

# 14 - SOCIAL DRUGS REGULATIONS

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## 1. EFFECTIVE DATE

- 1.1 These Social Drugs Regulations are issued pursuant to FA Rule J1.3.1. The amendments to the Social Drugs Regulations shall come into full force and effect on 25 May 2021 (the “Effective Date”).
- 1.2 The substantive amendments to the Social Drugs Regulations that are introduced by this version shall not apply to conduct occurring prior to the Effective Date. Instead, that conduct and its consequences shall be governed by the substantive provisions of the Social Drugs Regulations and the Rules and Regulations of The Association that were in force at the time the conduct occurred, save that (1) if these Social Drugs Regulations provide for lesser consequences for that conduct, the lesser consequences will apply; and (2) no disciplinary action will be taken against any Player as a result of a hair Sample collected after the Effective Date resulting in a Social Drug Finding relating to Use prior to the Effective Date. In any event, all procedural aspects of any case will be governed by this version of the Social Drugs Regulations, whenever the conduct at issue occurred. However, all procedural aspects of any case will be governed by this version of the Social Drugs Regulations, whenever the conduct at issue occurred.

## 2. DEFINITIONS

- 2.1 As of the Effective Date, the term “Social Drug” means any of the following: amphetamine, cannabinoids (for example, hashish and marijuana), cocaine, diamorphine (aka heroin), ketamine, lysergic acid diethylamide (aka LSD), mephedrone, methadone, methylamphetamine, methylenedioxyethylamphetamine (aka MDMA or ecstasy) and methylenedioxyethylamphetamine (MDEA).
- 2.2 The Association may at any time designate further substances as “Social Drugs” for the purposes of these Social Drugs Regulations.
  - 2.2.1 Any changes to the list of Social Drugs after the Effective Date will be published on The Association’s website (located at TheFA.com) and will take effect from the date of such publication. The PFA will be notified at least 14 days in advance of such changes.
  - 2.2.2 The Association’s designation of a substance as a Social Drug is final and may not be challenged on any basis.
- 2.3 Where used in these Social Drugs Regulations:
  - 2.3.1 The terms “Appeal Board”, “Club”, “Match”, “Misconduct”, “Player”, “Participant” and “Regulatory Commission” have the same meaning as they are given in FA Rule A2.
  - 2.3.2 “Administration” means providing, supplying, supervising, facilitating, or otherwise participating in the Use or Attempted Use by another Participant of a Social Drug.
  - 2.3.3 “Attempt” means purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of a breach of these Regulations; provided, however, there shall be no breach based solely on an attempt to commit a breach if the Participant renounces the attempt prior to it being discovered by a third party not involved in the attempt.
  - 2.3.4 “In-Competition” means the period commencing at 23:59 on the day before a Match in which the Player is scheduled to participate through to the end of said Match, including any Sample collection process after the conclusion of the Match.
  - 2.3.5 “Marker” means a compound, group of compounds, or biological variable(s) that indicate the Use of a Social Drug.
  - 2.3.6 “Metabolite” means any substance produced by a biotransformation process.
  - 2.3.7 “No Fault or Negligence” means that the Participant is able to establish that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had Used or been administered the Social Drug or otherwise violated these Regulations. Except in the case of a Player who has not reached the age of 18, for any breach of Regulation 4.1.1, the Player must also establish how the Social Drug entered his system.

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- 2.3.8 “Out-of-Competition” means any time that is not In-Competition.
  - 2.3.9 “Player Support Person(nel)” means any person working with, treating or assisting a Player participating in or preparing for Matches or training sessions, including but not limited to a coach, trainer, manager, agent, Intermediary (as defined in The Association’s Regulations on Working with Intermediaries), club staff, official, nutritionist, medical or paramedical personnel, or parent.
  - 2.3.10 “Possession” has the same meaning as given to it at Regulation 4.1.3.1.
  - 2.3.11 “Provisional Suspension” means the Participant is barred temporarily from participating in any football or football activity prior to the final decision of the Regulatory Commission in respect of the alleged breach.
  - 2.3.12 “Sample” means any biological material collected for the purpose of testing pursuant to these Social Drugs Regulations, including (without limitation) hair and urine.
  - 2.3.13 “Social Drug” has the meaning given to it at Regulation 2.1.
  - 2.3.14 “Social Drug Finding” means a report from a laboratory accredited to ISO/IEC 17025 that identifies in a Sample collected Out-of-Competition the presence of a Social Drug or any of its Metabolites or Markers.
  - 2.3.15 “Tampering” has the same meaning as given to it at Regulation 4.1.8.1.
  - 2.3.16 “Trafficking” means selling, giving, transporting, sending, delivering, or distributing (or Possessing for any such purpose) a Social Drug (either physically or by any electronic or other means) by a Participant to any third party.
  - 2.3.17 “Use” means the utilisation, application, ingestion, injection, consumption, or other use by any means whatsoever of any Social Drug.
- 2.4 Terms denoting the male gender shall be read to include as an alternative the female gender.
  - 2.5 Unless otherwise indicated, references to a “Regulation” are to a particular provision in these Social Drugs Regulations, as amended from time to time.

### 3. PURPOSE

- 3.1 These Social Drugs Regulations are not concerned with the presence, Use, etc. of Social Drugs during the In-Competition period or with the illicit enhancement of sports performance. Such concerns are addressed solely and exclusively by The Association’s Anti-Doping Regulations. To that end, nothing in these Social Drugs Regulations is intended to be interpreted or applied or should be interpreted or applied in a manner that undermines the strict application and enforcement of The Association’s Anti-Doping Regulations in accordance with their terms. In particular, if any conduct that would constitute a breach of these Social Drugs Regulations also constitutes a breach of the Anti-Doping Regulations, it shall be pursued as a breach of the Anti-Doping Regulations, and not as a breach of these Social Drugs Regulations.
- 3.2 Instead, these Social Drugs Regulations have been adopted because experience shows that, due to their age, spare time, disposable income, etc., Players are at risk of being exposed to Social Drugs while Out-of-Competition, with the following potential consequences:
  - 3.2.1 Damage to the physical and/or mental health and welfare of a Player using Social Drugs (and so to his career, as well as to his general well-being), both in the short-term and (because of the addictive qualities of Social Drugs) in the long-term.
  - 3.2.2 Players under the influence of Social Drugs injuring themselves or others during training, due to the negative effect that Social Drugs can have on both mental and physical functioning (such as motor functioning, reaction time, altered perception, concentration, judgment, and decision-making).

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- 3.2.3 Players testing positive immediately after a match for a Social Drug taken Out-of-Competition (because metabolites of the drug remain in the system for several days or even weeks), and consequently being banned from the sport under the Association's Anti-Doping Regulations.
- 3.2.4 Harm to public health where Players' Use of Social Drugs is copied by young players and fans who see them as role models.
- 3.2.5 Damage to the image and reputation of the sport, with parents potentially being deterred from permitting their children to pursue a career in the sport and/or commercial partners potentially being deterred from associating their brands with the sport.
- 3.3 The purpose of these Social Drugs Regulations is to prevent these damaging consequences by providing for (i) courses of education, counselling and treatment, where appropriate, to rehabilitate Players who have become involved with Social Drugs while Out-of-Competition; and (ii) the imposition of proportionate sanctions when necessary to address such conduct and to deter similar conduct in the future.
- 3.4 These Social Drugs Regulations are to be interpreted and applied (including where an issue arises that is not expressly provided for in these regulations) by reference to the foregoing objectives. This purposive interpretation and application will take precedence over any strict legal or technical interpretations that may otherwise be proposed.

### 4. PROHIBITED CONDUCT

- 4.1 Subject always to Regulation 4.3, each of the following shall constitute a breach of these Social Drugs Regulations (whether or not it takes place in connection with a training session or other activity organised by a Club):
  - 4.1.1 The presence of a Social Drug or its Metabolite(s) or Marker(s) in a Sample provided by a Player while he is Out-of-Competition.
    - 4.1.1.1 Subject to Regulation 4.1.1.3, such presence is a strict liability offence, i.e., to establish a breach of Regulation 4.1.1 no proof is required that the Player ingested the Social Drug intentionally, recklessly, negligently or even knowingly; and nor is proof of lack of such intent, recklessness, negligence or knowledge a defence to a charge for breach of Regulation 4.1.1.
    - 4.1.1.2 The following evidence shall be sufficient to establish the presence of a Social Drug or its Metabolite(s) or Marker(s) in a Sample collected from the Player while he was Out-of-Competition: (A) a Social Drug Finding in respect of the Player's "A" Sample, where the Player waives analysis of the "B" Sample; (B) a Social Drug Finding in respect of the Player's "A" Sample, where analysis of the Player's "B" Sample confirms that Social Drug Finding; or (C) where the Player's Sample has been split into two parts, and there has been a Social Drug Finding in respect of the first part of the split Sample, and the Player waives analysis of the confirmation part of the split Sample, or else analysis of the confirmation part of the split Sample confirms the Social Drug Finding made in respect of the first part of the split Sample.
    - 4.1.1.3 It shall be a defence to a charge brought under Regulation 4.1.1 for a Player to prove that his ingestion of a Social Drug took place during a period of time during which he was not a Participant and therefore was not bound by these Social Drugs Regulations.
  - 4.1.2 The Use or Attempted Use of a Social Drug by a Player while he is Out-of-Competition.
    - 4.1.2.1 Such Use is a strict liability offence, i.e., to establish the offence of Use of a Social Drug by a Player while he is Out-of-Competition, in breach of Regulation 4.1.2, no proof is required that the Player Used the Social Drug intentionally, recklessly, negligently or even knowingly; and nor is proof of lack of such intent, recklessness, negligence or knowledge a defence to a charge of Use in breach of Regulation 4.1.2.

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- 4.1.2.2 In contrast, to establish the offence of Attempted Use of a Social Drug by a Player while Out-of-Competition, The Association must prove intent on the part of the Player.
- 4.1.3 Possession of a Social Drug by a Player while he is Out-of-Competition.
- 4.1.3.1 "Possession" means the actual physical possession, or the constructive possession (which shall be found only if the Participant has exclusive control or intends to exercise control over the Social Drug or the premises in which a Social Drug exists); provided, however, that if the Participant does not have exclusive control over the Social Drug or the premises in which a Social Drug exists, constructive possession shall only be found if the Participant knew about the presence of the Social Drug and intended to exercise control over it. There shall be no breach of these Regulations based solely on possession if, prior to receiving notification of any kind that the Participant has committed a breach under these Regulations, the Participant has taken positive action demonstrating that he never intended to have possession and has renounced possession by expressly declaring it to The Association. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Social Drug constitutes Possession by the Participant who makes the purchase. The term "Possession" shall also encompass circumstances where a Player Support Personnel or other third party is holding a Social Drug on behalf of the Player while he is Out-of-Competition, at the direction of the Player and/or with the Player's knowledge and acquiescence.
- 4.1.4 Possession of a Social Drug by a Player Support Person or other Participant on behalf of a Player for Use by the Player when the Player is Out-of-Competition.
- 4.1.5 Administration or Attempted Administration of a Social Drug by a Player or other Participant to a (nother) Player (with or without his knowledge) while the (other) Player is Out-of-Competition.
- 4.1.6 Trafficking or Attempted Trafficking of one or more Social Drugs by a Player or other Participant.
- 4.1.7 Evading Sample collection; or refusing or failing to submit to Sample collection without compelling justification.
- 4.1.8 Tampering or Attempted Tampering by a Participant.
- 4.1.8.1 "Tampering" means intentional conduct which subverts any step or process carried out pursuant to these Social Drugs Regulations, from test planning through to ultimate disposition of any appeal and the enforcement of Consequences (including all steps and processes in between). Tampering shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a Sample, affecting or making impossible the analysis of a Sample, falsifying documents submitted to The Association or any other relevant body, procuring false testimony from witnesses, committing any other fraudulent act upon The Association or any other relevant body, and any other similar intentional interference or Attempted interference with any aspect of any step or process carried out pursuant to these Social Drugs Regulations.
- 4.1.9 Assisting, encouraging, aiding, abetting, conspiring, covering up, or any other type of intentional complicity (or Attempt at the same) by a Player or other Participant in relation to a breach by another Player or other Participant of these Social Drugs Regulations.
- 4.2 All Players, Player Support Personnel, and other Participants are responsible for ensuring that they know what substances have been designated Social Drugs and what conduct is prohibited under these Social Drugs Regulations. Professed ignorance of these Social Drugs Regulations shall not be a defence to a charge of breach of these Social Drugs Regulations nor provide mitigation in respect of sanction. Nor shall it be a defence that the breach did not have any effect on any Player's sports performance.

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- 4.3 A Player with a documented medical condition may apply in advance in writing to The Association for permission to Use a Social Drug for a defined period to treat that condition. Such application must be accompanied by accurate and complete medical evidence justifying such Use. The Association may grant or deny such application, conditionally or otherwise, in its absolute discretion. Any permission granted must be in writing in order to be valid for these purposes. Any presence of a Social Drug in a sample, or any Use, Possession, Administration or supply of a Social Drug that is consistent with such permission shall not amount to a breach of these Social Drugs Regulations. An application for permission to use a Social Drug will not be considered for retroactive approval except in cases where the emergency treatment or treatment of an acute medical treatment was necessary or due to exceptional circumstances there was insufficient time or opportunity for a Player to submit an application prior to drug testing.

### 5. MONITORING/INVESTIGATING COMPLIANCE

- 5.1 In accordance with its general power under Rule F to monitor compliance with its Rules and regulations, The Association may monitor compliance with these Social Drugs Regulations as it sees fit, including (without limitation) by having Samples collected from Players while they are Out-of-Competition and analysed by a duly credited laboratory for the presence of Social Drugs, their Metabolites, and Markers.
- 5.1.1 Samples may be collected for this purpose at any time and place during Out-of-Competition periods, without any advance notice, including (without limitation) in reliance on whereabouts information provided pursuant to the Anti-Doping Regulations.
- 5.1.2 The procedures set out in Schedule One for the collection and analysis of Samples shall apply.
- 5.2 The Association may also exercise its powers of inquiry under Rule F to investigate possible instances of breach of these Social Drugs Regulations.
- 5.3 The private testing/screening of Players for Social Drugs by any Participant is prohibited, and amounts to Misconduct contrary to Rule E. A Club may refer any good faith concerns that it has about a Player's or other Participant's lack of compliance with these Social Drugs Regulations to The Association, which shall address such concerns as it sees fit.
- 5.4 Where The Association has evidence that it considers may justify a charge of Misconduct based on a breach of these Social Drugs Regulations, prior to issuing any charge The Association may inform the Player or other Participant in question of that evidence in writing, and give him the opportunity to provide a written explanation in response within a designated time.
- 5.4.1 In respect of Players, the letter may also (where the Player is registered with a Club) be sent to a senior representative of his Club. If the Player is a member of the PFA and consents to the letter being sent to a representative of the PFA, the letter will also be sent to that representative.
- 5.4.2 Instead of or in addition to any written explanation, The Association may require the Player or other Participant to attend a personal interview to answer its questions. He may be accompanied at the interview by one representative of his Club, a legal adviser, and/or (where relevant) a representative of the PFA. Such interview may be recorded, and the recording may be used by The Association in any disciplinary proceedings brought against such Player or other Participant or others.

### 6. SUPPORT AND REHABILITATION OF PLAYERS THROUGH EDUCATION, COUNSELLING AND/OR TREATMENT

- 6.1 The Association will identify options for support and rehabilitation through education, counselling and/ or treatment of Players who breach these Social Drugs Regulations, for consideration by the Regulatory Commission in the exercise of its powers under Regulation 8.1.1 and Regulation 8.6.1 in referring a Player for education, counselling and/or treatment. Where the Player is a member of the PFA and so consents, The Association will identify such options in close consultation with the PFA.

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- 6.2 If The Association has evidence that it considers may justify a charge against a Player of Misconduct based on a breach of these Social Drugs Regulations, it may at any time require that Player to meet with a specialist in drug misuse and addiction for assessment and evaluation. The specialist's report shall be provided to The Association and the Player.
- 6.3 The Regulatory Commission may at any time order a Player charged with breach of the Social Drugs Regulations to meet with a specialist in drug misuse and addiction for assessment and evaluation, in order to assist the Regulatory Commission in deciding whether to exercise its powers under Regulation 8.6.1.

### 7. DISCIPLINARY PROCEEDINGS

- 7.1 A breach of these Social Drugs Regulations shall constitute Misconduct contrary to Rule E25. Accordingly, The Association may bring disciplinary proceedings for Misconduct pursuant to Rule E1.2 against the Player or other Participant involved in the breach. The Regulations for Football Association Disciplinary Action shall apply to such proceedings, as amended/supplemented below.
- 7.2 The Association may provisionally suspend a Player or other Participant on or at any point after (a) the date that it notifies him of a Social Drug Finding (where applicable); (b) the date that he admits to a breach of these Social Drugs Regulations (before being charged); or (c) the date that it charges him with a breach of these Social Drugs Regulations. No appeal shall lie against the imposition of a Provisional Suspension, but the Player or other Participant who is the subject of the Provisional Suspension shall be entitled to an expedited hearing and determination of the charge against him.
- 7.3 Where a Social Drug Finding is reported, The Association shall afford the Player involved confirmatory analysis of the "B" Sample. The Player may request or waive such confirmatory analysis as he sees fit. If analysis of the "B" Sample is undertaken and it does not confirm the presence of a Social Drug or its Metabolite(s) or Marker(s) in the "B" Sample, the entire test shall be considered negative, any charge based on the Social Drug Finding shall be withdrawn, and any Provisional Suspension that has been imposed based on the Social Drug Finding shall be lifted automatically, without the need for further formality.
- 7.4 The Association must prove an alleged breach of these Social Drugs Regulations on the balance of probabilities. It may prove facts establishing that breach by any reliable means. Departures from the procedural guidelines set out at Schedule One or any procedure relevant to these Social Drugs Regulations will not invalidate analytical results or other evidence of a breach of these Social Drugs Regulations, unless the Participant establishes that such a departure could reasonably have caused that breach.
- 7.5 Where these Social Drugs Regulations place the burden of proof on a Participant to rebut a presumption or establish specific facts or circumstances, the standard of proof will also be on the balance of probabilities.

### 8. CONSEQUENCES

- 8.1 Subject to the other provisions of this Regulation 8:
- 8.1.1 For a breach of Regulation 4.1.1 (presence in a Sample), Regulation 4.1.2 (Use or Attempted Use), Regulation 4.1.3 (Possession by a Player), or Regulation 4.1.4 (Possession by a Player Support Person or other Participant), the following consequences shall be imposed:
- (a) if it is the Participant's first breach of these Social Drugs Regulations, then the Regulatory Commission shall (i) issue a warning, (ii) require the Player to undergo a course of assessment/evaluation, education, counselling and/or treatment, and (iii) may impose a fine in such amount as the Regulatory Commission sees fit.
- (b) if it is the Participant's second or subsequent breach of these Social Drugs Regulations, the Regulatory Commission shall impose a three month period of suspension. However, the period of suspension imposed under this Regulation 8.1.1(b) may be reduced to one month if the Participant agrees to complete, to The Association's satisfaction, a course of assessment/evaluation, education, counselling, and/or treatment.

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- 8.1.2 For a breach of Regulation 4.1.5 (Administration or Attempted Administration) or Regulation 4.1.6 (Trafficking or Attempted Trafficking), 4.1.7 (evading Sample collection; or refusing or failing to submit to Sample collection without compelling justification), or Regulation 4.1.8 (Tampering or Attempted Tampering) a sanction within the following range shall be imposed:
- (a) for a first breach of these Social Drugs Regulations – a suspension in the range of 4 to 12 months;
  - (b) for a second breach of these Social Drugs Regulations – a suspension in the range of 12 to 48 months;
  - (c) for a third breach or subsequent breach of these Social Drugs Regulations – a suspension of 24 months or more.
- 8.1.3 For a breach of Regulation 4.1.9 (complicity), the sanction shall be the same as if the Player or other Participant had personally committed the breach in which he was complicit. Any course of assessment/evaluation, education, counselling and/or treatment that may be imposed pursuant to this Regulation 8.1.3 shall be appropriate to the nature of the relevant Participant's breach of Regulation 4.1.9.
- 8.1.4 For a breach of Regulation 5.3 (private testing for Social Drugs), the general powers for sanctioning Misconduct set out under the Regulations for Football Association Disciplinary Action shall apply.
- 8.2 If a Participant refuses or fails to complete any imposed course of assessment/evaluation, education, counselling and/or treatment to the satisfaction of The Association, then The Association may refer the matter back to the Regulatory Commission to determine what (if any) further consequences should be imposed. In the event that such refusal or failure relates to a course agreed to by a Participant under Regulation 8.1.1(b), such additional sanction shall include (as a minimum) the imposition of an additional two-month period of suspension.
- 8.3 For purposes of Regulation 8.1, a breach of the predecessor Rules and/or regulations to these Social Drugs Regulations shall be treated as a prior breach of these Social Drugs Regulations even though it took place prior to the Effective Date, provided that it took place within ten years of the breach of the Social Drugs Regulations for which a sanction is now being determined.
- 8.4 Notwithstanding any other provision in these Social Drugs Regulations:
- 8.4.1 If a Participant establishes in any case that he bears No Fault or Negligence for the breach in question, any otherwise applicable sanction will be eliminated. No Fault or Negligence will only be found in exceptional circumstances and shall not apply where offending conduct is intentional.
  - 8.4.2 In imposing sanctions, a Regulatory Commission (or where relevant an Appeal Board) must apply any mitigating and/or aggravating factors, to include but not limited to the disciplinary record of the Participant and other factors that may be communicated by the Association from time to time.
  - 8.4.3 Where a Participant voluntarily admits to having committed a breach of these Social Drugs Regulations before receiving notice that The Association is investigating such breach and before receiving notice of a Sample collection that could establish such breach, and that admission is the only reliable evidence of the breach at the time of admission, then any fine may be waived, and any otherwise applicable period of suspension may be reduced by up to one half, even if that takes it below the minimum period specified in Regulation 8.1.

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- 8.5 Generally, a period of suspension shall start running from the date that such suspension is imposed. However:
- 8.5.1 The Participant shall be given credit for any period of Provisional Suspension that he has served.
- 8.5.2 Where the Participant admits the breach promptly after being notified of it by The Association, the Regulatory Commission may back-date the period of suspension so that it is deemed to have started on or at any time after the date that the breach occurred. This discretion may not be exercised, however, where the period of suspension has been reduced under Regulation 8.4.3.
- 8.6 In any case that is brought before a Regulatory Commission for breach by a Player of these Social Drugs Regulations, in addition to applying the foregoing provisions of this Regulation 8:
- 8.6.1 The Regulatory Commission may refer the Player for evaluation and assessment by one or more specialists in drug misuse and addiction, in order to determine whether it is appropriate to require the Player to attend a course of education, counselling, and/or treatment designed to assist in his rehabilitation.
- 8.6.2 The Regulatory Commission may order that the Player be tested with or without prior notice, including during any period of suspension and/or any course of education, counselling, and/or treatment, in order to monitor his ongoing compliance with these Social Drugs Regulations.
- 8.7 In accordance with Regulation 41 of The Association's Disciplinary Regulations, in any case of breach of these Social Drugs Regulations the Regulatory Commission may where it sees fit impose a fine in addition to any other consequences specified in this Regulation 8, provided that such fine should not take the place of or reduce any period of suspension that would otherwise be imposed. The Regulatory Commission may also order the Player or other Participant charged to pay a contribution towards the costs incurred by The Association.

### 9. DISCIPLINARY DECISIONS

- 9.1 Any decision by a Regulatory Commission to uphold or not to uphold a charge for breach of these Social Drugs Regulations, and/or imposing consequences or not imposing consequences for such a breach, may be appealed by the Player or other Participant in question and/or by The Association to an Appeal Board, in accordance with Rule H and the Regulations for Football Association Appeals.
- 9.2 Regulation 17 of the The Association's Disciplinary Regulations (General Provisions) shall not apply to decisions under these Social Drugs Regulations in respect of cases involving alleged breaches of Regulations 4.1.1 to 4.1.4 (but shall apply to breaches of Regulations 4.1.5 to 4.1.9). Instead, subject to Regulation 9.3 and Regulation 10, cases involving alleged breaches of Regulations 4.1.1 to 4.1.4 shall be confidential in all respects between The Association and the Participant concerned.
- 9.3 The Association may comment publicly in respect of a case brought under these Regulations in response to public comments made by any Participant or his representatives in relation to the case.

### 10. MISCELLANEOUS

- 10.1 Each Participant acknowledges that any of his personal information that is provided to The Association by him or on his behalf shall be processed for the purposes of carrying out these Social Drugs Regulations and ensuring the integrity of the sport. More information on the data processed for these purposes, and the Participant's rights, is set out in The Association's Anti-Doping Privacy Policy.
- 10.2 The Association may report any breach of these Social Drugs Regulations that may also constitute a breach of non-sporting laws and/or regulations to the competent authority. If that authority decides to investigate and/or bring charges against a Participant in relation to the matter so reported, The Association may stay any related investigation and/or proceedings that it has previously commenced for breach of these Social Drugs Regulations.



### SCHEDULE ONE

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#### PROCEDURAL GUIDELINES FOR THE CONDUCT OF SOCIAL DRUG TESTING

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##### 1. General

- 1.1 Players may be tested for Social Drugs at any time Out-of-Competition pursuant to the Social Drugs Regulations. Such testing will be carried out in conformity with these Procedural Guidelines (as amended from time to time).
- 1.2 Testing for Social Drugs may involve the collection of Samples of hair and/or urine and/or any other suitable biological material.
- 1.3 Players are obliged to undergo drug testing as set out in the Social Drugs Regulations and these Procedural Guidelines. In particular, every Player designated to undergo a Social Drugs test, is obliged to provide a Sample when requested to do so, and to cooperate promptly and fully with the Sample collection process.
- 1.4 The Sample collection process will be carried out by Social Drugs Control Officers ("SDCOs"), who are persons appointed by The Association to carry out and assist with the Sample collection process. A Football Association Supervising Officer ("FASO") may also be present (i) to act as a point of liaison between the Club and Player and SDCOs, (ii) to facilitate the conduct of Social Drugs testing, and (iii) to report any matters of interest or concern to The Association. (SDCOs and FASOs are collectively referred to below as "Competent Officials").
- 1.5 On arriving at a venue for Social Drugs testing, the Competent Officials will attempt to make contact with an official from the relevant Club. Once such contact is made, Club officials will ensure that, following the arrival of the Competent Officials at the venue, no Player leaves the venue until completion of the Sample collection process or otherwise with the express authorisation of the Competent Officials. Any failure to do so may be treated as a breach of Regulation 4.1.8 of the Social Drug Regulations (Tampering or Attempted Tampering), Regulation 4.1.9 of the Social Drugs Regulations (Complicity), or Rule E3, or otherwise as appropriate.

##### 2. Facilities for the Collection of Samples

- 2.1 Clubs shall make available for the purposes of Social Drugs testing the same facilities that it makes available for testing pursuant to The Association's Anti-Doping Regulations, i.e., its Doping Control Station (referred to as the "Social Drugs Testing Station" for the purpose of these Procedural Guidelines).
- 2.2 The Competent Officials will provide the equipment that is required for the Social Drugs testing, including (where applicable) collection vessels, containers, Sample bottles, and approved sealing equipment.
- 2.3 Prior to the start of testing, the Competent Officials should satisfy themselves that the Social Drugs Testing Station facilities are adequate. Clubs must comply with any reasonable requests made by Competent Officials who do not believe that the facilities are adequate.
- 2.4 The SDCO(s) will make every effort to collect Samples as discreetly as possible and with maximum privacy, but it must be recognised that circumstances may impose difficulties upon SDCOs that cannot easily be overcome.
- 2.5 Once the Competent Officials have confirmed their satisfaction with the facilities provided, only those people listed in paragraph 7.2 of these Procedural Guidelines should be allowed into the Social Drugs Testing Station until completion of the doping control process.
- 2.6 It is recommended that the Club arranges for a security guard/steward to be positioned outside the Social Drugs Testing Station to keep unauthorised persons from entering the Station. A 'No Entry' sign should be displayed.

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### 3. Selection of Players

- 3.1 Players shall be selected for Social Drugs testing by way of target testing, or by random selection at the venue at which testing takes place.
- 3.2 Target testing shall be based on a risk assessment and the most effective use of resources to ensure optimum detection and deterrence. If more than one Player in a team has tested positive, target testing may be performed on all Players in the team.
- 3.3 For individual Players, target testing may be performed as a consequence of:
  - (a) behaviour indicating the use of Social Drugs;
  - (b) other reasonable cause to suspect the use of Social Drugs; or
  - (c) any other reason determined by The Association.

The Association is not obliged to provide the Player or any Club representative with a reason for the Player's selection for a target test.

- 3.4 If it is decided to select Players on a random basis, the random selection by a draw of required Players will be conducted by the Competent Officials.
- 3.5 Only the Competent Officials need to be present for the draw. Although official(s) from the relevant Club(s) whose Players are subject to testing may be invited to be present, the absence of such officials will not invalidate the draw.
- 3.6 Additional "reserve" Players will be drawn in case a Player drawn is unable and/or fails to submit to Sample collection.
- 3.7 Subject to any instructions provided by The Association, the timing of the draw will be at the complete discretion of the Competent Officials.

### 4. Notification of Players

- 4.1 An appropriate Club representative may be notified of the Players selected for testing, prior to notification being provided to the Players.
- 4.2 The Club and all Club officials must ensure that the Competent Officials are given clear and unobstructed access to Players selected for testing without delay. Clubs and Club officials must provide the Competent Officials with all reasonable assistance they may require to locate the Player and carry out the notification process and Sample collection as expeditiously and as efficiently as possible. Clubs and Club officials must do all in their power to ensure that the Competent Officials make contact with Players selected for testing as soon as reasonably practicable. Any failure to comply with the above may be treated as a breach of Regulation 4.1.8 of the Social Drug Regulations (Tampering or Attempted Tampering), Regulation 4.1.9 of the Social Drugs Regulations (Complicity), or Rule E3, or otherwise as appropriate.
- 4.3 The Club and Club Officials must allow the Competent Officials access to observe the Players complete training or any other activity in which they are engaged.
- 4.4 The Competent Officials must give Players to be tested a reasonable time to complete training or any other activity in which they are engaged before giving the verbal notification in accordance with paragraph 4.7 below.
- 4.5 Before Social Drugs testing is carried out, each Competent Official must show their identification cards, clearly identifying themselves as persons duly authorised by The Association to undertake Sample collection for the purpose of Social Drugs testing.

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- 4.6 Any Player selected for Social Drugs testing will be requested to produce photographic identification to prove his identity. In the event a Player has no available identification, a third party may be asked to positively confirm the identity of the Player.
- 4.7 Once contact has been made between the selected Player and the Competent Official, the Player will be notified of his selection for Social Drugs testing and requirement to attend the Social Drugs Testing Station. Save only where written acknowledgement is clearly impracticable at the time of notification, upon notification the Player must acknowledge by way of signature that he has been selected for Social Drugs testing. In those exceptional cases where written acknowledgement is impracticable at the time of notification, the Player should confirm the notification when he gets to the Social Drugs Testing Station, by providing his signature at that point.
- 4.8 If a Player is found to have avoided notification without compelling justification, or he fails or refuses to provide a Sample within a reasonable period of being requested to do so, he may be charged with a breach of Regulation 4.1.8 (evading Sample collection, or refusing or failing to submit to Sample collection) or (if Regulation 4.1.8 does not apply) with Misconduct.

### 5. Player rights and responsibilities following notification

5.1 The Player's rights in relation to the Social Drugs testing process are the right to:

- (a) have the club doctor or physio or other representative and (if required) an interpreter (to be supplied by the Club or the Player) present;
- (b) be informed and ask for additional information about the Sample collection process;
- (c) request a delay (for valid reasons) in reporting to the Social Drugs Testing Station (to be granted at the discretion of the Competent Officials); and
- (d) request reasonable modifications to the Social Drugs testing process (if the Player suffers from a relevant impairment).

5.2 The Player's obligations in relation to the Social Drugs testing process include the requirement to:

- (a) report promptly for a test following notification, unless there are valid reasons for a delay, as determined at the absolute discretion of the Competent Officials;
- (b) produce identification (in accordance with paragraph [4.6] above);
- (c) when requested, to remain within direct observation of the Competent Officials at all times from the point of notification until completion of the Sample collection; and
- (d) comply with Sample collection procedures. (Where practicable, the Player shall be advised of the possible consequences of failure to comply).

### 6. Testing of reserves or other Players

Where a Sample cannot be collected from a Player for any reason, a Sample will be taken from another Player of the same team, either selected at random or pre-selected as a reserve. Clubs and Club officials must ensure that a Player pre-selected as a reserve does not leave the stadium, training ground or other relevant venue until the Competent Officials have confirmed to Club officials that the Player is not needed.

### 7. Collection of Samples

7.1 Having been notified, a Player must immediately report to the Social Drugs Testing Station (unless the Competent Officials permit a delay in reporting to complete training or other activity). On reporting to the Social Drugs Testing Station, the Player must (if he has not done so already) acknowledge that he has been selected for drug testing by providing his signature. He must then remain there until the testing process is completed. He may leave the Social Drugs Testing Station only under exceptional circumstances with the prior permission of a Competent Official.

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- 7.2 Only the following persons are allowed into the working room of the Social Drugs Testing Station:-
- (a) the Competent Officials;
  - (b) the Player;
  - (c) the club doctor or physio or other representative nominated by the Player (and interpreter if required); and
  - (d) any other person specified by The Association.

The Competent Officials may reasonably refuse access to the Social Drugs Testing Station to any person not listed in this paragraph 7.2.

- 7.3 Where a Sample is to be taken from a Player who is a Minor, the Player must be accompanied by an adult representative, selected by the Player and of the same gender as the Player, where practicable, present during the Sample collection process at all times. The Competent Officials shall also consider whether another third party ought to be present during the notification of the Player who is a Minor.
- 7.4 The collection of Samples of hair and/or urine and/or any other suitable biological material will be carried out in accordance with relevant laboratory requirements/procedures, which will be notified to the Player by the Competent Officials (and may be published on The Association's website).
- 7.5 For the avoidance of doubt, a Player will not be able to choose which type of Sample to provide, e.g., if a Player is requested to provide a urine sample, a urine sample must be provided.

### 8. Storage and Despatch of Samples

- 8.1 All Samples should be stored in a secure place pending despatch to the laboratory.
- 8.2 Samples should be sent to the laboratory as soon as is reasonably practicable.

### 9. Use of accredited laboratories

For purposes of establishing a Social Drugs Finding, Samples shall be analysed only by laboratories accredited to ISO/IEC 17025. Such Laboratories shall be selected exclusively by The Association, or by any other body as may be designated by The Association.

### 10. The purpose of Sample analysis

Samples and related analytical data shall be analysed to detect the presence of Social Drugs or their Metabolite(s) or Marker(s). Samples may be collected and stored for future analysis.

### 11. Analysis of Samples

- 11.1 Laboratories shall analyse Samples and report results.
- 11.2 There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a Sample prior to the time The Association issues a charge pursuant to the Regulations asserting the results of analysis of the Sample as the basis for the charge. If after issuing such a charge The Association wishes to conduct additional analysis on that Sample, it may do so with the consent of the Player or with the approval of the Regulatory Commission, Appeal Board, or any other relevant hearing body.
- 11.3 Where The Association wishes to split an "A" or "B" Sample in order to use the first part of the split Sample for an "A" Sample analysis and the second part of the split Sample for confirmation, the laboratory shall undertake procedures to ensure the integrity of the Sample.
- 11.4 All Samples provided by Players for the purposes of Social Drugs are the property of The Association.
- 11.5 If at any stage any question, issue, or problem arises in relation to the Sample, the laboratory may conduct any further or other tests necessary to clarify or resolve the matter at issue. The results of such tests may be relied upon by The Association in any disciplinary proceedings.