

12.1 When the *VAC* has received an *Adverse Analytical Finding* on one of the *Athletes* who competed in an *Event* in Vancouver, it shall report the following information to *WADA* within fourteen (14) days of the process described in Article 7.1.2: the *Athlete's* name, country, sport and discipline/weight class within the sport, the date of *Sample* collection and the analytical result reported by the laboratory. The *VAC* shall also update *WADA* on the status and findings of any review or proceedings conducted pursuant to Articles 7, 8 or 11, and comparable information shall be provided to *WADA* within 14 days of the notification described in Article 7.1.9, with respect to other violations of these Anti-Doping Rules. In any case in which the period of *Ineligibility* is eliminated under Article 10.5.1 or reduced under Article 10.5.2 *WADA* shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither the *VAC* nor *WADA* shall disclose this information beyond those persons until the *VAC* has made public disclosure as required in Article 12.4 below.

12.2 Public Disclosure

The *VAC* shall not publicly identify *Athletes* whose *Samples* have resulted in *Adverse Analytical Findings*, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within twenty (20) days. The *VAC* must also report within twenty (20) days appeal decisions on an anti-doping rule violation. The *VAC* shall also, within the time period for publication, send all hearing and appeal decisions to the Association of Boxing Commissions.

12.3 In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the *Athlete* or other *Person* who is the subject of the decision. The *VAC* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.

12.4 Neither the *VAC* or *WADA* accredited laboratory, nor official of either, shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete*, other *Person* or their representatives.

12.5 Recognition of Decisions by the *VAC*

Any decision of the *VAC* regarding a violation of these Anti-Doping Rules shall be recognized by all municipal, provincial, territorial, tribal and state commissions as actioned through a recording of the suspension on the international databases such as fightfax.com and mixedmartialarts.com and notification of the Association of Boxing Commissions.

ARTICLE 13 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS

Subject to the right to appeal provided in Article 11, the *Testing*, TUE's 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 the *VAC*. The *VAC* 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 14 STATUTE OF LIMITATIONS

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 (8) years from the date the violation occurred.

ARTICLE 15 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

15.1 These Anti-Doping Rules may be amended from time to time by the *VAC*.

15.2 Except as provided in Article 15.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

15.3 The headings used for the various Parts and Articles of 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.

15.4 The INTRODUCTION shall be considered an integral part of these Anti-Doping Rules.

15.5 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* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.

15.6 These Anti-Doping Rules shall come into full force and effect on 11 June, 2011 ("The Effective Date") and remain in place for the duration of the UFC competition taking place in Vancouver, British Columbia on that date.