ANTI-DOPING BY-LAW
ANTI-DOPING BY-LAW
OF THE AUSTRALIAN OLYMPIC COMMITTEE

1 / WORLD ANTI-DOPING CODE

1.1. On 5 March 2003 the Australian Olympic Committee (AOC) became a Signatory to the Code and, as such, is responsible for assisting ASADA in initiating, implementing and enforcing the Doping Control process and fulfilling all its obligations under the Code and the International Standards.

1.2. This By-Law is adopted and implemented as a result of the AOC’s commitment to the purposes of the World Anti-Doping Programme of WADA and the Code. It is in conformance with the AOC’s responsibilities under the Code and in furtherance of its object, under clause 6.10 of the AOC Constitution:

“to protect clean athletes and the integrity of sport by being a leading advocate in the fight against doping in Australia.”

Fundamental Rationale for the Code and the AOC’s Anti-Doping By-Law

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.

1.3. Under the Code, the AOC as the National Olympic Committee for Australia, has roles and responsibilities including the following:

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 Australia namely, ASADA and not to interfere in its operational decisions and activities;
3. to require as a condition of membership or recognition that National Federations’ anti-doping policies and rules are in compliance with the applicable provisions of the Code;
4. to require National Federations to report any information suggesting or relating to an anti-doping rule violation to ASADA and their International Federation and to cooperate with investigations conducted by any Anti-Doping Organisation with authority to conduct the investigation;
5. to require as a condition of participation in the Olympic Games as a member of an Australian Olympic Team that, at a minimum, Athletes who are not regular members of a National Federation be available for Sample collection and to provide whereabouts information as required by the International Standard for Testing and Investigations as soon as practicable.
as the *Athlete* is identified on the long list or subsequent entry document submitted in connection with the Olympic Games.

(6) to cooperate with ASADA

(7) to require each of its *National Federations* to establish rules requiring each *Athlete Support Personnel* who participates as coach, trainer, manager, *Team* staff, official, medical or paramedical personnel in a Competition or activity authorised or organised by the *National Federation* or one of its member organisations to agree to be bound by anti-doping rules and *Anti-Doping Organisation* results management authority in conformity with the *Code* as a condition of such participation,

(8) to withhold some or all funding, during any period of his or her *Ineligibility*, to any *Athlete* or *Athlete Support Person* who has violated anti-doping rules,

(9) to withhold some or all funding to its *National Federations* that are not in compliance with the Code,

(10) to vigorously pursue all potential anti-doping rule violations within its jurisdiction including investigation into whether *Athlete Support Personnel* or other Persons may have been involved in each case of doping,

(11) to promote anti-doping education, including requiring *National Federations* to conduct anti-doping education in cooperation with ASADA,

(12) to co-operate with relevant national organisations and agencies and other *Anti-Doping Organisations*, and

(13) 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 AOC’s authority.

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### 2. APPLICATION OF ANTI-DOPING BY-LAW

2.1. This By-Law applies to:

(1) The members of the AOC Executive, members of any commission or committee established pursuant to the Constitution of the AOC, members of the IOC (if any) who are citizens of Australia, officers, employees, interns and volunteers of the AOC,

(2) *Athletes*,

(3) *Team Members*,

(4) *Youth Olympic Team Members*,

(5) *Athlete Support Personnel*,

(6) Any other *Person* under the AOC’s authority, and

(7) *National Federations*

2.2. Sanctions are applicable in the event of any anti-doping rule violation or other breach of this By-Law.

### 3. OBLIGATIONS

3.1. All *Athletes* must:

(1) be knowledgeable of and comply with all applicable anti-doping policies and rules, namely the *Code*, the *International Standards*, this By-Law and the policies and rules of *ASADA* and their *National Federation* and *International Federation*,

(2) co-operate with and assist ASADA, 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 ASADA, 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 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 anti-doping policies and rules applicable to them;
(6) disclose to ASADA 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 provide accurate and up-to-date whereabouts
information on a regular basis if required during the year before the Olympic Games as a condition
of participation in the Olympic Games as a member of an Australian Olympic Team.

3.3. Any Athlete who is not a member of a National Federation and who fulfills the requirements to be
part of the ASADA 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, namely the Code,
the International Standards, this By-Law and the policies and rules of their National Anti-
Doping Organisation, National Federation and International Federation, applicable to them
or to the Athletes whom they support;
(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 ASADA and his or her National and International Federation 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 ASADA 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 ASADA, even if to do so might tend to incriminate
them or expose them to a penalty, sanction or other disciplinary measure.

3.5. Each National Federation must:
(1) comply with the Code, the International Standards and this By-Law,
(2) co-operate with and assist ASADA.
(3) adopt and implement an anti-doping policy that conforms with the Code and this By-Law,

(4) adopt and implement an anti-doping policy that requires all Athletes and Athlete Support Personnel who participate as coach, trainer, manager, team staff, official, medical or paramedical personnel in a Competition or activity authorised or organised by the National Federation or one of its member organisations or a club recognised by it or one of its member organisations to co-operate with and assist ASADA 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 ASADA, even if to do so might tend to incriminate them or expose them to a penalty, sanction or other disciplinary measure,

(5) report any information suggesting or relating to an anti-doping rule violation to ASADA and cooperate with investigations conducted by any Anti-Doping Organisation with authority to conduct the investigation,

(6) cooperate with and assist its International Federation in its day-to-day anti-doping operations,

(7) require all Athletes and each Athlete Support Personnel who participate as coach, trainer, manager, team staff, official, medical or paramedical personnel in a Competition or activity authorised or organised by the National Federation or one of its member organisations or a club recognised by it or one of its member organisations to agree to be bound by anti-doping rules and Anti-Doping Organisation results management authority in conformity with the Code as a condition of such participation,

(8) prevent Athlete Support Personnel who are Using Prohibited Substances or Prohibited Methods without valid justification from providing support to Athletes within the National Federation’s authority,

(9) require as a condition of membership that the policies, rules and programmes of its members or clubs recognised by it or one of its member organisations are in compliance with the Code,

(10) take appropriate action to discourage non-compliance with the Code and its anti-doping policy,

(11) notwithstanding the previous paragraph:

(a) recognise and respect a finding of an anti-doping rule violation by the IOC, its International Federation, ASADA or any other Signatory or another National Federation without the need for a hearing, provided the finding is consistent with the Code and within the authority of the body concerned; and

(b) require Athletes who are not regular members of it to be available for Sample collection and provide accurate and up-to-date whereabouts information on a regular basis, if required during the year before the Olympic Games as a condition of participation in the Olympic Games as a member of an Australian Olympic Team,

(12) require any Person who is not a regular member and who fulfills the requirements to be part of the ASADA Registered Testing Pool to become a member and to make himself or herself available for Testing, at least twelve months before participation in International Events or at least six months before participating in National Events,

(13) promptly notify the AOC of the finding of any anti-doping rule violation and the imposition of any sanction for an anti-doping rule violation on:

(a) any Athlete, Athlete Support Personnel or other Person under its authority, or

(b) any Athlete, Athlete Support Personnel or other Person under its authority under the anti-doping policy and rules of its International Federation,
(14) promote anti-doping education in coordination with ASADA, and
(15) provide assistance and information to the AOC as requested by the Chief Executive Officer to enable the AOC to properly implement this By-Law.

4 / TESTING

4.1. The AOC will recognise the results of accredited laboratory analysis of Testing conducted by Anti-Doping Organisations (including ASADA) conducted in accordance with the Code.

4.2. The AOC may request any Anti-Doping Organisation to conduct Testing and analysis of Samples of Team Members in accordance with the Code.

4.3. Where the AOC requests the conduct of Testing and analysis of Samples of Team Members by ASADA, whether by itself or, in the case of Team Members not within ASADA’s jurisdiction, by another National Anti-Doping Organisation under Articles 20.5.3 and 20.5.4 of the Code, then ASADA 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 or Atypical Finding and Atypical or Adverse Passport Finding required pursuant to Articles 7.2, 7.3, 7.4 and 7.5 of the Code and advise the AOC, and the Team Member’s National Federation and International Federation of the results thereof.

5 / BREACHES OF THIS BY-LAW

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

5.2. Articles 1, 2, 3, 4, 5, 6, 7, 16 and 17 of the Code apply to determine whether any anti-doping rule violation has been committed.

5.3. It is an infraction of this By-Law for an Athlete, Athlete Support Personnel, other Person or a National Federation to breach any of their obligations to the AOC derived from this By-Law.

6 / MUTUAL RECOGNITION OF ANTI-DOPING RULE VIOLATIONS

6.1. The AOC 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 AOC will recognise the same actions of other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.

6.3. Upon being advised of a determination under clause 6.1 or 6.2, the Chief Executive Officer will give the Person concerned notice in writing of:

(1) the recognition by the AOC of such determination, and
(2) the automatic imposition of the applicable sanction under clause 8 for the period determined by the Anti-Doping Organisation or CAS to apply the anti-doping rule violation in question.

6.4. Except as provided in the Code, no Person may appeal against or challenge any recognition by the AOC 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 AOC 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.
7 / NON-RECOGNISED ANTI-DOPING RULE VIOLATIONS

7.1 Where:

(1) there is evidence of an anti-doping rule violation by a Team Member including Athlete Support Personnel and the Chief Executive Officer believes 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 AOC or on the AOC Executive, a Team Member 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, or

(3) in the period commencing one month before the Opening Ceremony of a Games until midnight of the day of the Closing Ceremony of those Games, a National Federation or the Chief Executive Officer receives notification or believes on other grounds that a Team Member including Athlete Support Personnel in respect of those Games may have committed an anti-doping rule violation and, unless the alleged anti-doping rule violation arises out of circumstances within the authority of the IOC or the Organising Committee for those Games under the Olympic Charter or the Code in respect of those Games, or

(4) the Chief Executive Officer will issue an infraction notice under clause 7.2.

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 as advised by the National Federation concerned to the AOC;

(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 By-Law in respect of the anti-doping rule violation; and

(4) 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.

7.3 The hearing of the matter referred to in Clause 7.2(4) by CAS will be conducted pursuant to clause 10 and as expeditiously as possible in order, in the case of a Team Member including Athlete Support Personnel, to be concluded prior to the Team Member including Athlete Support Personnel participating in the Games in question. To this end the CAS will implement an expedited procedure and R44.4 of the Code of Sports-Related Arbitration requiring the consent of the parties will not apply.

8 / AOC IMPOSED SANCTIONS FOR ANTI-DOPING RULE VIOLATIONS

8.1 Subject to clause 8.6, any Athlete who is found to have committed an anti-doping rule violation will be ineligible for membership of or selection in any Team as an Athlete, or to receive funding from or to hold any position within the AOC or on the AOC Executive or any Team 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 10 and 11 of the Code.
Subject to any exemption by the AOC Executive, any Person who is found to have committed an anti-doping rule violation as an Athlete will be ineligible for membership of or selection in any Team as an Athlete Support Personnel or Person or to receive funding from or hold any position within the AOC or on the AOC Executive.

Any Athlete Support Personnel or Person who is found to have committed an anti-doping rule violation as an Athlete Support Personnel or Person is ineligible for membership of or selection in any Team as an Athlete Support Personnel or Person, or to receive funding from or hold any position within the AOC or on the AOC Executive.

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 AOC will recognise previous sanctions imposed by any Signatory or National Federation to determine whether the breach is a first, second or third offence.

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.

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.

Subject to clause 9.1 and clause 32.2 of the AOC Constitution, if a breach of this By-Law occurs at any time other than during a Games Period, then the breach and any sanction to be applied including under clauses 9.4 and 9.5 will be determined by the AOC Executive in its sole and absolute discretion.

Subject to clause 9.1 and clause 32.2 of the AOC Constitution, if a breach of this By-Law occurs at any time during a Games Period, then the breach and any sanctions to be applied including under clauses 9.4 and 9.5 will be determined by the Chef de Mission of the relevant Team or his or her authorised delegate(s) in their respective sole and absolute discretion.

Without limiting clauses 9.2 and 9.3, any Person who, in the sole and absolute discretion of the AOC Executive or the Chef de Mission (as the case may be), fails to comply with the obligations set out in clauses 3.1(2) and (7) or 3.4(5) and (7) may be ineligible:

1. for selection to, or membership or continued membership of, any Team; and
2. to receive funding from or to hold any position within the AOC and for such period as the AOC Executive or the Chef de Mission determine in their respective sole and absolute discretion.

Without limiting clauses 9.2 and 9.3, any National Federation which, in the sole and absolute discretion of the AOC Executive, fails to comply with the obligations set out in clauses 3.5(1) to (15) may be:

1. ineligible to nominate or propose Athletes and Athlete Support Personnel for selection to, or membership or continued membership of, any Team; and
2. liable to such other sanction (including a fine but excluding expulsion from membership of the AOC which requires a special majority at a general meeting), as the AOC Executive determines in its sole and absolute discretion.

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 AOC, including any terms of employment.
10 / CAS HEARING

10.1. A hearing by CAS under this By-Law 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.

11 / APPEALS FROM DETERMINATIONS OF CAS

11.1. A Person (including the AOC 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), I agree that neither party will have the right of 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.

12 / NOTIFICATION.

12.1. Upon the imposition of a sanction under this By-Law, the AOC will send details of the sanction imposed to:

(1) the IOC;
(2) those Persons entitled to notification under Article 14.1 of the Code;
(3) the National Federation of the Person concerned;
(4) the International Federation of the Person concerned;
(5) the Australian Sports Commission;
(6) ASADA;
(7) WADA; and
(8) any other Person or organisation the AOC 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 AOC will advise the decision to all those Persons notified of the initial imposition of the sanction pursuant to clause 12.1.

13 / DISPUTES

Any dispute regarding the construction and/or application of this By-Law must be solely and exclusively resolved by CAS according to the Code of Sports-Related Arbitration. The decision of CAS will be final and binding on the parties concerned and no Athlete or 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), I agree that neither party will have the right of 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.

14 / COSTS, EXPENSES OF HEARINGS AND APPEALS TO CAS

14.1. In any hearing before CAS pursuant to clause 10 or clause 11, the AOC 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.

14.2. Recognising the AOC’s commitment contained in clause 14.1 and the fact that any hearing by CAS under this By Law is disciplinary in nature and resulted from the requirement of the AOC to apply and enforce anti-doping provisions common to all Athletes and Athlete Support Personnel under the Code,

(1) the Person alleged to have committed an **anti-doping rule violation** will indemnify and keep indemnified the AOC from and against any award by CAS of a contribution towards that Person’s legal costs and expenses; and

(2) the AOC will indemnify and keep indemnified the Person alleged to have committed an **anti-doping rule violation** from and against any award by CAS of a contribution towards the AOC’s legal costs and expenses solely in respect of any hearing before CAS pursuant to clause 10.

15 / 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 acting in conformity with the Code, the AOC 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.

16 / REVIEW OF AOC IMPOSED SANCTION

16.1. Where a Person to whom a sanction has been applied under this By-Law or any preceding AOC 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 or it may make written application to the Chief Executive Officer setting out the grounds for a possible review of that AOC 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 By-Law or any preceding AOC anti-doping policy and may alter a sanction imposed previously including a reduction or withdrawal of that AOC 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 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, she will promptly notify the Person concerned as well as those Persons who received notification from the AOC 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 to CAS in accordance with the Code. Clauses 11.2 – 11.4 will apply to any such appeal.

17 / INTERPRETATION

17.1. In this By-Law, 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.

- **Adverse Passport Finding**
  means a report identified as an Adverse Passport Finding as described in the applicable International Standards.

- **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 IOC, 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 ASADA).

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

- **AOC Executive**
  means the Executive as elected or, in the case of the Chief Executive Officer, appointed in accordance with the AOC Constitution.

- **ASADA**
  means the Australian Sports Anti-Doping Authority and includes any successor thereto established by the Australian Government as the National Anti-Doping Organisation for Australia.

- **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 ASADA),
  
  B / any Person who is neither an International-Level Athlete nor a National-Level Athlete to whom ASADA 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.

**Atypical Passport Finding** means a report described as an Atypical Passport Finding as described in the applicable International Standards.

**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.

**Games** means the Olympic Games, Youth Olympic Games or any other sporting competition or event in which a Team is to compete or participate.

**Games Period** means the period commencing on the earlier of:

1. the assembly of the Team or Youth Olympic Team for the Games or Youth Olympic Games under the control of the Chef de Mission; or
2. the opening of the official Games or Youth Olympic Games accommodation, and ends at midnight the day after the closing ceremony of the Games or on such later date as the Person is formally discharged from the relevant Team or Youth Olympic Team.

**IOC** means the International Olympic Committee.

**International Event** means 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 organisation controlling a branch of sport and recognised as such by the IOC.

**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 any organisation that is a member of the AOC.

National-Level Athlete means Athletes who compete in sport at the national level, as defined by each National Anti-Doping Organisation, consistent with the International Standard for Testing and Investigations.

Olympic Games means the Games of an Olympiad and the Olympic Winter Games conducted under the authority of the IOC.

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 means an entity signing the Code and agreeing to comply with the Code, including the IOC, International Federations, International Paralympic Committee, National Olympic Committees, Major Event Organisations, ASADA, other National Anti-Doping Organisations, and WADA.

Team means any Australian Olympic Team, Australian Olympic Winter Team, Australian Youth Olympic Team, Australian Winter Youth Olympic Team or other Team selected by the AOC.

Team Member means:

A  a member of a Team or

B  a Person advised by a National Federation to the AOC as a Person considered suitable as a member of a Team and recognised as such by the AOC.

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 being a Foundation constituted under the Swiss Civil Code in Lausanne on 10 November 1999 and any Agency contracted by WADA.

Youth Olympic Games means the Youth Olympic Games and the Youth Olympic Winter Games conducted under the authority of the IOC.

Youth Olympic Team means any Australian Youth Olympic Team or Australian Youth Olympic Winter Team selected by the AOC.

Youth Olympic Team Member means:

A  a member of a Youth Olympic Team or

B  a Person advised by a National Federation to the AOC as a Person considered suitable as a member of a Youth Olympic Team and recognised as such by the AOC.

17.2. All the words utilised in this By-Law 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 By-Law, apply automatically and prevail in case of conflict.

Words not defined in this By-Law 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 By-Law, should there be any inconsistency or conflict between this By-Law 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 By-Law applies consists of more than one Person, then this By-Law binds them jointly and severally.

Headings are for convenience only and do not form part of this By-Law 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.

ADOPTED as a By-Law of the AOC by its Executive on 20 November 1997.
AMENDED on 20 March 1998 both the adoption and amendment effective from 1 December 1997.
AMENDED on 21 July 2000 by the Doping Offences Special Purpose By-Law both the adoption and amendment effective from 21 July 2000.
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AMENDED on 3 May 2013 both the adoption and amendment effective from 3 May 2013.
AMENDED on 21 November 2014 both the adoption and amendment effective from 1 January 2015.
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