

ANTI-DOPING RULES OF THE SAN MARINO NATIONAL OLYMPIC COMMITTEE



2021

*These Rules reflect the World Anti-Doping Code (the "Code") and its related International
Standards in force as of 1st January 2021*

Approved by the National Council on the 21st December 2020

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SAN MARINO NATIONAL OLYMPIC COMMITTEE ANTI-DOPING RULES

INTRODUCTION

Preface

These Anti-Doping Rules are adopted and implemented in accordance with the San Marino National Olympic Committee (henceforward CONS) responsibilities under the *Code*, and in furtherance of the CONS's continuing efforts to eradicate doping in sport in San Marino.

As provided in the *Code*, CONS shall be responsible for assisting the *National Anti-Doping Organization* in San Marino (henceforward NADO San Marino) initiating, implementing and enforcing the *Doping Control* process and fulfilling all its obligations under the *Code* and the *International Standards*. Any aspect of *Doping Control* or anti-doping *Education* may be delegated by CONS to a *Delegated Third Party*, however, CONS shall require the *Delegated Third Party* to perform such aspects in compliance with the *Code*, *International Standards*, and these Anti-Doping Rules. CONS shall always remain fully responsible for ensuring that any delegated aspects are performed in compliance with the *Code*.

Terms used in these Anti-Doping Rules that are defined terms from the *Code* are italicized.

Unless otherwise specified, references to Articles are references to Articles of these Anti-Doping Rules.

Fundamental Rationale for the *Code* and the CONS's Anti-Doping Rules

Anti-doping programs are founded on the intrinsic value of sport. This intrinsic value is often referred to as "the spirit of sport": the ethical pursuit of human excellence through the dedicated perfection of each *Athlete's* natural talents.

Anti-doping programs seek to protect the health of *Athletes* and to provide the opportunity for *Athletes* to pursue human excellence without the *Use of Prohibited Substances* and *Prohibited Methods*.

Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world.

The spirit of sport is the celebration of the human spirit, body and mind. It is the essence of Olympism and is reflected in the values we find in and through sport, including:

- Health
- Ethics, fair play and honesty
- *Athletes'* rights as set forth in the *Code*
- 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

The spirit of sport is expressed in how we play true. Doping is fundamentally contrary to the spirit of sport.

ARTICLE 1 THE SCOPE OF THESE ANTI-DOPING RULES

These Anti-Doping Rules shall apply to:

- (a) The CONS, including its board members, directors, officers, and specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*;
- (b) *Athletes, Athlete Support Personnel* and other *Persons* that fall under the CONS's authority; and
- (c) National Federations in San Marino that fall under the CONS's authority, including their board members, directors, officers, and specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*.

ARTICLE 2 ROLES AND RESPONSIBILITIES OF CONS

- 2.1 The CONS is a *Signatory* to the *Code* and, as such, is responsible for assisting the NADO San Marino in initiating, implementing and enforcing the *Doping Control* process and fulfilling all its obligations under the *Code* and the *International Standards*.
- 2.2 Under the *Code*, the CONS has the following roles and responsibilities:
 - 2.2.1 To ensure that its anti-doping policies and rules conform with the *Code* and the *International Standards*.
 - 2.2.2 To require, as a condition of membership, that the policies, rules and programs of their National Federations and other members are in compliance with the *Code* and the *International Standards*, and to take appropriate action to enforce such compliance.
 - 2.2.3 To respect the autonomy of the NADO San Marino and not to interfere in its operational decisions and activities.
 - 2.2.4 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their *National Anti-Doping Organization* and respective International Federation and to cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.
 - 2.2.5 To require, as a condition of participation in the Olympic Games 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 the *Athlete* is identified on the long list or subsequent entry document submitted in connection with the Olympic Games.
 - 2.2.6 To cooperate with their *National Anti-Doping Organization*.
 - 2.2.7 To require each of their National Federations to establish rules (or other means) requiring all *Athletes* preparing for or participating in a *Competition* or activity authorized or organized by a National Federation or one of its member organizations, and all *Athlete Support Personnel* associated with such *Athletes*, to agree to and be bound by anti-doping rules and *Anti-Doping Organization Results Management* authority in

conformity with the *Code* as a condition of such participation or involvement.

- 2.2.8** Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, to agree to be bound by these Anti-Doping Rules as *Persons* in conformity with the *Code* for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the CONS.
- 2.2.9** Subject to applicable law, to not knowingly employ a *Person* in any position involving *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the *Code* or, if a *Person* was not subject to the *Code*, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*.
- 2.2.10** To withhold some or all funding, during any period of *Ineligibility*, to any *Athlete* or *Athlete Support Person* who has violated anti-doping rules.
- 2.2.11** To withhold some or all funding to its member or recognized National Federations that are not in compliance with the *Code* and/or the *International Standards*.
- 2.2.12** To plan, implement, evaluate and promote anti-doping *Education* in line with the requirements of the *International Standard for Education*, including requiring National Federations to conduct anti-doping *Education* in coordination with the NADO San Marino.
- 2.2.13** To vigorously pursue all potential anti-doping rule violations within its authority including investigations into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.
- 2.2.14** To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.
- 2.2.15** 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 CONS's authority.
- 2.2.16** To respect the operational independence of laboratories as provided in the *International Standard for Laboratories*.
- 2.2.17** To adopt a policy or rule implementing Article 2.11 of the *Code*.
- 2.2.18** To take appropriate action to discourage non-compliance with the *Code* and the *International Standards* (a) by *Signatories*, in accordance with Article 24.1 of the *Code* and the *International Standard for Code Compliance by Signatories* and (b) by any other sporting body over which it has authority, in accordance with Article 12 of the *Code*.

2.2.19 To report to WADA on CONS's compliance with the *Code* and the *International Standards* in accordance with Article 24.1.2 of the *Code*.

2.3 CONS may collect, store, process or disclose personal information relating to *Athletes* and other *Persons* where necessary and appropriate to conduct their *Anti-Doping Activities* under the *Code* and *International Standards* (including specifically the *International Standard* for the Protection of Privacy and Personal Information), these Anti-Doping Rules, and in compliance with applicable law.

ARTICLE 3 RECOGNITION OF AND COMPLIANCE WITH THE NATIONAL ANTI-DOPING ORGANIZATION'S ANTI-DOPING RULES

CONS shall recognize and comply with the Anti-Doping Rules adopted by the NADO San Marino.

ARTICLE 4 ROLES AND RESPONSIBILITIES OF ATHLETES

4.1 To be knowledgeable of and comply with all applicable anti-doping policies and rules, namely the *Code*, the *International Standards*, these Anti-Doping Rules, and the policies and rules of their *National Anti-Doping Organization*, National Federation and International Federation.

4.2 To be available for *Sample* collection at all times.

4.3 To take responsibility, in the context of anti-doping, for what they ingest and *Use*.

4.4 To 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.

4.5 To disclose to their *National Anti-Doping Organization* and International Federation any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.

4.6 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.

4.7 To disclose the identity of their *Athlete Support Personnel* upon request by any *Anti-Doping Organization* with authority over them.

4.8 All *Athletes* who are not regular members of a National Federation – to be available for *Sample* collection conducted according to the *Code* and provide accurate and up-to-date whereabouts information on a regular basis during the year before the Olympic Games as a condition of participation in the Olympic Games as a member of the San Marino Olympic Team.

ARTICLE 5 ROLES AND RESPONSIBILITIES OF ATHLETE SUPPORT PERSONNEL

5.1 To be knowledgeable of and comply with all anti-doping policies and rules, namely the *Code*, the *International Standards*, these Anti-Doping Rules and the policies and rules of their *National Anti-Doping Organization*, National Federation and International Federation, applicable to them or to the *Athletes* whom they support.

5.2 To cooperate with the *Athlete Testing* program.

- 5.3 To use their influence on *Athlete* values and behavior to foster anti-doping attitudes.
- 5.4 To disclose to their *National Anti-Doping Organization* and International Federation any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 5.5 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
- 5.6 Not to *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.
- ARTICLE 6 ROLES AND RESPONSIBILITIES OF OTHER *PERSONS* SUBJECT TO THESE ANTI-DOPING RULES**
- 6.1 To be knowledgeable of and comply with the *Code*, the *International Standards* and these Anti-Doping Rules.
- 6.2 To disclose to their *National Anti-Doping Organization* and International Federation any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 6.3 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
- 6.4 Not to *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.
- ARTICLE 7 ROLES AND RESPONSIBILITIES OF NATIONAL FEDERATIONS**
- 7.1 To comply with the *Code*, the *International Standards* and these Anti-Doping Rules.
- 7.2 To recognize the authority of the *National Anti-Doping Organization* in San Marino in accordance with Article 5.2.1 of the *Code* and assist, as appropriate, with the *National Anti-Doping Organization's* implementation of the national *Testing* program for their sport.
- 7.3 To recognize and comply with the Anti-Doping Rules adopted by the NADO San Marino.
- 7.4 To cooperate with and help the NADO San Marino fulfil its obligations under the *Code* and the *International Standards*.
- 7.5 To report any information suggesting or relating to an anti-doping rule violation to the NADO in San Marino and cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.
- 7.6 To adopt and implement policies, rules and programs that conform with the *Code* and the *International Standards*.
- 7.7 To cooperate with and assist its International Federation in day-to-day anti-doping operations.

- 7.8 To require all *Athletes* and each *Athlete Support Personnel* who participates as a coach, trainer, manager, team staff, official, medical or paramedical personnel in a *Competition* or activity authorized or organized by the National Federation or one of its member organizations to agree to be bound by anti-doping rules and *Anti-Doping Organization Results Management* authority in conformity with the *Code* as a condition of such participation.
- 7.9 To 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.
- 7.10 To require as a condition of membership that the policies, rules and programs of its members or clubs are in compliance with the *Code* and the *International Standards*.
- 7.11 To take appropriate action to discourage non-compliance with the *Code*.
- 7.12 To recognize and respect a finding of an anti-doping rule violation by its International Federation, the NADO San Marino or any other *Signatory* without the need for a hearing.
- 7.13 To require *Athletes* who are not its regular members 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 or as a member of the San Marino Olympic Team.
- 7.14 To promptly notify CONS if any *Athlete*, *Athlete Support Personnel* or other *Person* under its authority has been found to have committed an anti-doping rule violation and/or had a sanction imposed against them.
- 7.15 To conduct anti-doping *Education* in coordination with NADO San Marino.
- 7.16 To provide assistance and information to CONS as requested to enable CONS to properly implement these Anti-Doping Rules.

ARTICLE 8 IMPLEMENTATION OF DECISIONS

CONS shall implement the decisions of *Signatory Anti-Doping Organizations* and, where applicable, bodies that are not a *Signatory*, in accordance with Article 15 of the *Code*.

ARTICLE 9 COMMISSION OF AN ANTI-DOPING RULE VIOLATION

- 9.1 The commission of an anti-doping rule violation shall be pursued in accordance with Articles 7 and 8 of the *Code* and shall result in the imposition of *Consequences*, as applicable, pursuant to Article 10 of the *Code*.
- 9.2 Any *Person* who is serving a *Provisional Suspension* or a period of *Ineligibility* shall be ineligible for membership on or for selection to any *Team*, to receive funding from the CONS, or to hold any position within the CONS.

ARTICLE 10 BREACHES OF THESE ANTI-DOPING RULES

- 10.1 Notwithstanding Article 9 above, any other breach of these Anti-Doping Rules that does not constitute an anti-doping rule violation, shall result in the initiation of disciplinary procedures which conform with the principles set forth in Article 8 of

the *Code* and the relevant and applicable provisions of the *International Standard for Results Management* and, if applicable, the imposition of disciplinary measures if committed by:

- an *Athlete*, *Athlete Support Person*, other *Person* (including the CONS's board members, directors, officers, and specified employees, as well as *Delegated Third Parties* and their employees involved in any aspect of *Doping Control*); or
- a National Federation (including its board members, directors, officers, and specified employees, as well as *Delegated Third Parties* and their employees involved in any aspect of *Doping Control*).

10.2 Any appeals of decisions imposed pursuant to this Article shall be conducted under the relevant and applicable appeal procedures of the CONS.

ARTICLE 11 NOTIFICATION

Upon the imposition of a sanction against any *Person* under these Anti-Doping Rules, the CONS will send details of the sanction to:

- the International Olympic Committee, where applicable;
- the relevant International Federation;
- those *Persons* entitled to notification under Article 14.1.2 of the *Code*;
- the relevant National Federation;
- NADO San Marino;
- WADA; and
- any other *Person* or organization the CONS believes should be informed in this respect.

ARTICLE 12 FINAL PROVISIONS

12.1 All the terms used in these Anti-Doping Rules 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 these Anti-Doping rules, apply automatically and prevail in case of conflict.

12.2 These Anti-Doping Rules shall come into force on 1 January 2021. They repeal any previous Anti-Doping Rules adopted by the CONS.