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RYA ANTI-DOPING RULES
Effective 1st January 2009

Article 1: Introduction and Commencement

- 1.1 The Royal Yachting Association (“the **RYA**”) is the governing body for the sport of sailing in the United Kingdom.
- 1.2 The RYA is a member national authority of and subject to the jurisdiction of the International Sailing Federation (“**ISAF**”).
- 1.3 At the ISAF Annual Conference held in Madrid in November 2008, ISAF accepted the revised (2009) World Anti-Doping Code (the “**WADA Code**”) and, in conformance with ISAF’s responsibilities under the **WADA Code** and in furtherance of ISAF’s continuing efforts to eradicate doping in the sport of sailing, adopted Regulation 21 - ISAF Anti-Doping Code (the “**ISAF Code**”).
- 1.4 The **ISAF Code** is stated to apply not only at an international level but also at a national level, binding the RYA itself, as well as each member of and/or participant in activities and events of the RYA, and applying in respect of all Doping Controls conducted on behalf of the RYA.
- 1.5 The **ISAF Code** also acknowledges the authority and competence conferred at a national level in the UK, under the **WADA Code** and by the UK Government, on the UK’s National Anti-Doping Organisation (currently the Drug-Free Sport Directorate of UK Sport) (the “**NADO**”). Like ISAF, the NADO also requires the RYA to adopt Code-compliant anti-doping rules for application in the sport at a national level.
- 1.6 By a meeting of the Committee of the RYA held in December 2008, and in conformance with the RYA’s responsibilities to ISAF and the NADO, the RYA has adopted **The RYA Anti-Doping Rules** as set out herein.
- 1.7 These **RYA Anti-Doping Rules** supersede and replace the RYA Rules and Procedures for Anti-Doping (Issued 13/02/2006 Revision 3: 29 May 2008) with effect from 1st January 2009.

Article 2: Adoption of ISAF Anti-Doping Code

- 2.1 In compliance with RYA’s obligations under Regulation 21.14 of the **ISAF Code**, these **RYA Anti-Doping Rules** adopt and incorporate the **ISAF Code**, including but not limited to all amendments to the ISAF Code and all international standards incorporated in the ISAF Code, thereby implementing the provisions of the **ISAF Code** at the national level, in accordance with Article 3.1, below. Where necessary to achieve such implementation, the **RYA Anti-Doping Rules** shall be construed as giving the RYA at a national level the powers conferred on the **ISAF** at an international level by the **ISAF Code**.
- 2.2 RYA’s adoption and implementation of the **ISAF Code** at a national level is also intended to discharge RYA’s commitment to the NADO to adopt and implement Code-compliant rules at a national level.
- 2.3 The supplemental provisions set out in Article 3 of these **RYA Anti-Doping Rules** are adopted in order to achieve the effective implementation of the **ISAF Code** at a national level.
- 2.4 Any changes to the **ISAF Code** will be announced and posted on the ISAF website (www.sailing.org). In accordance with Article 2.1, when they come into effect in relation to the **ISAF Code** they shall automatically come into effect as well in relation to the **RYA Anti-Doping Rules**.

- 2.5 Any changes to these **RYA Anti-Doping Rules** (including but not limited to changes made to the **ISAF Code** in accordance with Article 2.4) will be announced and posted on the RYA website (www.rya.org.uk/racing/antidopingrules.asp)
- 2.6 Matters pending or occurring prior 1 January 2009 shall be subject to the transitional provisions set out in Regulation 21.18 of the ISAF Code.

Article 3: RYA Supplemental Provisions

3.1 Scope and Application

3.1.1 These **RYA Anti-Doping Rules** shall apply to the following persons:

- a. Every "**Athlete**", which means every person who participates in the sport of competitive racing of dinghies, yachts or windsurfers:
- (i) at the international level, i.e., an International-Level **Athlete** or a participant at an International Event (as such terms are defined within the **ISAF Code**) (referred to hereafter as an "**International Athlete**"); and/or
 - (ii) at the national level, i.e., a person who competes at any level in the sport below the international level (referred to hereafter as a "**National Athlete**");

where such person (whether or not a citizen or resident of the UK) is under the jurisdiction of the RYA. An **Athlete** shall be treated as "under the jurisdiction of the RYA" for these purposes where:

- the **Athlete** has agreed -- by contract, by participation agreement, as a condition of receipt of funding, or otherwise -- to comply with these **RYA Anti-Doping Rules**; and/or
- the **Athlete** is a member of the Word Class Programme; and/or
- the **Athlete** competes in an Event for which the RYA is the organising authority as defined in the Racing Rules of Sailing (i.e. the rules as published from time to time by the RYA entitled Racing Rules of Sailing); and/or
- the **Athlete** competes in an Event held in the United Kingdom which is either an Open Event or an Event which acts as a qualifier or part of the selection criteria for an Open Event; and/or
- the **Athlete** competes in an Event where the Notice of Race and Sailing Instructions state that the RYA shall have jurisdiction for anti-doping purposes.

For these purposes, an "**Open Event**" includes: (1) any Event in which persons who are not members of the club or association organising the race are entitled to participate; and (2) any Event held by a class association.

- b. Every "**Athlete Support Personnel**", which means any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or other person working with, treating or assisting

an **Athlete** (as defined in Article 3.1.1) participating in or preparing for sports competition.

And references to the terms “Athlete” and “Athlete Support Personnel” in the ISAF Code shall be interpreted by the RYA accordingly

- 3.1.2 Notwithstanding Article 3.1.1, for the purposes of interpreting the prohibition set out at Regulation 21.2.7 of the **ISAF Code/RYA Anti-Doping Rules**, an “**Athlete**” is any person who participates at any level in the sport of sailing under the authority of any Signatory, government or other sports organisation accepting the WADA Code.
- 3.1.3 The term “Competition” in the ISAF Code shall be interpreted by the RYA to mean a single dinghy, yacht or windsurfing race held under the Racing Rules of Sailing (as defined in Article 3.1.1 above), that is held otherwise than for instructional, educational, coaching or boat tuning purposes.
- 3.1.4 In accordance with Regulation 21.5.5(c) of the **ISAF Code**, an **Athlete** who retires whilst in the national Registered Testing Pool maintained by the **NADO** who gives notice of his/her retirement to the RYA and the **NADO** may not resume competing as a **National Athlete** unless he/she notifies the RYA and the **NADO** at least six months before he/she expects to return to competition and makes him/herself available for unannounced Out-of-Competition Testing (including, if requested, complying with the whereabouts requirements of the International Standard for Testing) at any time during the period before actual return to competition.

3.2 **Core Responsibilities**

- 3.2.1 To be eligible to participate (in the case of an **Athlete**) or assist any participating **Athlete** (in the case of **Athlete Support Personnel**) in any Event, Competition or other activity organised, convened or authorised by the RYA or any of its member or affiliate organisations or licensees (or otherwise referred to in Article 3.1.1(a), above), an **Athlete/Athlete Support Personnel** must agree to be bound by and to comply with these **RYA Anti-Doping Rules**. Accordingly, by so participating or assisting, an **Athlete/Athlete Support Personnel** (as applicable) shall be deemed to have agreed:
 - a. to be bound by and to comply strictly with these **RYA Anti-Doping Rules** (without prejudice to any other anti-doping rules applicable to him/her);
 - b. to submit to the authority of the RYA and/or of the NADO (as the RYA and the NADO may agree between themselves) to apply, police and enforce these **RYA Anti-Doping Rules**;
 - c. to provide all requested assistance to the RYA and the NADO in the application, policing and enforcement of these **RYA Anti-Doping Rules**, including (without limitation) cooperating fully with any investigation, results management exercise, and/or proceedings being conducted pursuant to these **RYA Anti-Doping Rules** in relation to any suspected anti-doping rule violation(s);
 - d. to submit to the exclusive jurisdiction of any NADP first instance tribunal convened under Article 3.5 of these **RYA Anti-Doping Rules** to hear and determine issues arising under these Rules;
 - e. to submit to the exclusive jurisdiction of any NADP appeal tribunal and/or CAS Panel convened under Article 3.5 of these **RYA Anti-**

Doping Rules to hear and determine appeals made pursuant to these Rules; and

- f. not to bring any proceedings in any court or other forum that are inconsistent with the foregoing submission to the jurisdiction of the NADP first instance tribunal, the NADP appeal tribunal and CAS.

3.2.2 Without prejudice to Article 3.2.1, each **Athlete/Athlete Support Personnel** shall, upon request by the RYA, complete, sign, date and return the Acknowledgement and Agreement Form appended to the **ISAF Code**.

3.2.3 It is the personal responsibility of each **Athlete** (which may not be delegated to any other Person):

- a. to acquaint him/herself, and to ensure that each person (including medical personnel) from whom he/she takes advice is acquainted, with all of the requirements of these **RYA Anti-Doping Rules**, including (without limitation) being aware of what constitutes an anti-doping rule violation and what substances and methods are on the Prohibited List; and
- b. to comply with these **RYA Anti-Doping Rules** in all respects, including:
 - i. taking full responsibility for what he/she ingests and uses;
 - ii. ensuring that any medical treatment he/she receives does not infringe these Rules;
 - iii. making him/herself available for Testing at all times, whether In Competition or Out of Competition;
 - iv. where included by ISAF in the international Registered Testing Pool or by the NADO in the national Registered Testing Pool (as that term is defined in the **WADA Code**), providing accurate and up-to-date whereabouts information for the purposes of Out of Competition Testing, in accordance with the International Standard for Testing; and
 - v. cooperating fully with any investigation into a potential anti-doping rule violation under these Rules.

3.2.4 It is the personal responsibility of each **Athlete Support Personnel** (which may not be delegated to any other Person):

- a. to acquaint him/herself with all of the provisions of these **RYA Anti-Doping Rules**, including (without limitation) being aware of what constitutes an anti-doping rule violation and what substances and methods are on the Prohibited List;
- b. to comply with these Rules in all respects;
- c. to cooperate fully with the Testing of **Athletes**;
- d. to cooperate fully with any investigation into a potential anti-doping rule violation under these Rules; and
- e. to use his/her influence on **Athlete** values and behaviour to foster anti-doping attitudes.

3.4 **Scope and Effect of TUEs**

3.4.1 International **Athletes** who need to use Prohibited Substances or Prohibited Methods for therapeutic purposes must follow the rules on TUEs set out at Regulation 21.4.3 of the **ISAF Code**. They may not rely on any TUE they may have previously obtained from the NADO.

3.4.2 National **Athletes** who need to use Prohibited Substances or Prohibited Methods for therapeutic purposes may rely on a TUE previously granted by ISAF but otherwise must follow the rules on TUEs set out in the UK Sport Procedures Guide for Sport (which can be found on www.ukssport.gov.uk).

3.5 **Jurisdiction of the National Anti-Doping Panel**

3.5.1 References in the **ISAF Code** to the disciplinary panel or hearing panel of the MNA shall be construed, for purposes of these **RYA Anti-Doping Rules**, as references to the first instance tribunal or appeal tribunal of the National Anti-Doping Panel ("**NADP**").

3.5.2 Where a matter arises under the **RYA Anti-Doping Rules** that requires a hearing and the **RYA** has results management authority with respect to the matter, the matter shall be referred to the National Anti-Doping Panel for determination by an NADP first instance tribunal in accordance with the National Anti-Doping Panel's procedural rules.

3.5.3 In accordance with Regulation 21.13.1(b) of the **ISAF Code**, in a case involving an **Athlete** who does not have a right of appeal under Regulation 21.13.1(a), the **Athlete**, the **NADO**, and the other persons specified in Regulation 21.13.1(c) shall have a right of appeal to an NADP appeal tribunal in accordance with the National Anti-Doping Panel's procedural rules.

END.