Therapeutic Use Exemption (TUE) Recognition Process

The following is only a summary of the ICC’s Therapeutic Use Exemption recognition process. Full details of the process can be found in the ICC’s Anti-Doping Code (at Article 4.4) and Players requiring a TUE certificate issued by a National Anti-Doping Organisation (NADO) or any other Anti-Doping Organisation with jurisdiction over the Player, to be recognised by the ICC should refer to this section of the ICC’s Anti-Doping Code carefully. For the avoidance of doubt, where any inconsistency arises between these two documents, the ICC’s Anti-Doping Code shall prevail, and capitalised terms used herein shall take the meanings ascribed to them in the ICC’s Anti-Doping Code.

1. WHAT IS A THERAPEUTIC USE EXEMPTION (TUE)?

   From time to time, Players may have illnesses or conditions that require them to take particular medications. If the medication a Player is required to take to treat an illness or condition happens to contain a substance that is on the WADA Prohibited List (see 2, below), the subsequent presence of such substance in a urine sample collected from the Player will not be treated as an anti-doping rule violation where the Player can establish that such presence is consistent with a Therapeutic Use Exemption (TUE) granted to the Player.

2. WHO GRANTS TUEs?

   An international level Player should apply to the ICC for a TUE and a domestic level Player should apply to his/her NADO for a TUE. TUE applications submitted to the ICC are evaluated by the ICC’s Therapeutic Use Exemption Committee (TUEC) consisting of a panel of five experts with experience and sound knowledge of anti-doping clinical and exercise medicine.

3. WHEN SHOULD A PLAYER APPLY TO THE ICC FOR RECOGNITION OF A TUE?

   Where a Player already has a valid TUE certificate that has been granted by a National Anti-Doping Organisation (NADO) or another Anti-Doping Organisation (not a NADO) with the necessary jurisdiction over the Player, and the Player is or becomes subject to the ICC Anti-Doping Code, the Player is then required to apply to the ICC for recognition of his/her TUE.
4. **HOW CAN A PLAYER APPLY TO THE ICC FOR RECOGNITION OF A TUE?**

The process for a Player to apply to the ICC for recognition of a TUE is fairly simple. Each Player must submit a request for recognition of the TUE to the ICC on the ICC Anti-Doping contact details available at the bottom of this document. The request should be accompanied by:

- a copy of the TUE certificate granted by the NADO or other Anti-Doping Organisation;
- the original TUE application form;
- a statement by an appropriately qualified physician, attesting to the need for the Player to use the Prohibited substance or Prohibited Method in question, for Therapeutic reasons; and
- a comprehensive medical history, results of all examinations, laboratory investigations and imaging studies relevant to the application.

In addition, the ICC TUEC may request from the Player or his/her physician any additional information, examinations or imaging studies, or other information that it deems necessary in order to consider the Player’s request for recognition of the TUE. The ICC TUEC may also seek the assistance of such other medical or scientific experts as it deems appropriate.

*Players should remember that:*

- **Illegible or incomplete applications will be returned to the Player.**
- **When faxing the TUE documentation seeking recognition, ensure that all the required documentation (as detailed above) is included and a copy of the request is kept, as well as a record of the transmission or acknowledgement of receipt.**

*Note: Effective 1 January 2015, TUEs issued by the NADO will not be provided automatic recognition by the ICC.*

5. **WHAT IS THE CRITERIA FOR RECOGNISING A TUE?**

A TUE will only be recognised if all of the following criteria are met:

(a) the Player would experience a significant impairment to health if the Prohibited Substance or Method were to be withheld in the course of treating an acute or chronic medical condition;
(b) the therapeutic use of the Prohibited Substance or Method would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition;
(c) there is no reasonable therapeutic alternative to the Use of the otherwise Prohibited Substance or Method; and
(d) the necessity for the Use of the Prohibited Substance or Method cannot be a consequence, wholly or in part, of the prior Use (without a TUE) of a Prohibited Substance or Method.

If the TUE does not meet the above criteria, the TUE will not be granted ICC recognition.
6. **HOW LONG WILL IT TAKE FOR THE ICC TUEC TO MAKE A DECISION ON RECOGNITION OF A TUE?**

The ICC TUEC shall decide whether or not to recognise the TUE as soon as possible, and usually (i.e.) unless exceptional circumstances apply) with no more than 21 days of receipt of a complete request for recognition. Where the request is made a reasonable time prior to an event, the ICC TUEC will endeavour to use its best endeavours to issue its decision before the start of the event.

7. **HOW WILL THE ICC’s TUEC DECISION BE COMMUNICATED TO THE PLAYER**

The ICC TUEC’s decision to recognise or not to recognise a TUE will be communicated in writing to the Player or his/her representative as indicated on the TUE application form. The decision will be made available to WADA and any other Anti-Doping Organisations via ADAMS. A decision not to recognise a TUE must include an explanation of the reasons for non-recognition.

8. **CAN A PLAYER REVIEW THE ICC’s DECISION NOT TO RECOGNISE A TUE?**

If the ICC considers that a TUE does not meet the required criteria and so refuses to recognise it, the ICC must notify the Player/ Player representative as indicated on the TUE application form as well as his or her NADO promptly with reasons. The Player or the NADO shall have 21 days from such notification to refer the matter to WADA for review. If the matter is referred to WADA for review, the TUE granted by the NADO will remain valid for national-level competition and out-of-competition testing (but is not valid for international competition) pending WADA’s decision.

*Note: If the matter is not referred to WADA for review, the TUE becomes invalid for any purpose when the 21 day review deadline expires.*

9. **USE OF THE PROHIBITED SUBSTANCE OR METHOD PRIOR TO RECOGNITION OF TUE**

Unless and until a Player has received communication in writing from the ICC’s Anti-Doping Manager (or through the ADAMS on line system) of the recognition of a TUE certificate granted by a NADO or another Anti-Doping Organisation, he/she uses the **Prohibited Substance or Method in issue entirely at his/her own risk.**

**FURTHER INFORMATION**

For further information on TUEs or the TUE application process, please contact the ICC’s Anti-Doping Manager.

Telephone (switchboard): +971 4382 8800
Mobile: +971 50 554 5891
Confidential anti-doping facsimile: +971 4340 9336
Confidential anti-doping email: anti-doping@icc-cricket.com