

## Summary of Key Amendments to FA Doping Control Regulations (Valid 7<sup>th</sup> August 2009)

The following document provides guidance on the **key** regulatory changes from the current FA Doping Control Regulations (Valid 1<sup>st</sup> October 2008) to new FA Doping Control Regulations which come into effect on 7<sup>th</sup> August 2009. **This guidance document is for information purposes only and the event of any discrepancy between this document and FA Doping Control Regulations, FA Doping Control Regulations will prevail.**

### Amendments to Doping Regulations

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#### 1. Penalties for Doping Offences Committed by Players and other Participants

- a. Specified suspension periods of 2 years now apply in respect of the offences of *presence of a prohibited substance or method, use of a prohibited substance or method, possession, failure to test and tampering*. Previously, this was a minimum period of 2 years. **(ref: Doping Regulations - Part 6 and Part 7)**
- b. A new table detailing penalties for multiple offences is provided to make clear the provisions for such offences. For example two instances of the use of a prohibited substance or method would lead to a permanent suspension, and as provided in this table, the sanction would be 8 years to life. **(ref: Doping Regulations - regulation 53)**
- c. The definition of Specified Substances now allows for the exercising of greater discretion in disciplinary cases. This affords a Regulatory Commission the opportunity to impose a shorter suspension where an offence relates to a Specified Substance. **(ref: Doping Regulations - regulation 66-68)**

#### 2. Appeals

- a. Any appeals made against decisions imposed by FA Regulatory Commissions are submitted to FA Appeal Boards. **(ref: Doping Regulations - regulation 84)**
- b. Any of FIFA, UK Sport and WADA are permitted to appeal a decision made by The Football Association Regulatory Commissions. **(ref: Doping Regulations - regulation 85)**
- c. FIFA and WADA have the right to appeal any decision of an FA appeal board to the Court of Arbitration for Sport (CAS). **(ref: Doping Regulations - regulation 86)**

#### 3. Provisional Suspensions

- a. Provisional suspensions will be imposed following notification to the player of a positive 'A' sample result in all cases where the substance is non-Specified (ie. a prohibited substance carrying a minimum suspension of two years). If the substance is a Specified Substance the decision as to whether to impose a provisional suspension will be at the discretion of The Football Association. **(ref: Doping Regulations - regulation 20)**
- b. A reduction in the duration of a suspension may be secured by a player if an early admission of an offence is provided. **(ref: Doping Regulations - regulation 37)**
- c. The imposition of a provisional suspension may be appealed by the player **(ref: Doping Regulations - regulation 88)**.
- d. Reductions in suspensions for Participants who provide assistance to The FA, UEFA or FIFA in discovering or establishing a doping offence by another Participant, are now conditionally suspended (in part), rather than a straightforward reduction being permitted. **(ref: Doping Regulations - regulation 74)**

#### 4. **Aggravating Circumstances that may Increase the Period of Suspension**

Specific aggravating factors are also outlined which may increase sanctions. (ref: **Doping Regulations - part nine**).

#### 5. **Status During Suspension**

Suspended players may be permitted to return to training with their club prior to the conclusion of their suspension. The date on which a player may return to training is determined by the duration of their suspension and is at the complete discretion of The FA. (ref: **Doping Regulations - regulation 38**)

#### 6. **Sanctions on a Club**

Clubs may now be sanctioned where two or more of their players commit a doping offence during the same competition. Sanctions may include a points deduction, forfeit of a match or matches, exclusion of the team from the competition, or a fine. Note that this sanction does not apply to the offences of Interference or social drug findings detected out-of-competition. (ref: **Doping Regulations - regulations 61-63**)

### **Amendments to Schedule 1 (Procedural Guidelines for the Conduct of Drug Testing)**

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#### 1. **Blood Testing and Requirements for provision of the Doping Control Station**

The Regulations now allow for all professional players to be blood tested. This is a requirement of The FA's compliance with the UK NADP. Please note however that blood testing will continue to focus on Premier League players and the blood testing of players outside of this group will only be conducted where The FA or UK Sport has good reason to target test a particular player. Under Regulation 1.2 Doping Control Station requirements for blood testing will only apply for Premier League clubs, who are subject to regular squad testing and in-competition testing. (ref: **Schedule 1, Section 1.2**)

#### 2. **Test Distribution Planning**

Players may be designated for target testing by The FA or UK Sport according to a wide range of criteria as specified by FIFA and the World Anti-Doping Agency. Please note that it not necessary for The FA to provide an explanation for a target test to the player, or the player's club. (ref: **Schedule 1, Section 4.3**)

#### 3. **Verification of Whereabouts Information**

FA officials may attend any training session to verify the accuracy of squad whereabouts submissions. This may or may not be linked to drug testing taking place at the time. (ref: **Schedule 1, Section 7**)

#### 4. **Failure to Comply with Doping Control**

Procedures are now specified for any incident that may result in the reporting of a failure to comply with doping control by a player. (ref: **Schedule 1, Section 17**)

#### 5. **Whereabouts Requirements for NRTP and IRTP Players**

Whereabouts submission criteria and player responsibilities are specified for players designated for inclusion in either The FA/UK Sport National Registered Testing Pool or the FIFA International Registered Testing Pool. (ref: **Schedule 1, Section 23**)

## 6. Drug Testing of Players included in the English NRTP

**Note:** Where players identified as members of the NRTP are to be tested out-of-competition, the selection of players and timing/frequency of testing will be decided by UK Sport with no involvement from The FA. FA Drug Testing Supervising Officers are not permitted to attend such tests, so players should be aware that they will be notified by a single official from UK Sport. Please note that these tests do not constitute part of The FA Doping Control Programme, however in line with its responsibilities under the UK National Anti-Doping Policy (NADP), The FA will be required to manage the disciplinary process should a player return a positive result from such tests.

## Amendments to Schedule 5 (Guide To Therapeutic Use Exemptions)

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### 1. Guide to TUEs

Players registered with women's clubs are no longer required to apply for a TUE in advance of treatment, and instead can apply retrospectively if selected for testing. Please note however that female international players should seek advice from England team medical staff with regards to TUE applications. **(ref: Schedule 5, section 1.5)**

Please note that non-English players who are included in the FIFA IRTP or the NRTP of their National Anti-Doping Association (NADO) are subjected to differing TUE requirements.

### 2. Timing of Retrospective TUE applications

Retroactive TUE applications (for emergency treatments or for players not required to submit TUEs in advance of treatment) and retroactive declarations where applicable, must be submitted to UK Sport within 10 working days of the administration of the prohibited treatment. **(ref: Schedule 5, sections 1B3 and 1E).**