

# **The International Cricket Council**

## **Anti-Doping Code**

***Effective Date: 12 October 2015***

For information regarding the ICC Anti-Doping Code, please contact:

**The ICC's Anti-Doping Manager  
International Cricket Council  
PO Box 500 070  
Dubai, United Arab Emirates**

**Tel (switchboard): +971 4 382 8800  
Anti-doping mobile: +971 50 554 5891  
Confidential anti-doping facsimile: +971 4 340 9336  
Confidential anti-doping e-mail: [anti-doping@icc-cricket.com](mailto:anti-doping@icc-cricket.com)**

## TABLE OF CONTENTS

ARTICLE 1	SCOPE AND APPLICATION .....	3
ARTICLE 2	ANTI-DOPING RULE VIOLATIONS .....	4
ARTICLE 3	PROOF OF DOPING .....	7
ARTICLE 4	<i>PROHIBITED SUBSTANCES AND PROHIBITED METHODS</i> .....	9
ARTICLE 5	<i>TESTING</i> .....	11
ARTICLE 6	ANALYSIS OF <i>SAMPLES</i> .....	17
ARTICLE 7	RESULTS MANAGEMENT.....	19
ARTICLE 8	RIGHT TO A FAIR HEARING.....	27
ARTICLE 9	AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS .....	25
ARTICLE 10	SANCTIONS ON INDIVIDUALS .....	31
ARTICLE 11	<i>CONSEQUENCES FOR TEAMS</i> .....	40
ARTICLE 12	SANCTIONS AND COSTS ASSESSED AGAINST <i>NATIONAL CRICKET FEDERATIONS</i> .....	41
ARTICLE 13	APPEALS.....	35
ARTICLE 14	PUBLIC DISCLOSURE AND CONFIDENTIALITY .....	37
ARTICLE 15	RECOGNITION OF DECISIONS.....	38
ARTICLE 16	STATUTE OF LIMITATIONS .....	46
ARTICLE 17	COMPLIANCE AND STATISTICAL REPORTING .....	39
ARTICLE 18	AMENDMENT AND INTERPRETATION OF THE <i>ICC CODE</i> .....	39
APPENDIX 1	DEFINITIONS .....	41
APPENDIX 2	THE PROHIBITED LIST .....	46
APPENDIX 3	THE CRICKET TESTING PROTOCOL .....	47

# INTERNATIONAL CRICKET COUNCIL – ANTI-DOPING CODE

## INTRODUCTION

The ICC is a *Signatory* to the World Anti-Doping Code (the “**Code**”). The ICC Anti-Doping Code (the “**ICC Code**”) is adopted and implemented pursuant to the mandatory provisions of the 2015 version of the *Code*, as part of the ICC’s continuing efforts to: (a) maintain the integrity of the sport of cricket; (b) protect the health and rights of all participants in the sport of cricket; and (c) keep the sport of cricket free from doping.

Unless otherwise indicated, references to Articles and Appendices are to articles and appendices of the ICC Code. Words in italicised text in the *ICC Code* are defined terms. Their definitions are set out in Appendix 1.

## ARTICLE 1 SCOPE AND APPLICATION

- 1.1 Any player who participates or who has participated in the preceding twenty-four (24) months (whether as a member of a starting XI or as an officially designated substitute) in an *International Match* (a “**Player**”) shall thereby automatically become bound by and shall thereafter be required to comply with all of the provisions of the *ICC Code*. This includes (without limitation) the *Player* being personally responsible for:
- 1.1.1 acquainting him/herself, and ensuring that each *Person* from whom he/she takes advice (including medical personnel) is acquainted with all of the requirements of the *ICC Code*;
  - 1.1.2 knowing what constitutes an anti-doping rule violation under the *ICC Code* and what substances and methods are prohibited;
  - 1.1.3 ensuring that anything he/she ingests or *Uses*, as well as any medical treatment he/she receives, does not give rise to an anti-doping rule violation under the *ICC Code*;
  - 1.1.4 making him/herself available at all times upon request for *Testing*, both *In-Competition* and *Out-of-Competition*;
  - 1.1.5 disclosing to the ICC and his/her *National Anti-Doping Organisation* any decision by a non-*Signatory* finding that he/she infringed the anti-doping rules of that non-*Signatory* within the previous ten years; and
  - 1.1.6 co-operating with the ICC and any other *Anti-Doping Organisation* conducting investigations into possible anti-doping rule violations.

For the purposes of the *Code*, any *Players* falling within the scope of Article 1.1 above shall be considered *International-Level Players*.

The *ICC Code* applies solely to *International-Level Players*. Cricket players participating at the national level are governed by the anti-doping rules of the *National Cricket Federation* under whose jurisdiction they participate (including in relation to *TUEs* and appeals).

- 1.2 A *Player* shall continue to be bound by and required to comply with the *ICC Code* unless and until:

1.2.1 he/she has not participated (whether as a member of a starting XI or as an officially designated substitute) in an *International Match* for a period of twenty-four (24) months; or

1.2.2 he/she has notified the ICC in writing that he/she has retired from all formats of the sport of cricket at international level, ie Test Matches, One Day International Matches and Twenty20 International Matches;

and the ICC shall continue to have jurisdiction over him/her under the *ICC Code* thereafter in respect of matters taking place prior to that point.

1.3 A *Player* who retires in accordance with Article 1.2.2 may not resume competing in an *International Match* unless he/she notifies the ICC in writing and makes him/herself available for unannounced *Out-of-Competition Testing* in accordance with Article 5.4.

1.4 Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, physiotherapist, parent or other *Person* working with, treating or assisting a *Player* ("***Player Support Personnel***") shall also be bound by and shall be required to comply with all of the provisions of the *ICC Code*. This includes (without limitation) the *Player Support Personnel* being personally responsible for:

1.4.1 acquainting him/herself with all of the provisions of the *ICC Code*;

1.4.2 knowing what constitutes an anti-doping rule violation under the *ICC Code* and what substances and methods are prohibited;

1.4.3 cooperating with the *Testing of Players*;

1.4.4 using his/her influence on *Player* values and behaviour in order to foster positive attitudes towards anti-doping in the sport of cricket;

1.4.5 disclosing to his/her *NADO* and the *ICC* any decision by a non-*Signatory* finding that he/she infringed applicable anti-doping rules within the previous ten years;

1.4.6 co-operating with the *ICC* and any other *Anti-Doping Organisation* conducting investigations into possible anti-doping rule violations; and

1.4.7 not *Using* or *Possessing* any *Prohibited Substance* or *Prohibited Method* without valid justification.

1.5 Without prejudice to Articles 1.1 to 1.4, the *ICC* and the *National Cricket Federations* shall be responsible for promoting anti-doping awareness and education in the sport of cricket.

## ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

Doping is defined as the occurrence of one or more of the following anti-doping rule violations:

2.1 **The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Player's Sample*.**

2.1.1 It is each *Player's* personal duty to ensure that no *Prohibited Substance* enters his/her body. A *Player* is responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in his/her *Sample*. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the *Player's* part

be demonstrated in order to establish an anti-doping rule violation under Article 2.1.

NOTE: It is not necessary that intent, *Fault*, negligence or knowledge on the *Player's* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1, Consequently, lack of intent, *Fault*, negligence or knowledge shall not be a defence to a charge that an anti-doping rule violation has been committed under Article 2.1.

**2.1.2** Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following (unless the *Player* establishes that such presence is consistent with a Therapeutic Use Exemption granted in accordance with Article 4.4): (a) the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Player's A Sample* where the *Player* waives analysis of the B Sample and the B Sample is not analysed; (b) where the *Player's B Sample* is analysed and the analysis of the *Player's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Player's A Sample*; or (c) where the *Player's B Sample* is split into two bottles and the analysis of the second bottle confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first bottle.

**2.1.3** Except in the case of those substances for which a quantitative reporting threshold is specifically identified in the *Prohibited List*, and subject to the special criteria established in the *Prohibited List* (and/or other *International Standards*) to distinguish between endogenous and exogenous production of certain substances, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Player's Sample* shall constitute an anti-doping rule violation under Article 2.1.

**2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method, unless the Player establishes that such Use or Attempted Use is consistent with a Therapeutic Use Exemption granted in accordance with Article 4.4.**

**2.2.1** It is each *Player's* personal duty to ensure that he/she does not *Use* any *Prohibited Substance* or *Prohibited Method*. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the *Player's* part be demonstrated in order to establish an anti-doping violation of *Use* of a *Prohibited Substance* or a *Prohibited Method* under Article 2.2.

NOTE: It is not necessary that intent, *Fault*, negligence or knowledge on the *Player's* part be demonstrated in order to establish an anti-doping rule violation under Article 2.2, Consequently, lack of intent, *Fault*, negligence or knowledge shall not be a defence to a charge that an anti-doping rule violation of *Use* has been committed under Article 2.2.

**2.2.2** Without prejudice to Article 2.2.1, it is necessary that intent on the *Player's* part be demonstrated in order to establish an anti-doping rule violation of *Attempted Use* under Article 2.2.

**2.2.3** The success or failure of the *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* is not material. For an anti-doping rule violation to be committed under Article 2.2, it is sufficient that the *Player Used* or *Attempted to Use* the *Prohibited Substance* or *Prohibited Method*.

**2.2.4** Notwithstanding Article 2.2.3, however, a *Player's Use* of a substance *Out-of-Competition* shall not constitute an anti-doping rule violation under Article 2.2 where the *Use* of that substance is not prohibited *Out-of-Competition*. However,

the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Sample* collected *In-Competition* is a violation of Article 2.1 regardless of when that substance might have been administered.

**2.3 Evading *Sample* collection or (without compelling justification) refusing or failing to submit to *Sample* collection after notification as authorised in applicable anti-doping rules.**

**2.4 Whereabouts Failures**

For a *Player* in the *International Registered Testing Pool*, any combination of three Filing Failures and/or Missed Tests (as such terms are defined in the International Standard for Testing and Investigations) committed within a twelve-month period, whether declared by the *ICC* or any other *Anti-Doping Organisation* with jurisdiction over the *Player*, shall constitute an anti-doping rule violation under this Article 2.4.

NOTE: A Filing Failure amounts to a failure to file whereabouts information in accordance with the International Standard for Testing and Investigations. A Missed Test constitutes a failure to be available for <i>Testing</i> at the declared whereabouts in accordance with the International Standard for Testing and Investigations.
--

**2.5 *Tampering or Attempted Tampering with any part of Doping Control.***

This Article prohibits conduct that subverts or *Attempts* to subvert the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, intentionally interfering or attempting to interfere with a *Doping Control* official, providing fraudulent information to an *Anti-Doping Organisation* or intimidating or attempting to intimidate a potential witness.

**2.6 *Possession of Prohibited Substances and/or Prohibited Methods.***

**2.6.1** *Possession by a Player In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by a Player Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition, unless the Player establishes that the Possession is pursuant to a Therapeutic Use Exemption granted in accordance with Article 4.4 or other acceptable justification.*

**2.6.2** *Possession by a Player Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by a Player Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition, in connection with a Player, International Match or training, unless the Player Support Person establishes that the Possession is pursuant to a Therapeutic Use Exemption granted to a Player in accordance with Article 4.4 or other acceptable justification.*

**2.7 *Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.***

**2.8 *Administration or Attempted Administration to any Player In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Player Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition, unless it is established that the Administration or Attempted Administration was consistent with a Therapeutic Use Exemption granted in accordance with Article 4.4.***

**2.9 Complicity: assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation or violation of Article 10.11.1 by another Person.**

**2.10 Prohibited Association**

**2.10.1** Association by a *Player* or other *Person* subject to the authority of an *Anti-Doping Organisation* in a professional or sport-related capacity with any *Player Support Person* who:

**2.10.1.1** (if subject to the authority of an *Anti-Doping Organisation*) is serving a period of *Ineligibility*; or

**2.10.1.2** (if not subject to the authority of an *Anti-Doping Organisation*, and where *Ineligibility* has not been addressed in a results management process pursuant to the *Code*), has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, professional or disciplinary sanction imposed; or

**2.10.1.3** is serving as a front or intermediary for an individual described in Article 2.10.1.1 or 2.10.1.2.

**2.10.2** In order for this Article 2.10 to apply, it is necessary that (a) the *Player* or other *Person* has previously been advised in writing by the *ICC*, any other *Anti-Doping Organisation* with jurisdiction over the *Player* or other *Person*, his/her *National Cricket Federation* (in which case, the *National Cricket Federation* shall copy such notice to the *ICC*) or *WADA*, of the *Player Support Person's* disqualifying status and the potential *Consequences* of prohibited association, and (b) the *Player* or other *Person* can reasonably avoid the association. The *ICC* or other *Anti-Doping Organisation* with jurisdiction over the *Player* or other *Person* shall also use reasonable efforts to advise the *Player Support Person* who is the subject of the notice to the *Player* or other *Person* that the *Player Support Person* may, within 15 days, come forward to the *ICC* or other *Anti-Doping Organisation* with jurisdiction over the *Player* or other *Person* to explain that the criteria described in Articles 2.10.1.1 and 2.10.1.2 do not apply to him or her. For the avoidance of doubt, this Article applies even when the *Player Support Person's* disqualifying conduct occurred prior to the Effective Date.

**2.10.3** The burden shall be on the *Player* or other *Person* to establish that any association with the *Player Support Personnel* described in Article 2.10.1.1 or 2.10.1.2 is not in a professional or sport-related capacity.

**2.10.4** If the *ICC* or other *Anti-Doping Organisation* with jurisdiction over the *Player* or other *Person* becomes aware of any *Player Support Person* who meets the criteria described in Article 2.10.1.1, 2.10.1.2 or 2.10.1.3 it shall submit that information to *WADA* and, where applicable, the *ICC*.

**ARTICLE 3 PROOF OF DOPING**

**3.1 Burdens and Standards of Proof**

- 3.1.1** The *ICC* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the *ICC* has established the commission of the alleged anti-doping rule violation to the comfortable satisfaction of the *Anti-Doping Tribunal*, bearing in mind the seriousness of the allegation that is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.
- 3.1.2** Where the *ICC Code* places the burden of proof upon the *Player* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

### **3.2 Methods of Establishing Facts and Presumptions**

The *Anti-Doping Tribunal* shall not be bound by judicial rules governing the admissibility of evidence. Instead, facts relating to an anti-doping rule violation may be established by any reliable means, including admissions. The following rules of proof shall be applicable at the hearing:

- 3.2.1** Analytical methods or decision limits approved by *WADA* after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid. Any *Player* or other *Person* seeking to rebut this presumption of a scientific validity shall, as a condition precedent to any such challenge, first notify *WADA* of the challenge and the basis of the challenge. *CAS*, on its own initiative, may also inform *WADA* of any such challenge. At *WADA*'s request, the *CAS* panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within 10 days of *WADA*'s receipt of such notice, and *WADA*'s receipt of the *CAS* file, *WADA* shall also have the right to intervene as a party, appear amicus curiae or otherwise provide evidence in such proceeding.
- 3.2.2** Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly.
- 3.2.3** *WADA*-accredited laboratories, and other laboratories approved by *WADA*, are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratories. The *Player* or other *Person* who is asserted to have committed an anti-doping rule violation may rebut this presumption by establishing that a departure from the *International Standard* for Laboratories occurred that could reasonably have caused the *Adverse Analytical Finding*. In such an event, the *ICC* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.
- 3.2.4** Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or the *ICC Code* that did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such evidence or results. If the *Player* or other *Person* who is asserted to have committed an anti-doping rule violation establishes that a departure from an *International Standard* or other anti-doping rule or policy occurred that could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or other anti-doping rule violation, then the *ICC* shall have the burden to establish that such a departure did not cause the *Adverse Analytical Finding* or other factual basis for the anti-doping rule violation asserted.

- 3.2.5** The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Player* or other *Person* to whom the decision pertained of those facts, unless the *Player* or other *Person* establishes that the decision violated principles of natural justice.
- 3.2.6** The *Anti-Doping Tribunal* may draw an inference adverse to the *Player* or other *Person* who is asserted to have committed an anti-doping rule violation based on his/her refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person, virtually or telephonically as directed by the *Anti-Doping Tribunal*) and to answer questions from the *ICC* or the members of the *Anti-Doping Tribunal*.

## **ARTICLE 4 PROHIBITED SUBSTANCES AND PROHIBITED METHODS**

### **4.1 The Prohibited List**

#### **4.1.1 Prohibited Substances and Prohibited Methods**

**4.1.1.1** The *ICC Code* incorporates and is based upon the *Prohibited List*. A copy of the current version of the *Prohibited List* is set out at Appendix 2.

**4.1.1.2** *WADA* may amend the *Prohibited List* as set out in Article 4.1 of the *Code*. Unless provided otherwise by *WADA*, amendments to the *Prohibited List* shall come into effect under the *ICC Code* automatically three months after publication of such amendments by *WADA* on its website, without requiring any further action by the *ICC*. It is the responsibility of each *Player* and *Player Support Personnel* to be familiar with the most current version of the *Prohibited List*.

**4.1.1.3** As described in Article 4.2.1 of the *Code*, *WADA* may expand the *Prohibited List* for the sport of cricket and/or the *ICC* may request that *WADA* include additional substances or methods, that have the potential for abuse in the sport of cricket, in the monitoring program described in Article 4.5 of the *Code*.

#### **4.1.2 Specified Substances**

For purposes of the application of Article 10 of the *Code* and of the *ICC Code*, all *Prohibited Substances* shall be considered “**Specified Substances**” except: (a) substances in the class of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. The category of *Specified Substances* shall not include *Prohibited Methods*.

### **4.2 New Classes of Prohibited Substances**

In the event *WADA* expands the *Prohibited List* by adding a new class of *Prohibited Substances* in accordance with Article 4.1 of the *Code*, *WADA*’s Executive Committee shall determine whether any or all *Prohibited Substances* within the new class of *Prohibited Substances* shall be considered *Specified Substances* within the meaning of Article 4.1.2.

### **4.3 Criteria for Including Substances and Methods on the Prohibited List**

- 4.3.1** The criteria for including substances and methods on the *Prohibited List* are set out in Article 4.3 of the *Code*. Such substances and methods may be included by general category (eg anabolic agents) or by specific reference to a particular substance or method. In accordance with Article 4.3.3 of the *Code*, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List*, and its classification of substances into categories on the *Prohibited List*, and the classification of a substance as prohibited at all times or *In-Competition* only, shall be final and not be subject to challenge by a *Player* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.
- 4.3.2** Many of the substances on the *Prohibited List* may appear either alone or as part of a mixture within medications and/or supplements that may be available with or without a physician's prescription. Further, the *Prohibited List* encompasses substances that are not mentioned by name on the *Prohibited List* but are instead incorporated into the *Prohibited List* by category and/or by reference to 'substances with a similar chemical structure or similar biological effect(s)'. As a result, the fact that a particular substance does not appear by name on the *Prohibited List* does not mean that the substance is not a *Prohibited Substance*. It is the *Player's* responsibility to determine the status of the substance. In this regard, *Players* are reminded that, pursuant to Article 2.1.1, they are strictly liable for any *Prohibited Substances* present in *Samples* collected from them. *Players* must therefore ensure that *Prohibited Substances* do not enter or come to be present in their bodies and that *Prohibited Methods* are not *Used*.

#### **4.4 Therapeutic Use Exemptions**

- 4.4.1** *Players* may be granted permission to *Use* one or more *Prohibited Substances* or *Prohibited Methods* for therapeutic reasons in the circumstances set out in International Standard for Therapeutic Use Exemptions. Where such permission (a "**Therapeutic Use Exemption**" or "**TUE**") has been granted, the presence in a *Sample* of a *Prohibited Substance* or its *Metabolites* or *Markers* (Article 2.1), *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (Article 2.2), *Possession* of a *Prohibited Substance* or *Prohibited Method* (Article 2.6) or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method* (Article 2.8) shall not amount to an anti-doping rule violation provided that such presence, *Use* or *Attempted Use*, *Possession*, or *Administration* or *Attempted Administration* is consistent with the provisions of a *TUE* granted to the *Player* in accordance with the International Standard for *TUEs*.
- 4.4.2** Subject to Article 4.4.3 below, all *Players* needing to *Use*, *Possess* or *Administer* one or more *Prohibited Substances* or *Prohibited Methods* for therapeutic reasons must obtain a *TUE* prior to such *Use*.
- 4.4.3** A *TUE* may only be granted retroactively pursuant to the International Standard for *TUEs* in only two situations: (a) where emergency treatment or treatment of an acute medical condition was necessary; or (b) where due to other exceptional circumstances there was insufficient time or opportunity for the *Player* to submit the *TUE* application (or for the ICC's *TUE Committee* to consider that application) prior to the time the *Player's Sample* was collected.
- 4.4.4** Any *Player* requiring a *TUE* under this *ICC Code* must do the following:

**4.4.4.1** He/she must apply to the ICC's *TUE Committee* in accordance with Article 4.4.5 for recognition of a *TUE* that he/she has obtained from his/her *NADO*; or.

**4.4.4.2** If the *Player* does not already have a *TUE* granted by his/her *NADO*, he/she shall apply to the ICC's *TUE Committee* in accordance with Article 4.4.6 for the grant of a *TUE*.

**4.4.5** Applying to ICC's *TUE Committee* for recognition of a *TUE* granted by a *NADO*:

**4.4.5.1** A *Player* who holds a valid *TUE* granted by his/her *NADO* shall apply to the *ICC* for recognition of the *TUE*. The request should be sent to the *Anti-Doping Manager* together with: (a) a copy of the *TUE* certificate issued to him/her by his/her *NADO*; and (b) a copy of the application (including supporting medical documentation, if any) that he/she submitted to that *NADO* to get that *TUE*. The *Player* must also provide such further information as the *ICC's TUE Committee* may subsequently request.

**4.4.5.2** Provided strictly that all of the information described in Article 4.4.5.1 has been submitted, and the *ICC's TUE Committee* agrees that the *TUE* granted to the *Player* meets the criteria set out in Article 4 of the International Standard for TUEs, where the *TUE* has been granted by a *NADO* with the necessary jurisdiction over the *Player*, that *TUE* will be given automatic recognition by the *ICC's TUE Committee*. The *Anti-Doping Manager* will promptly provide the *Player* with notice of such recognition.

**4.4.5.3** Unless and until such recognition by the *ICC's TUE Committee* (automatic or otherwise) is communicated to the *Player* in writing, he/she uses the *Prohibited Substance* or *Prohibited Method* in issue entirely at his/her own risk.

**4.4.5.4** If the *ICC's TUE Committee* considers that the *TUE* does not meet the criteria set out in Article 4 of the International Standard for TUEs and so refuses to recognize it, the *ICC* will notify the *Player* and his/her *NADO* promptly, with reasons. The *Player* and *NADO* shall have 21 days from such notification to refer the matter to *WADA* for review pursuant to Article 4.4.7 below and/or may appeal that denial in accordance with Article 13. If the matter is referred to *WADA* for review, the *TUE* granted by the *NADO* remains valid for national-level *Competition* and *Out of Competition Testing* (but is not valid for international-level *Competition*) pending *WADA's* decision. If the matter is not referred to *WADA* for review, the *TUE* becomes invalid for any purpose when the 21 day review deadline expires. For the avoidance of doubt, if the *ICC's TUE Committee* declines to recognize a *TUE* granted by a *NADO* only because medical records or other information is missing that are needed to demonstrate satisfaction with criteria in the International Standard for TUEs, the matter should not be referred to *WADA*. Instead, the file should be completed by the *Player* (referred back to his/her *NADO* as necessary) and resubmitted to the *ICC's TUE Committee*.

**4.4.6** Applying to the *ICC's TUE Committee* for a *TUE*:

**4.4.6.1** A *Player* who needs to Use a *Prohibited Substance* or *Prohibited Method* and does not hold a *TUE* granted by his/her *NADO* to permit that Use must

apply (using the ICC's Therapeutic Use Exemption (*TUE*) Application Form) to the ICC's *TUE Committee* (c/o the *Anti-Doping Manager*) for a *TUE* in accordance with the procedure set out in Article 6 of the International Standard for *TUEs*.

- 4.4.6.2** The application must be accompanied by all of the information specified in Article 6 of the International Standard for *TUEs*, and the ICC's *TUE Committee* may require that further information be provided as necessary.
- 4.4.6.3** Since *Players* are subject to *Out-of-Competition Testing* requirements all year round, the application must be made as soon as possible after the relevant diagnosis, and, in any event, no less than thirty (30) days before he/she needs the approval (for instance before his/her participation in an *International Match*).
- 4.4.6.4** The ICC's *TUE Committee* shall evaluate the application in accordance with the criteria set out in Article 4 of the International Standard for *TUEs*.
- 4.4.6.5** The application will be processed as quickly as is reasonably practicable, but a *Player* may not assume that his/her application for a *TUE* (or for renewal of a *TUE*) will be granted by a particular time, or at all. Any *Player* who uses a *Prohibited Substance* or *Prohibited Method* prior to approval of his/her application for a *TUE* does so entirely at his/her own risk.
- 4.4.6.6** The *Anti-Doping Manager* will promptly communicate the decision of the *TUE Committee* to the *Player*, with a copy to *WADA* and the *Player's National Cricket Federation* and *NADO*, as soon as is reasonably practicable after it is made. If the application is granted, then the *TUE* will become effective as of the date that the *Player* receives notice of such grant. If the application is denied, the *Player* may apply to *WADA* to review that denial in accordance with Article 4.4.7 and/or may appeal that denial in accordance with Article 13. If the *NADO* considers that the *TUE* does not meet the criteria set out in the International Standard for *TUEs*, it has 21 days from such notification to refer the matter to *WADA* for review. If the *NADO* refers the matter to *WADA* for review, the *TUE* granted by the ICC remains valid for international-level competition and *Out of Competition Testing* (but is not valid for national-level competition) pending *WADA's* decision. If the *NADO* does not refer the matter to *WADA* for review, the *TUE* granted by the ICC becomes valid for national-level competition as well when the 21 day review deadline expires.
- 4.4.6.7** A *TUE* will be granted with effect for a specified period. It shall specify the dosage(s), frequency, route and duration of *Administration* of the *Prohibited Substance* or *Prohibited Method* in question that the ICC's *TUE Committee* is permitting, reflecting the clinical circumstances. It may also be granted subject to such conditions or restrictions as the ICC's *TUE Committee* may see fit. A *Player* who wishes to continue to *Use* the *Prohibited Substance* or *Prohibited Method* in question beyond the period for which the *TUE* has been granted must make a new application for a further *TUE* in accordance with the provisions of this Article 4.4. Any *Player* who wishes to have any conditions or restrictions imposed by the ICC's *TUE Committee* varied must apply to *WADA* in accordance with Article 4.4.7.

**4.4.7** Review of *TUEs* by *WADA*:

- 4.4.7.1** WADA shall review any decision by the ICC's TUE Committee not to recognise a TUE granted by a NADO that is referred to WADA by the Player or NADO. In addition, WADA shall review any decision by the ICC's TUE Committee to grant a TUE that is referred to WADA by the Player's NADO. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard for TUEs, WADA will not interfere with it. If the TUE decision does not meet these criteria, WADA will reverse that decision.
- 4.4.7.2** If WADA reverses the grant of a TUE, that reversal shall not apply retroactively, but rather only from the point that the Player receives notice of the reversal. Therefore, the Player shall not be subject to any Consequences based on his/her Use of the Prohibited Substance or Prohibited Method in question during the period from the date that the TUE came into effect until the date that the Player receives notice of WADA's reversal of the grant of the TUE.
- 4.4.7.3** A failure by WADA to take action within a reasonable time on a properly submitted application for review of a TUE decision shall be considered a denial of the application.
- 4.4.7.4** Any TUE decision by the ICC that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Player and/or the Player's NADO exclusively to CAS.
- 4.4.7.5** A decision by WADA to reverse a TUE decision may be appealed by the Player, the NADO and/or the ICC exclusively to CAS.

## **ARTICLE 5     *TESTING***

### **5.1     General principles**

- 5.1.1** *Testing* shall only be undertaken for anti-doping purposes, i.e. to obtain analytical evidence as to the Player's compliance (or non-compliance) with the ICC Code's strict prohibition on the presence/Use of a Prohibited Substance or Prohibited Method. The ICC shall be responsible for drawing up and implementing a test distribution plan for international-level cricket in accordance with Article 4 of the International Standard for Testing and Investigations and applicable technical documents issued by WADA. The ICC will engage one or more third parties to conduct such *Testing* on its behalf. All such *Testing* shall be conducted in substantial conformity with the International Standard for Testing and Investigations and the Cricket Testing Protocols.
- 5.1.2** All Players (including Players serving a period of *Ineligibility* or a *Provisional Suspension*) must submit to *Testing* on behalf of the ICC upon request, at any time or place, with or without notice.
- 5.1.3** For the avoidance of doubt, the ICC may select Players for *Target Testing* so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.
- 5.1.4** The ICC acknowledges the jurisdiction that the Code confers on other *Anti-Doping Organisations* to test Players. The ICC shall recognise such *Testing* and the results thereof in accordance with Article 15 of the Code.

- 5.1.5 The ICC may authorise independent observers to observe *Testing* conducted by or on behalf of the ICC.

## 5.2 ***In-Competition Testing***

- 5.2.1 *Players* shall be subject to *Testing* on behalf of the ICC at *International Matches*. The selection of the *International Matches* at which *Testing* is to take place shall be made by the ICC, and shall remain confidential except to those *Persons* with a reasonable need to know of such selection in order to facilitate such *Testing*.

- 5.2.2 A *Player* may be notified that he/she has been selected for *Testing* in connection with an *International Match* in which he/she is participating at any time from 0600 local time on the first day of the *International Match* in question until one hour after its completion or its abandonment for any reason (including rain) irrespective of whether there has been any play whatsoever in the *International Match* at the time of abandonment. Such periods (and only such periods) shall be deemed “**In-Competition**” periods for purposes of the ICC Code, so that, by way of example only:

- 5.2.2.1 the entire duration of any *International Match* lasting more than one day will be considered to be *In-Competition*;

- 5.2.2.2 where an *International Match* overflows into a ‘reserve’ day which has been set aside, then, for the purposes of the ICC Code, the *In-Competition* period shall continue until the completion of the *International Match*;

- 5.2.2.3 where a ‘reserve’ day has been set aside for an *International Match*, but the *International Match* concludes prior to the commencement of play on the ‘reserve’ day, then such ‘reserve’ day will not be considered to fall within the *In-Competition* period; and

- 5.2.2.4 where any *Player* is not selected as a member of a starting XI or as an officially designated substitute for a particular *International Match*, then the duration of such *International Match* will not be considered to fall within the *In-Competition* period relevant for that *Player*.

- 5.2.2.5 when participating in an ICC Event, a *Player* will only be deemed to be *In-Competition* during an *International Match* in which he/she is participating. ‘Rest’ days or other days during the ICC Event during which the *Player* is not participating in an *International Match* will not be considered to fall within the *In-Competition* period.

- 5.2.3 The actual timing of the *Testing* at a selected *International Match*, and the selection of *Players* to be tested at that *International Match*, shall be at the discretion of the ICC and (where applicable) in compliance with paragraph 1 of the *Cricket Testing Protocol*, set out at Appendix 3.

## 5.3 ***Out-of-Competition Testing***

### 5.3.1 ***Ambit of Out-of-Competition Testing***

- 5.3.1.1 Any period outside of an *In-Competition* period shall be deemed an “**Out-of-Competition**” period for purposes of the ICC Code. Any *Testing* of a *Player* outside of an *In-Competition* period shall therefore be considered

*Out-of-Competition Testing* for the purposes of the *ICC Code*. Save in exceptional circumstances, such *Testing* shall be *No Advance Notice Testing*.

**5.3.1.2** Where a *Sample* is collected during *Out-of-Competition Testing*, there shall only be an anti-doping rule violation under Article 2.1 if analysis of the *Sample* establishes that a substance (or its *Markers* or *Metabolites*) that is prohibited in *Out-of-Competition Testing* - ie a substance that is listed in the section of the *Prohibited List* entitled "Substances and Methods Prohibited At All Times (In- and Out-of-Competition)" - is present in the *Sample*, or if such analysis reveals evidence of *Use of a Prohibited Method*.

**5.3.1.3** A reasonable effort will be made to avoid inconvenience to a *Player* who is subjected to *Out-of-Competition Testing*. However, the ICC shall not be liable for any inconvenience or loss caused to the *Player* as a result of the *Out-of-Competition Testing*.

**5.3.2 Additional Obligations on *Players* Included in the *International Registered Testing Pool***

**5.3.2.1** The *ICC* shall establish criteria identifying *Players* to be included in a pool of *Players* to be known as the "**International Registered Testing Pool**", and shall publish those criteria. From time to time, the criteria shall be reviewed to ensure they remain fit for purpose, and the membership of the *International Registered Testing Pool* shall be reviewed to ensure that it includes all *Players* meeting those criteria.

**5.3.2.2** It is the personal responsibility of a *Player* who has been notified of his/her inclusion in the *International Registered Testing Pool*:

- (a) to provide written notification to the *ICC* (or, if the *ICC* agrees or *WADA* so specifies, his/her *NADO*) of his/her whereabouts in the next quarter, as specified in Article I.3 of the International Standard for Testing and Investigations;
- (b) to update that whereabouts information as necessary, in accordance with Article I.3.5 of the International Standard for Testing and Investigations, so that it remains accurate and complete at all times; and
- (c) to be available for *Testing* at such whereabouts, in accordance with Article I.4 of the International Standard for Testing and Investigations.

**5.3.2.3** Subject to the results management procedure referenced at Article 7.4:

- (a) a *Player's* failure to advise the *ICC* (or, if the *ICC* agrees or *WADA* so specifies, his/her *NADO*) of his/her whereabouts shall be deemed a *Filing Failure* for the purposes of the *ICC Code* where the conditions of Article I.3.6 of the International Standard for Testing and Investigations are met; and
- (b) a *Player's* failure to be available for *Testing* at his/her declared whereabouts shall be deemed a *Missed Test* for the purposes of

the *ICC Code* where the conditions of Article 1.4.3 of the International Standard for Testing and Investigations are met.

**5.3.2.4** The *ICC* may share whereabouts information provided to it by a *Player* pursuant to Article 5.3.2 with *WADA* and other *Anti-Doping Organisations* in accordance with Article 1.2.3 of the International Standard for Testing and Investigations.

**5.3.2.5** A *Player* who has been included in the *International Registered Testing Pool* must continue to comply with the whereabouts requirements of the International Standard for Testing and Investigations unless and until either: (a) the *ICC* informs him/her in writing that he/she no longer satisfies the criteria for inclusion in the *International Registered Testing Pool*; or (b) the *Player* retires in accordance with Article 1.2.2.

### **5.3.3 Additional Obligations on *Players* Included in the *National Player Pool* and their relevant *National Cricket Federations***

**5.3.3.1** The *ICC* may, from time to time, establish further criteria identifying an additional pool of *Players* to be known as the “**National Player Pool**” (or similar), who, together with their *National Cricket Federation* may be required to file and update certain additional whereabouts information in accordance with such filing requirements (and subject to the potential sanctions for non-compliance) that the *ICC* may determine appropriate.

**5.3.3.2** The *ICC* established such an additional pool of *Players* on 1 August 2010 and developed a full set of requirements (known as the ‘**ICC Whereabouts Requirements for Out-of-Competition Testing**’), which identified the categories of *Players* to be identified in such a pool, described the information that needs to be filed by those *Players* and/or relevant *National Cricket Federations* and set out the consequences of failure to comply with the requirements. That set of requirements, which may be amended by the *ICC* from time to time, remains in full force and effect.

**5.3.4** For the avoidance of doubt, a *Player* may be selected for *Out-of-Competition Testing* at any time and place, whether or not he/she has been included in the *International Registered Testing Pool*. The timing of *Out-of-Competition Testing* and the selection of *Players* to be tested shall be at the discretion of the *ICC*. Decisions relating to timing and selection of *Players* for *Out-of-Competition Testing* shall remain confidential except to those with a reasonable need to know of them in order to facilitate such *Testing*.

## **5.4 Retired *Players* Returning to Competition**

**5.4.1** If a *Player* registered in the *International Registered Testing Pool* or the *National Player Pool* retires from cricket in accordance with Article 1.2.2 and then wishes to return to active participation in the sport, the *Player* shall not compete in an *International Match* or a national-level event until the *Player* has made himself or herself available for *Testing* by giving six months prior written notice to the *ICC* (in the case of his/her participation in *International Matches*) and his/her *National Cricket Federation* and *NADO* (in the case of his/her participation in national-level matches). *WADA*, in consultation with the *ICC* and the *Player’s NADO*, may grant an exemption to the six-month written notice period rule where the strict application

of that rule would be manifestly unfair to the *Player*. WADA's decision may be appealed pursuant to Article 13.

**5.4.1.1** Any competitive results obtained in violation of Article 5.4.1 shall be *Disqualified*.

**5.4.2** If a *Player* retires from cricket while subject to a period of *Ineligibility* and then wishes to return to active participation in cricket, the *Player* shall not compete in any *International Matches* until he/she has made himself or herself available for *Testing* by giving six months prior written notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Player* retired, if that period was longer than six months) to the ICC (in the case of his/her participation in *International Matches*) and his/her *National Cricket Federation* and *NADO* (in the case of his/her participation in national-level matches).

## **5.5 Athlete Biological Passport Testing**

**5.5.1** The ICC will designate one or more person(s) to administer and manage the *ABP Programme* within and on behalf of the ICC (the '**Athlete Biological Passport Management Unit**' or '**APMU**'). The ICC will also appoint suitably qualified, independent experts to form the *Expert Panel* for the purposes of the *ABP Programme*.

**5.5.2** The ICC will decide, in its sole discretion, which *Players* will be selected for *ABP Testing*. The ICC will also decide, consulting as appropriate with the *Expert Panel* (via the *ABPMU*), on the timing of such *Testing*. The ICC will also coordinate as necessary with other competent *Anti-Doping Organisations* carrying out *ABP Testing* in relation to any *Player(s)*.

**5.5.3** *Samples* that are intended to be part of the *ABP Programme* will be collected, transported and analysed in accordance with the relevant *International Standards*, and the mandatory protocols set out in Appendices A to C of the *ABP Guidelines*. For the avoidance of doubt, all urine and blood *Samples* collected under the ICC Code may be evaluated in accordance with the steroid or haematological module (as applicable) of the *ABP Programme*.

**5.5.4** The data arising from such analysis will be processed and reviewed in accordance with the *ABP Guidelines* to identify *Atypical Biological Passport Findings* that warrant referral to a single expert from the *Expert Panel*, and thereafter (if appropriate) to two further experts from the *Expert Panel*, for consideration in accordance with Appendix E of the *ABP Guidelines*.

**5.5.5** Where the three experts from the *Expert Panel*, having reviewed the *ABP Documentation Package*, unanimously conclude that, subject to any explanation provided by the *Player*, it is highly likely that the *Player Used a Prohibited Substance or Prohibited Method*, and unlikely that the *Adverse Biological Passport Finding* is the result of any other cause, that conclusion, which should be expressed as a combined opinion and should explain the expert's reasons for the conclusion (an '**Adverse Biological Passport Finding**'), shall be dealt with as set out in Article 7.3.

## **ARTICLE 6 ANALYSIS OF SAMPLES**

*Samples* collected under the ICC Code shall be analysed in accordance with the following principles:

## **6.1 Use of Accredited and Approved Laboratories**

For purposes of Article 2.1, *Samples* shall be sent for analysis only to WADA-accredited laboratories or laboratories otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the *Sample* analysis shall be determined exclusively by the ICC.

## **6.2 Purpose of Analysis of Samples**

*Samples* shall be analysed: (a) to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to the Monitoring Program described in Article 4.5 of the *Code*; and/or (b) to assist the ICC in profiling relevant parameters in a *Player's* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes. *Samples* may be collected and stored for future analysis.

## **6.3 Restrictions on Use of Samples**

**6.3.1** All *Samples* provided by a *Player* for the purposes of *Testing* under the *ICC Code* shall be the property of the ICC, and the ICC shall be entitled to determine all matters regarding the analysis and disposal of such *Samples* at all times in accordance with the *International Standards*.

**6.3.2** No *Sample* may be used for research without the *Player's* written consent. A *Sample* used (with the *Player's* consent) for purposes other than as described in Article 6.2 shall have any means of identification removed so that it cannot be traced back to the *Player* that provided it.

## **6.4 Standards for Sample Analysis and Reporting**

**6.4.1** Laboratories shall analyse *Samples* and report results to the ICC in conformity with the *WADA Code* and the International Standard for Laboratories.

**6.4.2** The ICC shall pay the costs of collection and analysis of *Samples* under the *ICC Code*.

**6.4.3** Any *Adverse Analytical Findings* reported by the laboratory shall be dealt with as set out in Article 7.1. Any *Atypical Findings* reported by the laboratory shall be dealt with as set out in Article 7.2.

## **6.5 Further Analysis of Samples**

**6.5.1** Any *Sample* may be subject to further analysis at any time before both the A and the B *Sample* analytical results (or A *Sample* result where the B *Sample* analysis has been waived or will not be performed) have been communicated by the ICC to the *Player* as the asserted basis for an Article 2.1 anti-doping rule violation.

**6.5.2** *Samples* collected pursuant to the *ICC Code* may be stored and subjected to further analyses for the purposes described in Article 6.2 at any time exclusively at the direction of the ICC or WADA. (Any *Sample* storage or further analyses initiated by WADA shall be at WADA's expense.) Further analysis of *Samples* shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

## ARTICLE 7 RESULTS MANAGEMENT

### 7.1 Results Management for Tests Initiated by the ICC

Results management for tests initiated by the *ICC* (including tests performed by *WADA* pursuant to agreement with the *ICC*) shall be conducted in accordance with Article 7.1 of the *Code* and as follows:

- 7.1.1** Upon receipt of an *Adverse Analytical Finding*, the *Independent Review Board* shall conduct a review to determine whether: (a) the *Adverse Analytical Finding* is consistent with an applicable *TUE* that has been granted or will be granted as provided in the International Standard for TUEs; or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the *Adverse Analytical Finding*.
- 7.1.2** If the *Independent Review Board* determines that either: (a) the *Adverse Analytical Finding* is consistent with an applicable *TUE*; or (b) there has been an apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the *Adverse Analytical Finding*, then the *ICC* shall notify the *Player*, *WADA*, and the *National Cricket Federation* and *National Anti-Doping Organisation* of the *Player* of that fact, and (subject to the rights of appeal set out at Article 13) the matter shall not proceed any further.
- 7.1.3** If the review of an *Adverse Analytical Finding* under Article 7.1.1 does not reveal that: (a) the *Adverse Analytical Finding* is consistent with an applicable *TUE*; or (b) there has been an apparent departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, then the *Anti-Doping Manager* shall promptly send the *Player* written notice (the “**Notice of Charge**”) (notice of which can be accomplished by delivery either directly to the *Player* or via his/her *National Cricket Federation*), copied to the *Player’s National Cricket Federation*, the *Player’s National Anti-Doping Organisation* and *WADA* (who all shall be kept up to date on the status of the case), of the following:
- 7.1.3.1** that the *Player* (specifying his/her name, country and competitive level) has a case to answer under Article 2;
- 7.1.3.2** details of the anti-doping rule violation(s) that the *Player* is alleged to have committed, including details of the *Adverse Analytical Finding* (including whether it related to an *In-Competition* or *Out-of-Competition* Test and the date of *Sample* collection) and a copy of the laboratory documentation package supporting such *Adverse Analytical Finding*;
- 7.1.3.3** of the *Player’s* rights in respect of analysis of the *B Sample*:
- (a) The *Player* shall have the right: (i) to have the laboratory analyse the *B Sample* to confirm the *Adverse Analytical Finding* in respect of the *A Sample*; and (ii) to attend at the laboratory (personally and/or through a representative, but at his/her own cost) to witness the opening and analysis of the *B Sample*. The *ICC* and the *Player’s National Cricket Federation* may also be represented at the *B Sample* analysis.
- (b) The *Notice of Charge* may specify that the analysis of the *B Sample* will go ahead in any event, or it may require the *Player* to advise the *ICC* by a specified deadline if he/she wants the *B Sample* analysis to

go ahead. In the latter case, the *Notice of Charge* shall warn the *Player* that, failing such request, the *Player* will be deemed to have waived his/her right to analysis of the *B Sample*, and to have accepted the accuracy of the *Adverse Analytical Finding* in respect of the *A Sample*.

- (c) The *Notice of Charge* shall specify the scheduled date, time and place for the *B Sample* analysis (which shall be within the time period specified in the International Standard for Laboratories), if it is to go ahead. There shall be no right to an adjournment of the date scheduled for analysis of the *B Sample*, instead, any such adjournment shall be at the absolute discretion of the *ICC*. In the event that neither the *Player* nor any representative of the *Player* attends the *B Sample* analysis, the laboratory shall appoint an independent witness, in accordance with the International Standard for Laboratories, to verify that the *B Sample* container shows no signs of tampering and that the identifying numbers correspond to those on the collection documentation.

**7.1.3.4** the *Consequences* applicable under the *ICC Code* if it is established that the *Player* has committed the anti-doping rule violation(s) charged (including identifying any discretion that may exist in relation to such *Consequences* under the *ICC Code*);

**7.1.3.5** (where applicable) the matters relating to *Provisional Suspension* specified at Article 7.8; and

**7.1.3.6** the matters specified at Article 7.9.

**7.1.4** If the *B Sample* is analysed and the *Adverse Analytical Finding* in respect of the *A Sample* is not confirmed, then (unless the *ICC* charges the *Player* with an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the *Player*, his/her *National Cricket Federation*, his/her *National Anti-Doping Organisation* and *WADA* shall be so informed. In such circumstances, the proceedings instituted against the *Player* shall be discontinued, and any *Provisional Suspension* previously imposed shall be deemed vacated with immediate effect.

**7.1.5** If the analysis of the *B Sample* confirms the *Adverse Analytical Finding* in respect of the *A Sample* to the satisfaction of the *ICC*, the findings shall be reported to the *Player*, his/her *National Cricket Federation*, his/her *National Anti-Doping Organisation*, and *WADA*, and the matter shall proceed to a hearing in accordance with Article 8.

## **7.2 Results Management for Atypical Findings**

**7.2.1** As provided in the International Standard for Laboratories, in certain circumstances where a *Prohibited Substance* that is detected in a *Sample* may also be produced endogenously, laboratories are directed to report the presence of such substance as an *Atypical Finding* that should be investigated further.

**7.2.2** If a laboratory reports an *Atypical Finding* in respect of a *Sample* collected pursuant to the *ICC Code*, the *Independent Review Board* shall conduct a review to determine whether: (a) the *Atypical Finding* is consistent with an applicable *TUE* which has been granted or which will be granted as provided in the International Standard for TUEs;

or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the *Atypical Finding*.

- 7.2.3** If the initial review of an *Atypical Finding* under Article 7.2.2 reveals either: (a) that the *Atypical Finding* is consistent with an applicable *TUE*; or (b) that there is an apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the *Atypical Finding*, the *ICC* shall notify the *Player*, *WADA*, the *Player's National Cricket Federation* and the *Player's National Anti-Doping Organisation* and (subject to the rights of appeal set out at Article 13) the matter shall not proceed any further.
- 7.2.4** If the initial review of an *Atypical Finding* under Article 7.2.2 does not reveal that the *Atypical Finding* is consistent with an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the *ICC* shall conduct any follow-up investigation that may be required by the *International Standards*. If, once that investigation is completed, the *Independent Review Board* concludes that the *Atypical Finding* should be considered an *Adverse Analytical Finding*, the *ICC* shall pursue the matter in accordance with Article 7.1.3.
- 7.2.5** Pending the outcome of the investigation, the *ICC* will keep the *Atypical Finding* confidential, unless one of the following circumstances exists:
- 7.2.5.1** If the *ICC* determines the *B Sample* should be analysed prior to the conclusion of its follow-up investigation, it may conduct the *B Sample* analysis after notifying the *Player*, with such notice to include a description of the *Atypical Finding* and the information described in Article 7.1.3.3.
- 7.2.5.2** If the *ICC* receives a request from a *National Cricket Federation* responsible for meeting an imminent deadline for selecting team members for an *International Event* or any other *Major Event Organisation*, asking the *ICC* to disclose whether any *Player* identified on a list provided by the *National Cricket Federation* has a pending *Atypical Finding*, the *ICC* shall so identify any such *Player* after first providing notice of the *Atypical Finding* to the *Player*.

### **7.3 Review of *Atypical Biological Passport Findings* and *Adverse Biological Passport Findings***

- 7.3.1** Review of *Atypical Biological Passport Findings* and *Adverse Biological Passport Findings* shall take place as provided in the International Standard for Testing and Investigations and International Standard for Laboratories. In particular, if an *Adverse Biological Passport Finding* is reported, the *Independent Review Board* shall conduct a review to determine whether: (a) the *Adverse Biological Passport Finding* is consistent with an applicable *TUE* which has been granted or will be granted as provided in the International Standard for *TUE*s; (b) there is any apparent departure from the International Standard for Testing and Investigations or *International Standard* for Laboratories or the mandatory protocols set out in Appendices A to C of the *ABP Guidelines* that invalidates the *Adverse Biological Passport Finding*; or (c) there are any other issues which concern the *Independent Review Board* and that it would wish to discuss with the group of three experts from the *Expert Panel* who previously reviewed the case. The *Independent Review Board* may consult on these issues (via the *ABPMU*) with the group of three experts from the *Expert Panel* who previously reviewed the case pursuant to Article 5.5.5.

- 7.3.2** If the *Independent Review Board* determines that either (a) or (b) in Article 7.3.1 applies, it shall advise the *ICC* that there is no case to answer. The *ICC* shall notify the *Player*, *WADA* and the *Player's NADO* and (subject to any rights of appeal set out in Article 13) the matter shall not proceed any further.
- 7.3.3** If the *Independent Review Board* determines that neither (a), (b) nor (c) in Article 7.3.1 applies, the *ICC* will notify the *Player* and *WADA* of the *Adverse Biological Passport Finding*, send the *Player* and *WADA* a copy of the *ABP Documentation Package*, invite the *Player* to provide (by a specified deadline) an alternative explanation for the data on which the *Adverse Biological Passport Finding* is based, and explain that in the absence of a satisfactory alternative explanation the *ICC* will proceed on the basis that the *Player* has a case to answer under Article 2.2. The *ICC* will forward any explanation provided by the *Player* in response to such notice, together with any information supplied by the *Player* in support of that explanation, to the three experts from the *Expert Panel* for consideration (along with any other information that the three experts deem necessary).
- 7.3.4** If, following such consideration, the three experts are no longer unanimously of the view that it is highly likely that the *Player Used a Prohibited Substance or Prohibited Method*, and unlikely that the *Adverse Biological Passport Finding* is the result of any other cause, the *ICC* shall notify the *Player*, *WADA*, the *Player's National Cricket Federation* and the *Player's NADO* and (subject to the rights of appeal at Article 13) the matter shall not proceed any further.
- 7.3.5** If, following such consideration, the three experts maintain, notwithstanding the *Player's* explanation that it is highly likely that the *Player Used a Prohibited Substance or Prohibited Method*, the *ICC* shall send the *Player* a *Notice of Charge* (notice of which can be accomplished by delivery either directly to the *Player* or via his/her *National Cricket Federation*),, copied to *WADA*, the *Player's National Cricket Federation* and the *Player's NADO* (who, together with *WADA*, shall be kept up to date on the status of the case), confirming the following:
- 7.3.5.1** that the *Player* has a case to answer under Article 2;
- 7.3.5.2** details of the anti-doping rule violation that the *Player* is alleged to have committed, and copies of any relevant documentation;
- 7.3.5.3** (where applicable) the matters pertaining to *Provisional Suspension* at Article 7.8; and
- 7.3.5.4** the matters specified at Article 7.9.

#### **7.4 Results Management for Tests initiated by another Anti-Doping Organisation**

Unless otherwise agreed by the *ICC*, where another *Anti-Doping Organisation* tests a *Player* under its own rules, and that test results in an *Adverse Analytical Finding*, or if that *Anti-Doping Organisation* uncovers other evidence of an anti-doping rule violation by such *Player*, it shall be the responsibility of that *Anti-Doping Organisation* to pursue the matter, including bringing charges (if appropriate) under its rules, failing which it shall be the responsibility of the *Player's National Cricket Federation* to pursue the matter under its own rules.

#### **7.5 Results Management for Whereabouts Violations**

- 7.5.1** The *ICC* shall have results management authority in relation to potential *Whereabouts Failures* by any *Player* who files his/her whereabouts information with the *ICC*.

- 7.5.2** If a *Whereabouts Failure* by a *Player* who is subject to the *ICC*'s results management authority is uncovered through an attempt to test the *Player* by or on behalf of another *Anti-Doping Organisation* other than the *ICC*, then the *ICC* shall procure the requisite information and assistance from that other *Anti-Doping Organisation* pursuant to Article 1.5.2 of the International Standard for Testing and Investigations, so that the *ICC* may conduct its results management in respect of that *Whereabouts Failure* in accordance with Article 7.5.3. Upon request, the *Player* shall assist the *ICC* in obtaining such information and assistance.
- 7.5.3** Results management in relation to potential *Whereabouts Failures* shall be conducted by the *ICC* in accordance with Article 1.5.2 of the International Standard for Testing and Investigations (with the administrative review, if any, carried out by the *Independent Review Board*) in order to determine whether all of the requirements of Article 1.3.6 of the International Standard for Testing and Investigations (in the case of a *Filing Failure*) or all of the requirements of Article 1.4.3 of the International Standard for Testing and Investigations (in the case of a *Missed Test*) are met.
- 7.5.4** Where a *Player* who is subject to the *ICC*'s results management authority in accordance with Article 7.5.1. is declared to have three *Whereabouts Failures* (i.e. any combination of *Filing Failures* and/or *Missed Tests* adding up to three) in any twelve-month period, then the matter shall be referred to the *Independent Review Board* to determine, in accordance with Article 1.5.4 of the International Standard for Testing and Investigations, whether the *Player* has a case to answer under Article 2.4.
- 7.5.5** If the *Independent Review Board* determines that the *Player* has a case to answer under Article 2.4, the *Anti-Doping Manager* shall promptly send the *Player* a written *Notice of Charge* (notice of which can be accomplished by delivery either directly to the *Player* or via his/her *National Cricket Federation*), (copied to the *Player's National Cricket Federation*, and the *Player's National Anti-Doping Organisation* and *WADA* (who all shall be kept up to date on the status of the case)), amended as appropriate to confirm the following:
- 7.5.5.1** that the *Player* has a case to answer under Article 2.4;
  - 7.5.5.2** details of the facts upon which the case to answer is based, including details of the *Filing Failures* and/or *Missed Tests* alleged, and copies of any relevant documentation;
  - 7.5.5.3** (where applicable) the matters relating to *Provisional Suspension* specified at Article 7.8; and
  - 7.5.5.4** the matters specified at Article 7.9.

## **7.6 Investigations**

### **7.6.1**

The *ICC* may gather anti-doping intelligence and conduct investigations in accordance with the *Code* and the International Standard for Testing and Investigations into the activities of any *Player* or *Player Support Personnel* that the *ICC* believes may have committed an anti-doping rule violation. Such intelligence gathering and investigations may be conducted in conjunction with, and/or information or intelligence obtained in such investigations may be shared with, other *Signatories* and/or other relevant authorities. The *ICC* shall have discretion, where it

deems appropriate, to stay its own investigation pending the outcome of investigations being conducted by other *Signatories* and/or other relevant authorities.

- 7.6.2** In the event a *Player* (or *Player Support Personnel*) knows or suspects that any other *Player* or *Player Support Personnel* has committed an anti-doping rule violation, the *Player* must report such knowledge or suspicion to the *Anti-Doping Manager* as soon as possible. All *Players* (and *Player Support Personnel*) shall have a continuing obligation to report any new knowledge or suspicion regarding any anti-doping rule violation to the *Anti-Doping Manager*, even if the *Player's* (or *Player Support Personnel's*) prior knowledge or suspicion has already been reported.
- 7.6.3** *Players* and *Player Support Personnel* must cooperate fully with investigations conducted pursuant to this Article 7.6.
- 7.6.3.1** The *Anti-Doping Manager* may make a written demand to a *Player* or *Player Support Personnel* (a "**Demand**") to furnish to the *Anti-Doping Manager* any information regarding any suspected anti-doping rule violation, including, without limitation, a written statement setting forth the *Player* or *Player Support Personnel's* knowledge of facts and circumstances with respect to the suspected anti-doping rule violation. The *Player* or *Player Support Personnel* shall furnish such information within seven business days of the making of such *Demand*, or within such other time as may be set by the *Anti-Doping Manager*. Any information furnished to the *Anti-Doping Manager* shall be kept confidential except when it becomes necessary to disclose such information in furtherance of the prosecution of an anti-doping rule violation, or when such information is reported to administrative, professional, or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations.
- 7.6.3.2** Each *Player* or *Player Support Personnel* waives and forfeits any rights, defences and privileges provided by any law in any jurisdiction to withhold information requested by the *Anti-Doping Manager* in a *Demand*. If a *Player* or *Player Support Personnel* fails to produce such information, then, provided that the *Independent Review Board* agrees with the *Anti-Doping Manager* that there is a good faith basis for the *Demand*, his/her eligibility to participate (or, in the case of a *Player Support Personnel*, to assist in a *Player's* participation) in *International Matches* and *ICC Events* may be withdrawn, and he/she may be denied accreditation and access to *International Matches* and *ICC Events*, pending compliance with the *Demand*.
- 7.6.4** If a *Player* or *Player Support Personnel* subverts or *Attempts* to subvert the investigation process (e.g. by providing false, misleading or incomplete information, by failing to report a knowledge or suspicion pursuant to Article 7.6.2, and/or by destroying potential evidence), proceedings may be brought against him/her for a violation of Article 2.5 (*Tampering* or *Attempted Tampering*).
- 7.6.5** Where, as the result of an investigation under this Article 7.6, the *ICC* forms the view that an anti-doping rule violation may have been committed, the *ICC* shall refer the matter to the *Independent Review Board*, to determine whether there is a case to answer.
- 7.6.6** If the *Independent Review Board* determines that the *Player* or *Player Support Personnel* has a case to answer under Article 2, the *Anti-Doping Manager* shall promptly send the *Player* or *Player Support Personnel* a written *Notice of Charge*

(notice of which can be accomplished by delivery either directly to the *Player* or *Player Support Person* or via his/her *National Cricket Federation*), (copied to the *Player's National Cricket Federation*, the *Player's National Anti-Doping Organisation* and *WADA* (who all shall be kept up to date on the status of the case)), confirming the following:

- 7.6.6.1 that the *Player* or *Player Support Personnel* has a case to answer under Article 2 (specifying which particular anti-doping rule violation is alleged to have been committed);
- 7.6.6.2 details of the facts upon which the case to answer is based, including copies of any relevant documentation;
- 7.6.6.3 (where applicable) the matters relating to *Provisional Suspension* specified at Article 7.8; and
- 7.6.6.4 the matters specified at Article 7.9.

## 7.7 Identification of Prior Anti-Doping Rule Violations

Before giving a *Player* or other *Person* notice of an asserted anti-doping rule violation as provided above, the *ICC* shall refer to *ADAMS* or other system approved by *WADA* and contact *WADA* and other relevant *Anti-Doping Organisations* to determine whether the *Player* or other *Person* has any prior anti-doping rule violations.

## 7.8 Provisional Suspension

- 7.8.1 If analysis of a *Player's Sample* results in an *Adverse Analytical Finding* for a *Prohibited Substance* or *Prohibited Method* that is not a *Specified Substance*, and a review in accordance with Article 7.1.1 does not reveal an applicable *TUE* or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, then the *ICC* shall *Provisionally Suspend* the *Player* pending the *Anti-Doping Tribunal's* determination of whether he/she has committed an anti-doping rule violation.
- 7.8.2 In any case not covered by Article 7.8.1 (for example, if the analysis of an *A Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is a *Specified Substance* or *Contaminated Product*), where the *ICC* decides to take the matter forward as an apparent anti-doping rule violation in accordance with the provisions of this Article 7, the *ICC* may *Provisionally Suspend* the *Player* or other *Person* pending the *Anti-Doping Tribunal's* determination of whether he/she has committed an anti-doping rule violation. In circumstances where the *ICC* decides not to impose a *Provisional Suspension*, the *Player* shall be offered the opportunity to accept a voluntary *Provisional Suspension* pending the resolution of the matter. If the *Player* wishes to accept the offer, the *Player* must communicate such acceptance in writing to the *ICC*.
- 7.8.3 Where a *Provisional Suspension* is imposed, whether pursuant to Article 7.8.1 or Article 7.8.2, the *Player* or other *Person* shall be given either: (a) an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after imposition of a *Provisional Suspension*. Where the *Player* or other *Person* is given an opportunity to challenge the imposition of a *Provisional Suspension* at a *Provisional Hearing*, the

only grounds of challenge (which it shall be his/her burden to establish) shall be the following:

**7.8.3.1** the charge(s) has/have no reasonable prospect of being upheld, e.g., because of a patent flaw in the case against him/her; or

**7.8.3.2** the *Player* or other *Person* has a strong arguable case that he/she bears *No Fault or Negligence* for the anti-doping rule violation(s) charged, so that any period of *Ineligibility* that might otherwise be imposed for such a violation is likely to be completely eliminated by application of Article 10.5.1; or

**7.8.3.3** the *Player* is able to demonstrate to the *Provisional Hearing* that the anti-doping rule violation is likely to have involved a *Contaminated Product*; or

**7.8.3.4** some other facts exist that make it clearly unfair, in all of the circumstances, to impose a *Provisional Suspension* prior to a full hearing on the merits of the charge(s) against the *Player* or other *Person*. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the *Provisional Suspension* would prevent the *Player* participating in a particular *Match* shall not qualify as exceptional circumstances for these purposes.

**7.8.4** If a *Provisional Suspension* is imposed based on an *Adverse Analytical Finding* in respect of an *A Sample*, and any subsequent analysis of the *B Sample* analysis does not confirm the *A Sample* analysis, then the *Player* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 of the *Code* (presence of a *Prohibited Substance* or its *Metabolites* or *Markers*).

**7.8.5** During the period of any *Provisional Suspension*, a *Player* or *other Person* may not play, coach or otherwise participate or be involved in any capacity in: (a) any *International Match*, *ICC Event* or any other kind of function, event or activity that is authorised, organised, sanctioned, recognised or supported in any way by the *ICC* or any *National Cricket Federation* or member of a *National Cricket Federation*; or (b) any *Match* authorised or organised by any professional league, any *Major Event Organisation*, or any other international or national-level tournament/event organiser, whether or not the party authorising or organising the *Match* in question is a *Signatory*. Without prejudice to the generality of the foregoing, the *Player* or *other Person* may not be given accreditation for, or otherwise granted access to, any *International Match* or *ICC Event*, or other function, event or activity to which access is controlled by the *ICC*, any *National Cricket Federation* or member of a *National Cricket Federation*, and any accreditation previously issued shall be withdrawn. *National Cricket Federations* shall take all steps within their powers to give effect to this Article 7.8.5. In addition, the *ICC* will take the necessary steps to have the *Provisional Suspension* recognised and enforced by other relevant organisations in accordance with Article 15 of the *Code*.

## **7.9 Responding to a Notice of Charge**

**7.9.1** A *Notice of Charge* sent to a *Player* in accordance with Article 7.1.3, 7.3.5 or Article 7.5.5 or to a *Player* or *Player Support Personnel* in accordance with Article 7.6.6 shall also specify that, if the *Player* or *Player Support Personnel* wishes to exercise his/her right to a hearing before the *Anti-Doping Tribunal*, he/she must submit a written request for such a hearing so that it is received by the *Anti-Doping Manager* as soon as possible, but in any event within fourteen (14) days of the receipt by the *Player* or

*Player Support Personnel* of the *Notice of Charge*. The request must also state how the *Player* or *Player Support Personnel* responds to the charge(s) and must explain (in summary form) the basis for such response.

**7.9.2** If the *Player* or *Player Support Personnel* fails to file a written request for a hearing before the *Anti-Doping Tribunal* in accordance with Article 7.9.1 by the deadline specified in that Article, then the *Player* or *Player Support Personnel* shall be deemed:

**7.9.2.1** to have waived his/her entitlement to a hearing;

**7.9.2.2** to have admitted that he/she has committed the anti-doping rule violation(s) specified in the *Notice of Charge*; and

**7.8.2.3** to have acceded to the *Consequences* specified in the *Notice of Charge*.

In such circumstances, a hearing before the *Anti-Doping Tribunal* shall not be required. Instead, the *ICC* shall promptly issue a public decision confirming the commission of the anti-doping rule violation(s) specified in the *Notice of Charge* and the imposition of the *Consequences* specified in the *Notice of Charge*.

**7.9.3** Where the *Player* or *Player Support Personnel* does request a hearing in accordance with Article 7.9.1, the matter shall proceed to a hearing in accordance with Article 8.

## **7.10 Notification of Results Management Decisions**

In all cases where the *ICC* has asserted the commission of an anti-doping rule violation, withdrawn the assertion of an anti-doping rule violation, imposed a *Provisional Suspension*, or agreed with an *Athlete* or other *Person* to the imposition of a sanction without a hearing, that *ICC* shall give notice thereof as set forth in Article 14.2.1 of the *Code* to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3 of the *Code*.

## **7.11 Retirement from Sport**

If a *Player* or *Player Support Personnel* retires while a results management process is underway, the *ICC* retains jurisdiction to complete the results management process. If a *Player* or *Player Support Personnel* retires before any results management process has started, the *ICC*, if it has results management jurisdiction over that *Player* or *Player Support Personnel*, has authority to conduct the results management process notwithstanding the retirement.

## **ARTICLE 8 RIGHT TO A FAIR HEARING**

### **8.1 Hearings under the *ICC Code***

**8.1.1** The *ICC* shall appoint a standing panel consisting of a President (who shall be a lawyer) and at least six other persons with experience and expertise in anti-doping (the "**Anti-Doping Panel**"). Each panel member shall be independent of the *ICC*.

**8.1.2** Where the *ICC* alleges that a *Player* or *Player Support Personnel* has committed an anti-doping rule violation, and the *Player* or *Player Support Personnel* denies the allegation, and/or disputes the *Consequences* to be imposed for such violation

under the *ICC Code*, then the case shall be referred to an *Anti-Doping Tribunal* for adjudication.

- 8.1.3** In conjunction with the *Anti-Doping Manager*, the President of the *Anti-Doping Panel* shall appoint three members from the panel (which may include the President) to sit as the *Anti-Doping Tribunal* to hear each case. At least one appointed member of the *Anti-Doping Tribunal* shall be a lawyer, and shall sit as the Chairman of the *Anti-Doping Tribunal*. Unless otherwise agreed between the parties, the appointed members shall have had no prior involvement with the case and shall not have the same nationality as the *Player* or *Player Support Personnel* alleged to have violated the *ICC Code*.
- 8.1.4** The Chairman of the *Anti-Doping Tribunal* shall convene a preliminary hearing with the *ICC* and its legal representatives, and with the *Player* or *Player Support Personnel* and his/her legal representatives (if any). The preliminary hearing should take place as soon as possible by telephone conference call unless the Chairman determines otherwise. The non-participation of the *Player* or *Player Support Personnel* or his/her representative at the preliminary hearing, after proper notice of the preliminary hearing has been provided, shall not prevent the Chairman of the *Anti-Doping Tribunal* from proceeding with the preliminary hearing, whether or not any written submissions are made on behalf of the *Player* or *Player Support Personnel*.
- 8.1.5** The purpose of the preliminary hearing shall be to allow the Chairman to address any preliminary issues. In particular (but without limitation), the Chairman shall:
- 8.1.5.1** determine the date(s) upon which the full hearing shall be held;
  - 8.1.5.2** establish dates reasonably in advance of the date of the full hearing at which:
    - (a) the *ICC* shall submit an opening brief with argument on all issues that the *ICC* wishes to raise at the hearing and a list of the witnesses that the *ICC* intends to call at the hearing (and a summary of the subject areas of the witness's anticipated testimony), and enclosing copies of the documents that the *ICC* intends to introduce at the hearing;
    - (b) the *Player* or *Player Support Personnel* shall submit an answering brief, addressing the *ICC*'s arguments and setting out arguments on the issues that he/she wishes to raise at the hearing, as well as a list of the witnesses that he/she intends to call at the hearing (and a summary of the subject areas of the witness's anticipated testimony), and enclosing copies of the documents that he/she intends to introduce at the hearing; and
    - (c) the *ICC* may (at its discretion) submit a reply brief, responding to the answer brief of the *Player* or *Player Support Personnel* and listing any rebuttal witnesses or documents.
  - 8.1.5.3** make such order as the Chairman shall deem appropriate in relation to the production of relevant documents and/or other materials between the parties; provided that (save for good cause shown) no documents and/or other materials shall be ordered to be produced in relation to any *Adverse Analytical Finding* beyond the documents that the International Standard

for Laboratories requires to be included in the laboratory documentation pack.

- 8.1.6** The *Player* or *Player Support Personnel* shall be required to raise at the preliminary hearing any legitimate objection that he/she may have to any of the members of the *Anti-Doping Tribunal* convened to hear his/her case. Any unjustified delay in raising any such objection shall constitute a waiver of the objection. If any objection is made, the Chairman of the *Anti-Doping Tribunal* shall rule on its legitimacy (or, if the objection relates to the Chairman, the President of the *Anti-Doping Panel* shall rule).
- 8.1.7** If, because of a legitimate objection or for any other reason, a member of the *Anti-Doping Tribunal* is, or becomes, unwilling or unable to hear the case, then the Chairman of the *Anti-Doping Tribunal* may, at his/her absolute discretion: (a) rule that a replacement member of the *Anti-Doping Tribunal* should be appointed (in which case the President of the *Anti-Doping Panel* shall appoint the replacement); or (b) authorise the remaining members to hear the case on their own.
- 8.1.8** Subject to the discretion of the Chairman of the *Anti-Doping Tribunal* to order otherwise for good cause shown by either party, or if otherwise agreed between the parties, hearings before the *Anti-Doping Tribunal* shall: (a) take place at the ICC's headquarters in Dubai, United Arab Emirates; and (b) be conducted on a confidential basis.
- 8.1.9** Each of the ICC and the *Player* or *Player Support Personnel* has the right to be present and to be heard at the hearing. Each of the ICC and the *Player* or *Player Support Personnel* also has the right (at his/her or its own expense) to be represented at the hearing by legal counsel of his/her or its own choosing.
- 8.1.10** Subject to Article 3.2.6, the *Player* or *Player Support Personnel* may choose not to appear in person at the hearing, but rather to provide a written submission for consideration by the *Anti-Doping Tribunal*, in which case the *Anti-Doping Tribunal* shall consider the submission in its deliberations. However, the non-attendance of the *Player* or *Player Support Personnel* or his/her representative at the hearing, after proper notice of the hearing has been provided, shall not prevent the *Anti-Doping Tribunal* from proceeding with the hearing in his/her absence, whether or not any written submissions are made on his/her behalf.
- 8.1.11** The procedure followed at the hearing shall be at the discretion of the Chairman of the *Anti-Doping Tribunal*, provided that the hearing is conducted in a fair manner with a reasonable opportunity for each party to present evidence (including the right to call and to question witnesses by telephone or video-conference where necessary), address the *Anti-Doping Tribunal* and present his/her case.
- 8.1.12** Save where the Chairman orders otherwise for good cause shown by either party, the hearing shall be in English, and certified English translations shall be submitted of any non-English documents put before the *Anti-Doping Tribunal*. The cost of the translation shall be borne by the party offering the document(s). If required by the Chairman, the ICC shall make arrangements to have the hearing recorded or transcribed (save for the private deliberations of the *Anti-Doping Tribunal*). If requested by the *Player* or *Player Support Personnel*, the ICC shall also arrange for a translator to attend the hearing to translate oral questions and/or answers. The costs of such transcription and translation shall be paid by the ICC, subject to any costs-shifting order that the *Anti-Doping Tribunal* may make further to Article 8.2.4.

## **8.2 Decisions of the *Anti-Doping Tribunal***

- 8.2.1** The *Anti-Doping Tribunal* shall announce its decision in writing, with reasons, as soon as possible after the conclusion of the hearing. That written decision will be sent without delay to the parties and to WADA and any other party that has a right, further to Article 13, to appeal the decision. The decision shall set out and explain:
- 8.2.1.1** with reasons, the *Anti-Doping Tribunal's* findings as to whether any anti-doping rule violation(s) has/have been committed;
  - 8.2.1.2** with reasons, the *Anti-Doping Tribunal's* findings as to what *Consequences*, if any, are to be imposed, including, if applicable, findings as to why the maximum potential sanction was not imposed;
  - 8.2.1.3** with reasons, the date that such *Consequences* shall come into force and effect pursuant to Article 10.10; and
  - 8.2.1.4** the rights of appeal applicable pursuant to Article 13.
- 8.2.2** Where possible, the *Anti-Doping Tribunal* shall have discretion to announce the substance of its decision to the parties prior to the issue of the written reasoned decision referred to in Article 8.2.1, in cases where a *Provisional Suspension* has been imposed or where it otherwise deems appropriate. For the avoidance of doubt, however: (a) the *Anti-Doping Tribunal* shall still be required to issue a written, reasoned decision in accordance with Article 8.2.1; and (b) the time to appeal pursuant to Article 13 shall not run until receipt of that written, reasoned decision.
- 8.2.3** The ICC shall pay the costs of convening the *Anti-Doping Tribunal* and of staging the hearing, subject to any costs-shifting order that the *Anti-Doping Tribunal* may make further to Article 8.2.4.
- 8.2.4** The *Anti-Doping Tribunal* has the power to make a costs order against any party. Subject thereto, each party shall bear its own costs, legal, expert, hearing, and otherwise. No recovery of costs may be considered a basis for reducing the period of *Ineligibility* or other sanction that would otherwise be applicable.
- 8.2.5** Subject only to the rights of appeal under Article 13, the *Anti-Doping Tribunal's* decision shall be the full, final and complete disposition of the case and will be binding on all parties.
- 8.2.6** If the decision is that an anti-doping rule violation has been committed, then: (a) the decision shall be *Publicly Reported* in full as soon as possible, and in any event within no more than twenty (20) days of its issue in accordance with Article 14.1; and (b) after the decision is *Publicly Reported*, the ICC may also publish such other parts of the proceedings before the *Anti-Doping Tribunal* as the ICC thinks fit.
- 8.2.7** If the *Player* or *Player Support Personnel* is exonerated, then the decision shall not be published (save as set out in Article 14.2) and its confidentiality shall be strictly maintained by all parties.

## **8.3 Single Hearings Before CAS**

Anti-doping rule violations asserted under this *ICC Code* may, with the consent of the *Player*, the *ICC*, *WADA* and any other body that would have had a right to appeal a first instance hearing decision to *CAS*, be heard directly at *CAS*, with no prior hearing before the *Anti-Doping Tribunal*.

#### **8.4 Agreed Sanctions**

Notwithstanding any of the other provisions of this *ICC Code*, it shall be open to a *Player* or *Player Support Personnel* charged with any anti-doping rule violation(s) to admit the violation(s) charged at any time, whether or not as part of an agreement with the *ICC* on the sanction to be imposed for his/her violation(s), based on the range of sanctions set out in Article 10 for the violation(s) in question (including, in particular, Article 10.6.3). Any such discussions between the *ICC* and the *Player* or *Player Support Personnel* on this point shall take place on a “without prejudice” basis and in such a manner that they shall not delay or in any way interfere with the proceedings. Any resulting agreement shall be evidenced in writing, signed by both the *ICC’s General Counsel* and the *Player* or *Player Support Personnel*, shall set out the sanction imposed on the *Player* or *Player Support Personnel* for his/her anti-doping rule violation(s), and shall include a waiver by the *Player* or *Player Support Personnel* of his/her right of appeal against the decision and the sanction (the “**Agreed Sanction**”). The *Agreed Sanction* will provide for the discontinuance of the proceedings on the terms thereof without the need for any further hearing. Instead, the *ICC* shall promptly issue a public decision confirming the *Player’s* or *Player Support Personnel’s* admission of the anti-doping rule violation(s) charged and the imposition of the *Agreed Sanction*, including an explanation (if applicable) of any mitigating factors applied. Before publishing that decision, the *ICC’s Chief Executive Officer* will provide notice of it to *WADA*, and the *Player* or *Player Support Personnel’s National Cricket Federation* and relevant *NADO*.

### **ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

An anti-doping rule violation in connection with or arising out of an *In-Competition* test automatically leads to *Disqualification* of the individual results obtained by the *Player’s* individual performance in the *International Match* in question, with the following consequences: (a) forfeiture of any individual medals or other prizes awarded; and (b) forfeiture of any official ranking points achieved.

### **ARTICLE 10 SANCTIONS ON INDIVIDUALS**

#### **10.1 Disqualification of Individual Results in an ICC Event During Which an Anti-Doping Rule Violation occurs**

Subject to Article 10.1.1, where a *Player* is found to have committed an anti-doping rule violation during or in connection with an *International Match* in an *ICC Event* where the *Player* also participated in other *International Matches* (for example, the anti-doping rule violation was committed during or in connection with the final of an *ICC Event* and the *Player* had participated in earlier rounds of the *ICC Event*), then in addition to the consequences set out at Article 9 (in relation to the *Disqualification* of individual results obtained by the *Player’s* individual performance in the particular *International Match* during or in connection with which the anti-doping rule violation was committed), the anti-doping rule violation will also lead to *Disqualification* of all of the individual results obtained by the *Player’s* individual performances in the other *International Matches* that he/she participated in during the *ICC Event* in question with the following consequences: (a) forfeiture of any individual medals or other prizes awarded; and (b) forfeiture of any official ranking points achieved, except as provided in Article 10.1.1.

- 10.1.1** If the *Player* establishes that he/she bears *No Fault or Negligence* for the violation, the *Player's* individual results in the *International Matches* other than the *International Match* during or in connection with which the anti-doping rule violation occurred shall not be *Disqualified* unless the *ICC* establishes that the *Player's* results in the other *International Matches* were likely to have been affected by his/her anti-doping rule violation.

**10.2 Imposition of a Period of *Ineligibility* for the Presence, Use or Attempted Use, or Possession of a *Prohibited Substance* or *Prohibited Method***

The period of *Ineligibility* imposed for a violation of Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers* in a *Sample*), Article 2.2 (*Use* or *Attempted Use* of *Prohibited Substance* or *Prohibited Method*) or Article 2.6 (*Possession* of *Prohibited Substances* and *Methods*) that is the *Player* or *Player Support Personnel's* first offence shall be as follows, unless the conditions for eliminating or reducing the period of *Ineligibility* (as provided in Articles 10.4, 10.5 and 10.6) are met.

- 10.2.1** The period of *Ineligibility* shall be four years where:

- (a) the anti-doping rule violation does not involve a *Specified Substance*, unless the *Player* or other *Person* can establish that the anti-doping rule violation was not intentional;
- (b) the anti-doping rule violation involves a *Specified Substance* and the *ICC* establishes that the anti-doping rule violation was intentional;

- 10.2.2** If Article 10.2.1 does not apply, the period of *Ineligibility* shall be two years.

- 10.2.3** As used in Articles 10.2 and 10.3, the term "intentional" is meant to identify those *Players* or other *Persons* who cheat. The term, therefore, requires that the *Player* or other *Person* engaged in conduct which he or she knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is prohibited *In-Competition* only shall be rebuttably presumed to be not "intentional" if the substance is a *Specified Substance* and the *Player* can establish that the *Prohibited Substance* was *Used Out-of-Competition*. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered "intentional" if the substance is not a *Specified Substance* and the *Player* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.

**10.3 Imposition of a Period of *Ineligibility* for Other Anti-Doping Rule Violations**

The period of *Ineligibility* imposed for anti-doping rule violations other than under Article 10.2 shall be as follows, subject to the potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6:

- 10.3.1** For a violation of Article 2.3 (evading *Sample* collection or refusing or failing to submit to *Sample* collection) or Article 2.5 (*Tampering* or *Attempted Tampering* with *Doping Control*) that is the *Player* or *Player Support Personnel's* first offence, the period of *Ineligibility* imposed shall be four years, unless in the case of failing to submit to *Sample* collection, the *Player* can establish that the commission of the anti-doping rule violation was not intentional (as defined in Article 10.2.3), in which case the period of *Ineligibility* shall be two years.

- 10.3.2** For a violation of Article 2.4 (*Whereabouts Failures*) that is the *Player's* first offence, the period of *Ineligibility* imposed shall be two years subject to reduction down to a minimum of one (1) year depending on the *Player's* degree of *Fault*. The flexibility between two years and one year of *Ineligibility* in this Article is not available to *Players* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Player* was trying to avoid being available for *Testing*.
- 10.3.3** For a violation of Article 2.7 (*Trafficking or Attempted Trafficking*) or Article 2.8 (*Administration or Attempted Administration of a Prohibited Substance or Prohibited Method*) that is the *Player* or *Player Support Personnel's* first offence, the period of *Ineligibility* imposed shall be a minimum of four years up to lifetime *Ineligibility* depending on the seriousness of the violation. Provided that:
- 10.3.3.1** an anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation and, if committed by a *Player Support Personnel* in relation to violations other than those involving *Specified Substances*, shall result in lifetime *Ineligibility* for such *Player Support Personnel*; and
- 10.3.3.2** significant violations of Article 2.7 or 2.8 which also violate non-sporting laws or regulations shall be reported to the competent administrative, professional or judicial authorities.
- 10.3.4** For a violation of Article 2.9 (*Complicity*) that is the *Player's* first offence, the period of *Ineligibility* imposed shall be a minimum of two years, up to a maximum of four years, depending on the seriousness of the violation.
- 10.3.5** For a violation of Article 2.10 (*Prohibited Association*) that is the *Player's* first offence, the period of *Ineligibility* imposed shall be two years, subject to reduction down to a minimum of one year depending on the *Player* or other *Person's* degree of *Fault* and other circumstances of the case.

**10.4 Elimination of the Period of *Ineligibility* where there is *No Fault or Negligence***

If a *Player* or other *Person* establishes in an individual case that he/she bears *No Fault or Negligence* in respect of the anti-doping rule violation in question, then the otherwise applicable period of *Ineligibility* shall be eliminated.

**10.5 Reduction of the Period of *Ineligibility* based on *No Significant Fault or Negligence***

**10.5.1** Reduction of the Period of *Ineligibility* for *Specified Substances* or *Contaminated Products* for violations of Articles 2.1, 2.2 or 2.6.

**10.5.1.1 *Specified Substances***

Where the anti-doping rule violation involves a *Specified Substance*, and the *Player* or other *Person* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two years of *Ineligibility*, depending on the *Player* or other *Person's* degree of *Fault*.

**10.5.1.2 *Contaminated Products***

In cases where the *Player* or other *Person* can establish *No Significant Fault or Negligence* and that the detected *Prohibited Substance* came from a *Contaminated Product*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two years of *Ineligibility*, depending on the *Player* or other *Person's* degree of *Fault*.

**10.5.2** If a *Player* or other *Person* establishes in an individual case where Article 10.5.1 is not applicable, that he/she bears *No Significant Fault or Negligence* in respect of the anti-doping rule violation in question, then, subject to the further reduction or elimination as provided in Article 10.6, the otherwise applicable period of *Ineligibility* may be reduced based on the *Player* or other *Person's* degree of *Fault*, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than eight years.

## **10.6 Elimination, Reduction or Suspension of the Period of *Ineligibility* or other Consequences for Reasons other than *Fault***

### **10.6.1 *Substantial Assistance* in Discovering or Establishing Anti-Doping Rule Violations**

**10.6.1.1** The ICC may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of a period of *Ineligibility* in an individual case in which it has results management authority, where the *Player* or other *Person* has provided *Substantial Assistance* to the ICC or other *Anti-Doping Organisation*, a criminal authority or a professional disciplinary body that results in: (i) the ICC or other *Anti-Doping Organisation* discovering or bringing forward an anti-doping rule violation by another *Person*; or (ii) that results in a criminal or disciplinary body discovering or bringing forward a criminal offence or the breach of professional rules committed by another *Person* and the information provided by the *Person* providing *Substantial Assistance* is made available to the ICC. After a final appellate decision under Article 13 or the expiration of the time to appeal, the ICC may only suspend a part of the otherwise applicable period of *Ineligibility* with the approval of WADA.

**10.6.1.2** The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Player* or other *Person* and the significance of the *Substantial Assistance* provided by the *Player* or other *Person* to the effort to eliminate doping in sport.

**10.6.1.3** No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended under this Article 10.6.1. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than 8 years.

**10.6.1.4** If the *Player* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of the period of *Ineligibility* was based, the ICC or *Anti-Doping Tribunal* shall reinstate the original period of *Ineligibility*. A decision by the ICC or *Anti-Doping Tribunal* to reinstate a suspended period of *Ineligibility* or a decision not to reinstate a suspended period of *Ineligibility* may be appealed pursuant to Article 13.2.

**10.6.1.5** To further encourage *Players* and other *Persons* to provide *Substantial Assistance* to *Anti-Doping Organisations*, at the request of the *ICC* or at the request of the *Player* or other *Person* who has, or has been asserted to have, committed an anti-doping rule violation, *WADA* may agree at any stage of the results management process, including after a final appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of *Ineligibility* and other *Consequences*. In exceptional circumstances, *WADA* may agree to suspensions of the period of *Ineligibility* and other *Consequences* for *Substantial Assistance* greater than those otherwise provided in this Article, or even no period of *Ineligibility*, and/or no return of prize money or payment of fines or costs. *WADA*'s approval shall be subject to reinstatement of sanction, as otherwise provided in this Article. Notwithstanding Article 13, *WADA*'s decisions in the context of this Article may not be appealed by any other *Anti-Doping Organisation*.

**10.6.1.6** If the *ICC* suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organisations* with a right to appeal under Article 13.2.2. In unique circumstances where *WADA* determines that it would be in the best interest of anti-doping, *WADA* may authorize the *ICC* to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

**10.6.1.7** For the purposes of this Article 10.6.1 only, in circumstances where the *ICC* has discretion to suspend part of a period of *Ineligibility* on the basis that the *Player* or other *Person* has provided *Substantial Assistance* to the *ICC* or other *Anti-Doping Organisation*, such discretion shall be exercised by the *Anti-Doping Manager*, who shall be required to obtain the prior written agreement of the *National Cricket Federation* to which the *Player* or other *Person* is affiliated (if applicable) and the prior approval of the *ICC Board* to the exercise of such discretion.

#### **10.6.2** Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

Where a *Player* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received either (a) notification of a *Sample* collection that could establish an anti-doping rule violation (in the case of an anti-doping rule violation under Article 2.1), or (b) notification of the anti-doping rule violation (in the case of any other anti-doping rule violation), and that admission is the only reliable evidence of the violation at the time of admission, then the otherwise applicable period of *Ineligibility* may be reduced, but not by more than half of the period of *Ineligibility* otherwise applicable.

#### **10.6.3** Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Article 10.2.1 or 10.3.1

A *Player* or other *Person* potentially subject to a four year sanction under Article 10.2.1 or 10.3.1 (for evading or refusing *Sample Collection* or *Tampering with Sample Collection*), by promptly admitting the asserted anti-doping rule violation after being confronted by the *ICC*, and also upon the approval and at the discretion of both *WADA* and the *ICC*, may receive a reduction in the period of *Ineligibility*

down to a minimum of two years, depending on the seriousness of the violation and the *Player* or other *Person's* degree of *Fault*.

#### **10.6.4 Application of Multiple Grounds for Reduction of a Sanction**

Where a *Player* or other *Person* establishes entitlement to a reduction of suspension in sanction under more than one provision of Article 10.4, 10.5 or 10.6, before applying any reduction or suspension under Article 10.6, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4 and 10.5. If the *Player* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under Article 10.6, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter of the otherwise applicable period of *Ineligibility*.

### **10.7 Multiple Violations**

#### **10.7.1 Second Anti-Doping Rule Violation**

For a *Player* or other *Person's* second anti-doping rule violation, the period of *Ineligibility* shall be the greater of:

- (a) Six months;
- (b) One-half of the period of *Ineligibility* imposed for the first anti-doping rule violation without taking into account any reduction under Article 10.6; or
- (c) Twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Article 10.6.

The period of *Ineligibility* established above may then be further reduced by the application of Article 10.6.

#### **10.7.2 Third Anti-Doping Rule Violation**

A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, unless the third violation fulfils the conditions for elimination or reduction of the period of *Ineligibility* under Article 10.4 or 10.5 or involves a violation of Article 2.4 (*Whereabouts Failures*), in which case the period of *Ineligibility* imposed shall be from eight years to lifetime *Ineligibility*.

**10.7.3** An anti-doping rule violation for which a *Player* or other *Person* has established *No Fault or Negligence* shall not be considered a prior violation for the purposes of this Article.

#### **10.7.4 Additional Rules for Certain Potential Multiple Violations**

**10.7.4.1** For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if the *ICC* can establish that the *Player* or *Player Support Personnel* committed the second anti-doping rule violation after he/she received notice pursuant to Article 7, or after the *ICC* made reasonable efforts to give such notice, of the first anti-doping rule violation. If the *ICC* cannot establish this, the violations shall be considered together as one single first violation

for sanctioning purposes, and the sanction imposed shall be based on the violation that carries the more severe sanction.

**10.7.4.2** If, after the imposition of a sanction for a first anti-doping rule violation, the *ICC* discovers facts involving a second anti-doping rule violation by the *Player* or other *Person* that occurred prior to notification of the first violation, then an additional sanction shall be imposed based on the sanction that could have been imposed if the two violations had been adjudicated at the same time. Individual results in all *International Matches* dating back to the earlier anti-doping rule violation will be *Disqualified* in accordance with Article 10.8.

**10.7.5 Multiple Anti-Doping Rule Violations during a Ten-Year Period**

Any prior anti-doping rule violation shall only be taken into account for the purposes of Article 10.7 if it took place within a period of ten years prior to the anti-doping rule violation under consideration.

**10.8 Disqualification of Individual Results Obtained in International Matches Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation**

In addition to the automatic *Disqualification*, pursuant to Article 9, of the individual results obtained by the *Player's* individual performance in the *International Match* which produced the *Adverse Analytical Finding*, all other individual results of the *Player* obtained from the date that the *Sample* in question was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through to the commencement of any *Provisional Suspension* or *Ineligibility* period, shall (unless the *Anti-Doping Tribunal* determines that fairness requires otherwise) be *Disqualified* with all of the resulting *Consequences*, including: (a) forfeiture of any individual medals or other prizes awarded; and (b) forfeiture of any official ranking points achieved.

NOTE: The lack of any evidence that the *Player's* performance was enhanced during subsequent *International Matches* shall not of itself be sufficient to trigger the *Anti-Doping Tribunal's* discretion under Article 10.8.

**10.9 Allocation of CAS Cost Awards and Forfeited Prize Money**

The priority for repaying of *CAS* cost awards and forfeited prize money shall be: first, payment of costs awarded by *CAS*; second, reimbursement of the expenses of the *ICC* in relation to its results management in the case. For the avoidance of doubt, forfeited prize money will not be allocated to other *Players*.

**10.10 Commencement of Ineligibility Period**

Except as provided below, the period of *Ineligibility* shall commence on the date that the decision imposing the period of *Ineligibility* is issued or, if the hearing is waived or there is no hearing, on the date the *Ineligibility* is accepted or otherwise imposed.

**10.10.1** Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Player* or other *Person*, the period of *Ineligibility* may be deemed to have started at an earlier date, commencing as early as the date of last occurrence of the anti-doping rule violation (which, in the case of an Article 2.1 violation, would be on the date of *Sample* collection), taking into account

any such period of delay. All competitive results achieved during the period of *Ineligibility*, including retroactive *Ineligibility* shall be *Disqualified*.

**10.10.2** Where the *Player* or other *Person* promptly (which means, in any event, before the *Player* competes again) admits the anti-doping rule violation after being confronted with it by the *ICC*, the period of *Ineligibility* subsequently imposed on him/her may be back-dated so that it is deemed to have commenced as far back as the date of last occurrence of the anti-doping rule violation (which, in the case of an Article 2.1 violation, would be on the date of *Sample* collection). However, this discretion to back-date is subject to the following limit: the *Player* or *Player Support Personnel* must actually serve at least one-half of the period of *Ineligibility* going forward from the date the *Player* or other *Person* accepted the imposition of a sanction, the date of the hearing decision imposing a sanction, or the date the sanction is otherwise imposed. This Article shall not apply where the period of *Ineligibility* has already been reduced under Article 10.6.3.

**10.10.3** Any period of *Provisional Suspension* served by the *Player* or other *Person* (whether imposed in accordance with Article 7.8 or voluntarily accepted by the *Player* or *Player Support Personnel*) shall be credited against the total period of *Ineligibility* that may be ultimately imposed. If a period of *Ineligibility* is served prior to a decision that is subsequently appealed, then the *Player* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal. To get credit for any period of voluntary *Provisional Suspension*, however, the *Player* or other *Person* must have given written notice of their acceptance of the *Provisional Suspension* at the beginning of such period to the *ICC* and must have respected the *Provisional Suspension* in full. A copy of the *Player* or other *Person's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to the *Player* or other *Person's National Cricket Federation* and *NADO*, and to *WADA*. No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension*, regardless of the *Player's* status during such period.

## **10.11 Status During *Ineligibility***

### **10.11.1 Prohibition against Participation during *Ineligibility***

**10.11.1.1** No *Player* or *Player Support Personnel* who has been declared *Ineligible* may, during the period of *Ineligibility*, play, coach or otherwise participate or be involved in any capacity in: (a) an *International Match*, *ICC Event* or activity (other than authorised anti-doping education or rehabilitation programs) authorised, organised, sanctioned, recognised or supported in any way by the *ICC* or any *National Cricket Federation* or a club or other member organisation of the *ICC* or any *National Cricket Federation*; (b) any *Match* or *Event* authorised or organised by any professional league or any international or national level tournament/*Event* organisation (whether or not the party authorising or organising the *Match* or event in question is a *Signatory*, any club or other body that is a member of, or affiliated to, or licensed by, a *Signatory* or a *Signatory's* member organisation); (c) any elite or national-level sporting activity funded by a governmental agency; or (d) a *Competition* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by any *Signatory*, *Signatory's* member organization, or a club or other member organization of a *Signatory's* member organization. Without prejudice to the generality of the foregoing, such *Player* or other *Person* shall not, during any period

of *Ineligibility*, be given accreditation for, or otherwise granted access to, any *International Match*, *ICC Event*, function, event or activity of the type referred to in this Article and any such accreditation previously issued shall be withdrawn. *National Cricket Federations* shall take all steps within their powers to give effect to this Article 10.11.1.1. Furthermore, the ICC will take all necessary steps to have the period of *Ineligibility* recognised and enforced by other relevant parties, including other *Signatories* in accordance with Code Article 15.

**10.11.1.2** A *Player* or other *Person* who is subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate as an athlete in local sport events not sanctioned or otherwise under the jurisdiction of a *Signatory* or member of a *Signatory*, but only so long as the local sport event is not at a level that could otherwise qualify such *Player* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or international tournament/event and does not involve the *Player* or other *Person* working in any capacity with *Minors*.

**10.11.1.3** A *Player* or other *Person* who is subject to a period of *Ineligibility* shall remain subject to *Testing* during that period and must provide whereabouts information upon request for that purpose. If a *Player* or other *Person* commits an anti-doping rule violation during a period of *Ineligibility* (including but not limited to an anti-doping rule violation under Article 2.1), this shall be treated as a separate anti-doping rule violation under the *ICC Code*.

#### **10.11.2** Return to Training

As an exception to Article 10.11.1, a *Player* may return to train with a team or to use the facilities of a club or other member organisation of a *Signatory's* member organisation during the shorter of: (i) the last two months of the *Player's* period of *Ineligibility*; or (ii) the last one-quarter of the period of *Ineligibility* imposed.

#### **10.11.3** Violation of the Prohibition of Participation during *Ineligibility*

Where a *Player* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during such period of *Ineligibility*, a new period of *Ineligibility* equal in length to the original period of *Ineligibility* shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility* may be adjusted based on the *Player* or other *Person's* degree of *Fault* and other circumstances of the case. The determination of whether the prohibition against participation whilst *Ineligible* has been violated, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organisation whose results management led to the imposition of the initial period of *Ineligibility*, and such decision shall be subject to appeal in accordance with Article 13. In any case, any results obtained by the *Player* as a result of such participation shall be automatically *Disqualified* with all resulting consequences, including forfeiture of any individual medals, individual titles, individual ranking points and individual prizes obtained in that *International Match* or other tournament/event and the non-inclusion of the *Player's* performance statistics in that *International Match* or other tournament/event towards individual averages and/or records.

Where a *Player Support Person* or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility*, the *ICC* shall, where it has

jurisdiction over that *Player Support Person* or other *Person*, impose sanctions for a violation of Article 2.9 (Complicity) for such assistance.

#### **10.11.4 Withholding of Financial Support during *Ineligibility***

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.4 or 10.5, some or all sport-related financial support or other sport-related benefits received by the *Player* or other *Person* will be withheld by the ICC or *National Cricket Federation* responsible for such financial support or other benefits.

#### **10.12 Automatic Publication of Sanction**

In accordance with Article 14, a mandatory part of each sanction imposed under this Article 10 shall include automatic publication.

#### **10.13 Reinstatement *Testing***

**10.13.1** As a condition of reinstatement, a *Player* who is subject to a period of *Ineligibility* must respect the conditions of Article 10.11.1.3, failing which the *Player* shall not be eligible for reinstatement until he/she has made him/herself available for *Testing* (by notifying the ICC in writing) for a period of time equal to the period of *Ineligibility* remaining as at the date that he/she first stopped making him/herself available for *Testing*, except that in the event that a *Player* retires while subject to a period of *Ineligibility*, the conditions set out in Article 5.4 shall apply.

**10.13.2** During such remaining period of *Ineligibility*, a minimum of 2 tests must be conducted on the *Player*. The *National Cricket Federation* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organisation* may be used to satisfy the requirement. The results of such tests shall be reported to the ICC. In addition, immediately prior to the end of the period of *Ineligibility*, upon request a *Player* must undergo *Testing* by the ICC for the *Prohibited Substances* and *Methods* that are prohibited in *Out-of-Competition Testing*.

**10.13.3** Once the period of *Ineligibility* has expired, and the *Player* or *Player Support Personnel* has fulfilled the conditions of reinstatement, then provided that the *Player* or *Player Support Personnel* has paid in full all amounts forfeited under the ICC Code, and has satisfied in full any award of costs made against him/her by any *Anti-Doping Tribunal* and/or by the CAS following any appeal made pursuant to Article 13, the *Player* will become automatically re-eligible to compete and no application by the *Player* or will be necessary.

### **ARTICLE 11 CONSEQUENCES FOR TEAMS**

**11.1** Where, in any period of twelve months, more than one member of a *National Cricket Federation's* cricket team has been notified of a possible anti-doping rule violation under Article 7, the ICC shall conduct appropriate *Target Testing* of *Players* in that *National Cricket Federation's* cricket team.

**11.2** Without limitation to Article 11.1, if more than two members of a *National Cricket Federation's* cricket team are found to have committed an anti-doping rule violation during an *International Match*, series of *International Matches* or *ICC Event*, the ICC Board may, in its discretion,

impose such sanction on the team as it considers appropriate having due regard to the circumstances of such anti-doping rule violations (e.g., loss of points, *Disqualification* from the *International Match* or series of *International Matches* or *ICC Event*, or other sanction). For the avoidance of doubt, such sanction shall be in addition to any *Consequences* imposed upon the individual *Player(s)* committing the anti-doping rule violation.

## **ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL CRICKET FEDERATIONS**

**12.1** Where four or more violations of the *ICC Code* (other than Article 2.4 violations) are found to have been committed by *Players* or *Player Support Personnel* affiliated to a *National Cricket Federation* within a 12-month period, the ICC Board may, in its discretion, fine the *National Cricket Federation* in an amount up to \$100,000 USD.

**12.2** Where more than one *Player* or *Player Support Personnel* from one *National Cricket Federation* is found to have committed an anti-doping rule violation (other than Article 2.4 violations and violations involving *Specified Substances*) during an *ICC Event*, the ICC Board may, in its discretion, fine the *National Cricket Federation* in an amount up to \$100,000 USD.

## **ARTICLE 13 APPEALS**

### **13.1 Decisions Subject to Appeal**

Decisions made under the *ICC Code* may be challenged solely by appeal as set out in this Article 13 (or as otherwise provided in the *Code*, the *ICC Code* or *International Standards*). Such decisions shall remain in effect while under appeal unless *CAS* orders otherwise.

#### **13.1.1 Scope of Review Not Limited**

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.

#### **13.1.2 CAS Shall Not Defer to the Findings Being Appealed**

In making its decision, *CAS* need not give deference to the discretion exercised by the body whose decision is being appealed.

### **13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, *Consequences*, *Provisional Suspensions*, Recognition of Decisions and Jurisdiction**

**13.2.1** The following decisions may each be appealed exclusively to *CAS* by any of the parties described in Article 13.2.2: a decision that an anti-doping rule violation was committed, a decision imposing (or not imposing) *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, because too much time has passed); a decision under Article 10.10.2 in relation to participation whilst *Ineligible*; a decision by *WADA* not to grant an exception to the six month notice requirement for a retired *Player* to return to competition under Article 5.4.1; a decision by *WADA* assigning results management authority under *Code* Article 7.1; a decision by the ICC not to pursue an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation; a decision by the ICC not to bring a charge after an investigation under Article 7.6; (subject to Article 13.2.3) a decision to impose a *Provisional Suspension*

as a result of a *Provisional Hearing*; the *ICC*'s failure to comply with Article 7.8 of the *ICC Code*; a decision that the *ICC* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision to suspend, or not suspend, a period of *Ineligibility*, or to reinstate or not reinstate, a suspended period of *Ineligibility* under Article 10.6.1; a decision under Article 10.11.3; and a decision by the *ICC* not to recognise a *National Cricket Federation's* or any other *Anti-Doping Organisation's* decision under Article 15.

### **13.2.2 Persons Entitled to Appeal**

In cases under Article 13.2.1, the following parties shall have the right to appeal to *CAS*: (a) the *Player* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the *ICC*; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) any other *Anti-Doping Organisation* under whose rules a sanction could have been imposed; and (f) *WADA*.

NOTE: Article 13.2.2 gives the *National Anti-Doping Organization* in India a right of appeal in cases where the *Person* who is the subject of the decision being appealed resides in or is a national of or license holder in India. That right is conferred in order to comply with the mandatory provisions of the *Code*. It does not constitute, and shall not be deemed to constitute, any waiver by the Board for the Control of Cricket in India (the *National Cricket Federation* for the territory of India) of its claim to have the sole and exclusive right to govern and regulate the sport of cricket in India.

**13.2.3** The only *Person* who may appeal a decision to impose a *Provisional Suspension* is the *Player* or *Player Support Personnel* affected by the *Provisional Suspension*. In accordance with Article 13.2.1, he/she may appeal that decision exclusively to *CAS*.

### **13.3 Failure to Render a Timely Decision**

Where, in a particular case, the *ICC* fails to decide whether an anti-doping rule violation was committed within a reasonable deadline set by *WADA*, *WADA* may elect to appeal directly to *CAS* as if the *ICC* had rendered a decision finding that no anti-doping rule violation has been committed. If *CAS* determines that an anti-doping rule violation was committed and that *WADA* acted reasonably in electing to appeal directly to *CAS*, then *WADA's* reasonable costs and legal fees in prosecuting the appeal shall be reimbursed to *WADA* by the *ICC*.

### **13.4 Appeals Relating to TUEs**

*TUE* decisions may be appealed exclusively as provided in Article 4.4.

### **13.5 Appeal from Decisions Pursuant to Article 12**

Decisions by the *ICC* pursuant to Article 12 may be appealed exclusively to *CAS* by the *National Cricket Federation*.

### **13.6 Appeals Relating to Agreed Sanctions**

Agreed Sanctions imposed pursuant to Article 8.4 may be appealed exclusively to CAS by WADA or the *Player* or *Player Support Personnel's NADO*.

### **13.7 Notification of Appeal Decisions**

The *ICC* shall promptly provide the appeal decision to the *Player* or *Player Support Personnel* and to the other *Anti-Doping Organisations* that would be entitled to appeal under Article 13.2.2.

### **13.8 Time for Filing Appeals**

**13.8.1** The deadline for filing an appeal to CAS shall be twenty-one (21) days from the date of receipt of the written reasoned decision by the appealing party. Where the appellant is a party other than the *ICC*, to be a valid filing under this Article, a copy of the appeal must also be filed on the same day with the *ICC*.

**13.8.2** Article 13.8.1 notwithstanding, the following shall apply in connection with appeals filed by a party that was not a party to the proceedings that led to the decision subject to appeal:

**13.8.2.1** Within ten (10) days from receipt of the written, reasoned decision, such party/ies shall have the right to request from the body that issued the decision a copy of the file on which such body relied;

**13.8.2.2** If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

**13.8.3** Articles 13.8.1 and 13.8.2 notwithstanding, the filing deadline for an appeal or intervention filed by WADA shall be the later of:

**13.8.3.1** twenty-one (21) days after the last day on which any other party in the case could have appealed, or

**13.8.3.2** twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

### **13.9 Appeal Procedure**

In all appeals to CAS pursuant to this Article 13:

**13.9.1** CAS's Code of Sports-related Arbitration shall apply, save as modified or supplemented herein.

**13.9.2** Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the *ICC Code* are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

**13.9.3** Any *Person* entitled to appeal under this Article 13 may, within 15 days of receipt of the decision, request a copy of the full case file pertaining to that decision. Where such information is not forthcoming from the decision making body upon request, any party filing an appeal shall be entitled to assistance from CAS to

obtain all relevant information from the parties to the decision being appealed, and the information shall be provided if CAS so directs.

**13.9.4** The governing law shall be English law and the appeal shall be conducted in English, unless the parties agree otherwise.

**13.9.5** The decision of CAS shall be final and binding on all parties, and no right of appeal shall lie from the CAS decision. Subject to Article 14.1, the CAS decision shall be *Publicly Reported* by the ICC within 20 days of receipt.

## **ARTICLE 14 PUBLIC DISCLOSURE AND CONFIDENTIALITY**

- 14.1** Neither the ICC nor any *National Cricket Federation, National Anti-Doping Organisation or WADA* shall publicly identify *Players* whose *Samples* have resulted in *Adverse Analytical Findings*, or *Players* or other *Persons* who have been alleged to have violated other Articles of the ICC Code, until the *Player* or other *Person* has been sent a *Notice of Charge* in accordance with Article 7. Once it is decided in a hearing in accordance with Article 8 or 13 that a violation of the ICC Code has been established, publication of that decision shall be determined in accordance with Articles 8.2.6, 8.2.7 and 13.9.5, save that where the *Player* or other *Person* found to have committed an anti-doping rule violation is a *Minor, Public Reporting* of the decision will be optional and shall be proportionate to the facts and circumstances of the case. The ICC shall also, within the time period for publication, send all first instance and appeal decisions to WADA. Publication shall be accomplished at a minimum by placing the required information on the ICC's website and leaving the information up for the longer of one month or the duration of any period of *Ineligibility*.
- 14.2** In any case under the ICC Code where it is determined, after a hearing or appeal, that the *Player* or other *Person* did not commit an anti-doping rule violation, the decision may be *Publicly Disclosed* only with the consent of the *Player* or other *Person* who is the subject of the decision. The ICC shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the *Player* or other *Person* may approve.
- 14.3** The ICC shall use its reasonable endeavours to ensure that persons under its control do not publicly identify *Players* whose *Samples* have resulted in *Adverse Analytical Findings* or *Atypical Findings* or *Adverse Biological Passport Findings*, or *Players* or other *Persons* who have a *Provisional Suspension* imposed on them, or are alleged to have committed an anti-doping rule violation under the ICC Code, unless and until an *Anti-Doping Tribunal* has determined that an anti-doping rule violation has been committed, and/or the anti-doping rule violation has been admitted. However, the ICC in its discretion may at any time disclose to other organisations such information as the ICC may consider necessary or appropriate to facilitate administration or enforcement of the ICC Code, provided that each organisation provides assurance satisfactory to the ICC that the organisation will maintain all such information in confidence. The ICC, nor any ICC official, will not comment publicly on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Player* or *Player Support Personnel* involved in the case or his/her representatives.
- 14.4** Where WADA, a *Player* or other *Person's NADO* or *National Cricket Federation* receives information in respect of any proceedings conducted pursuant to Article 7, 8 or 13, they shall not disclose such information beyond those *Persons* with a need to know until the ICC has made *Public Disclosure* or has failed to make *Public Disclosure* in accordance with Article 14.1 above.

- 14.5** All communications with a laboratory in relation to *Testing* carried out under the *ICC Code* must be conducted in such a way that the laboratory is not advised of the identity of the *Player(s)* involved, save where required as part of the investigation of a potential case and/or the presentation of evidence to an *Anti-Doping Tribunal*.
- 14.6** Details of all *Testing* carried out under the *ICC Code*, i.e. date of test, name of *Player* tested, and whether the test was *In-Competition* or *Out-of-Competition*, shall, wherever possible, be entered onto the *WADA Database* as soon as possible after such tests have been conducted, and made available via that database to the *Player*, *WADA* and other *Anti-Doping Organisations* that have jurisdiction to test *Players*, so that duplication of anti-doping efforts may be avoided.
- 14.7** Whereabouts information provided to the *ICC* by a *Player* pursuant to Article 5.3.2 shall be entered onto the *WADA Database* on the basis that it shall be maintained in the strictest confidence at all times, it shall be used by *WADA* and other *Anti-Doping Organisations* only for *Doping Control* purposes, and it shall be destroyed when no longer relevant for such purposes.
- 14.8** All *Players* and *Player Support Personnel* shall be deemed to have agreed, for purposes of applicable data protection and other laws and for all other purposes, to have consented to the collection, processing, disclosure and use of information relating to them, including personal information relating to them, in accordance with the provisions of the *International Standard for the Protection of Privacy* and otherwise as required to implement the *ICC Code*.

## **ARTICLE 15 RECOGNITION OF DECISIONS**

- 15.1** Any decision of an *Anti-Doping Tribunal* regarding a violation of the *ICC Code* shall be applicable worldwide and shall be recognised by all *National Cricket Federations*, which shall immediately take all steps available to them to enforce and give effect to such decisions, including by requiring the organisers of any *Matches*, tournaments or events sanctioned by the *National Cricket Federation* to recognise, enforce and give effect to such decisions.
- 15.2** The *Testing*, hearing results or other final adjudications (including *Provisional Suspension* decisions) of any *Signatory* to the *Code* that are consistent with the *Code* and are within the *Signatory's* authority shall be applicable worldwide and shall be recognised and respected by the *ICC* and its *National Cricket Federations* (including in respect of any *Matches*, tournaments or events sanctioned by such *National Cricket Federations*) automatically upon receipt of notice of the same, without the need for any further formality. Each of the *ICC* and its *National Cricket Federations* shall take all steps available to it to enforce and give effect to such decisions.
- 15.3** The *Testing* and hearing results or other final adjudications (including decisions relating to the imposition of a *Provisional Suspension*) of any non-*Signatory* whose applicable rules are otherwise consistent with the *Code* shall also be recognised and respected by the *ICC* and its *National Cricket Federations* (including in respect of any *Matches*, tournaments or events sanctioned by such *National Cricket Federation*) automatically upon receipt of notice of the same, without the need for any further formality. Each of the *ICC* and its *National Cricket Federations* shall take all steps available to it to enforce and give effect to such decisions.

## ARTICLE 16 STATUTE OF LIMITATIONS

No anti-doping rule violation proceeding may be commenced under the *ICC Code* against a *Player* or other *Person* unless such *Player* or other *Person* has been notified of the anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten years from the date that the anti-doping rule violation is asserted to have occurred.

## ARTICLE 17 COMPLIANCE AND STATISTICAL REPORTING

### 17.1 ICC's Compliance reports to WADA

The *ICC* will report to *WADA* on the *ICC's* compliance with the *Code* every second year and shall explain reasons for any non-compliance.

### 17.2 Compliance by *National Cricket Federations*

It shall be a condition of membership of the *ICC* that all *National Cricket Federations* shall comply with the *ICC Code*.

### 17.3 Statistical Reporting

*National Cricket Federations* shall report to the *ICC* at the end of every calendar year results of all *Doping Controls* within their respective jurisdictions, sorted by *Player* and identifying each date on which the *Player* was tested, the entity conducting the test, and whether the test was *In-Competition* or *Out-of-Competition*. The *ICC* may periodically publish such data received from *National Cricket Federations*, save that (unless specifically agreed by the *National Cricket Federation* in question) the identity of the *Players* tested shall not be published. The *ICC* shall, at least annually, publish publicly a general statistical report of its *Doping Control* activities, with a copy provided to *WADA*.

## ARTICLE 18 AMENDMENT AND INTERPRETATION OF THE *ICC CODE*

18.1 The *ICC Code* may be amended from time to time by the *ICC*. Such amendments shall come into effect on the date specified by the *ICC*.

18.2 The *ICC Code* shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes of any *Signatory* or government.

18.3 The headings used for the various Articles of the *ICC Code* are for the purpose of guidance only and shall not be deemed to be part of the substance of the *ICC Code* or to inform or affect in any way the language of the provisions to which they refer.

18.4 The *ICC Code* has been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with the *Code*. The comments annotating various provisions of the *Code* shall (if necessary) be used to assist in the understanding and interpretation of the *ICC Code*.

18.5 The *ICC Code* shall come into full force and effect on 12 October 2015 (the "**Effective Date**"). It shall not apply retrospectively to matters pending before the *Effective Date*; provided, however, that:

18.5.1 Any case pending prior to the *Effective Date*, or brought after the *Effective Date* but based on acts or omissions that occurred before the *Effective Date*, shall be governed

by the predecessor version of the *ICC Code* in force at the time the anti-doping rule violation occurred, save that (i) Articles 10.7.5 and 16 of the *ICC Code* shall apply retroactively (unless in the case of Article 16, the statute of limitations under the predecessor version of the *ICC Code* has already expired by the Effective Date, in which case Article 16 shall not apply); and (ii) the *Anti-Doping Tribunal* may decide to apply other provisions from the *ICC Code* as well where doing so benefits the *Player* or other *Person* alleged to have committed the anti-doping rule violation based on the principle of *lex mitior*.

**18.5.2** Subject always to Article 10.7.5, anti-doping rule violations committed prior to the *Effective Date*, whether under predecessor versions of the *ICC Code* and/or other relevant rules, count as prior offences for purposes of determining sanctions under Article 10.7, and especially 10.7.5. If the sanction for the first offence was determined based on predecessor versions of the *ICC Code* then, for the purposes of Article 10.7.1, that sanction shall be disregarded and instead the sanction that would have been imposed for the first violation if rules compliant with the current version had applied will be used.

**18.6** Subject to Article 18.2, the *ICC Code* is governed by and shall be construed in accordance with English law. Strictly without prejudice to the arbitration provisions of Articles 8 and 13 of the *ICC Code*, disputes relating to the *ICC Code* shall be subject to the exclusive jurisdiction of the English courts.

## APPENDIX 1 - DEFINITIONS

ABP Documentation Package. As described in the *ABP Guidelines*.

ABP Guidelines. WADA's Athlete Biological Passport Operating Guidelines and Compilation of Required Elements, as amended by WADA from time to time.

ABP Programme. The programme and methods of gathering and collating biological *Markers* on a longitudinal basis to facilitate indirect detection of the *Use of Prohibited Substances and Prohibited Methods*.

ABP Testing. The collection, transportation and analysis of *Samples* to measure individual blood or urine variables for longitudinal profiling as part of the *ABP Programme*.

ADAMS. The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation.

Administration. Providing, supplying, supervising, facilitating, or otherwise participating in the *Use or Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method* used for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding. A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the *International Standard* for Laboratories and related technical documents, identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

Adverse Biological Passport Finding. A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

Agreed Sanction. Has the meaning ascribed to in in Article 8.4.

Anti-Doping Manager. An appointee of the ICC with supervisory responsibilities in relation to the ICC Code, or his/her designee.

Anti-Doping Organisation. A *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organisations* that conduct *Testing* at their tournaments/events, WADA, International Federations such as the ICC, and *National Anti-Doping Organisations*.

Anti-Doping Panel. As defined in Article 8.1.1.

Anti-Doping Tribunal. A panel of three persons (subject to Article 8.1.7) appointed by the ICC consisting of a Chair (who shall be legally qualified), and other lawyers and/or a medical expert and/or a technical expert with experience in anti-doping, to perform the functions assigned to the *Anti-Doping Tribunal* under the ICC Code. Each member of the *Anti-Doping Tribunal* shall be independent of the ICC, which may provide reasonable compensation and reimbursement of expenses to such members.

Athlete Biological Passport. The programme and methods of gathering and collecting data as described in the *International Standard* for Testing and Investigations and *International Standard* for Laboratories.

Athlete Biological Passport Management Unit or ABPMU. As defined in Article 5.5.1.

Attempt. Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Biological Passport Finding. A report described as an Atypical Passport Finding as described in the applicable *International Standards*.

Atypical Finding. A report from a WADA-accredited laboratory or other WADA-approved laboratory which requires further investigation as provided by the *International Standard* for Laboratories or related technical documents prior to the determination of an *Adverse Analytical Finding*.

CAS. The Court of Arbitration for Sport in Lausanne, Switzerland.

Code. The 2015 World Anti-Doping Code.

Competition. A single race, match, game or singular sport contest.

Consequences of Anti-Doping Rule Violations (“Consequences”). An anti-doping rule violation may result in one or more of the following: (a) Disqualification means the *Player’s* individual results in a particular *International Match* are invalidated, with all resulting *Consequences*, including: (i) forfeiture of any individual medals or other prizes awarded; and (ii) forfeiture of any official ranking points achieved; (b) Ineligibility means the *Player* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participation in any *Competition* or other activity or funding as provided in Article 10.11.1.1 of the *ICC Code*; (c) Provisional Suspension means the *Player* or other *Person* is temporarily barred from participating in the sport of cricket pending a decision on the allegation that he/she has committed an anti-doping rule violation ; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure or Public Reporting means the dissemination of distribution of information to the general public or *Persons* beyond *Persons* entitled to earlier notification in accordance with Article 14. .

Contaminated Product. A product that contains a *Prohibited Substance* that is not disclosed on the product label or in the information available in a reasonable Internet search.

Demand. As defined in Article 7.6.3.1.

Disqualification. See *Consequences*, above.

Doping Control. All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, *Sample* collection and handling, laboratory analysis, *TUEs*, results management and hearings.

Effective Date. As defined in Article 18.5.

Event. A series of individual *Competitions* conducted together under one ruling body.

*Event Period:* For the purposes of the *Code*, the *Event Period* shall be deemed to start and end at the same times as the *In-Competition* period as set out in Article 5.2.2.

*Event Venue:* For the purposes of the *Code*, those venues so designated by the ruling body for the *Match* or *Event*.

Expert Panel. Suitably-qualified experts chosen by the ICC to evaluate *Athlete Biological Passports* in accordance with the *ABP Guidelines*. The *Expert Panel* may include a standing group of appointed experts, as well as additional experts appointed *ad hoc* to assist in particular cases. Each member of the *Expert Panel* shall be independent of the ICC, which may provide reasonable compensation and reimbursement of expenses to such members. A member of the *Independent Review Board* may also be a member of the *Expert Panel*, but he/she may not as an *Independent Review Board* member in relation to an *Adverse Passport Finding* to which he/she was a party in his/her capacity as a member of the *Expert Panel*.

Fault. *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing a *Player* or other *Person's* degree of *Fault* include, for example, the *Player's* or other *Person's* experience, whether the *Player* or other *Person* is a *Minor*, special considerations such as impairment, the degree of risk that should have been perceived by the *Player* and the level of care and investigation exercised by the *Player* in relation to what should have been the perceived level of risk. In assessing the *Player* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Player's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that a *Player* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Player* only has a short time left in his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.5.1 or 10.5.2.

Filing Failure. As defined in the International Standard for Testing and Investigations.

Financial Consequences. See *Consequences*, above.

ICC. The International Cricket Council or its designee.

ICC Events. Each of the following: (a) the ICC Cricket World Cup; (b) the ICC World Twenty20; (c) the ICC Under 19 Cricket World Cup; (d) the ICC Women's Cricket World Cup; (e) the ICC Champions Trophy; (f) the ICC World Cup Qualifying Tournament; (g) the ICC World Twenty20 Qualifying Tournament; and (h) any other event organised or sanctioned by the ICC from time to time to which the ICC deems it appropriate that the *ICC Code* should apply, provided that the ICC has given at least three months' notice to all *National Cricket Federations* participating in such event that it is to be deemed an *ICC Event* for the purposes of the *ICC Code*.

In-Competition. The period described in Article 5.2.2.

Independent Review Board. A standing panel appointed by the ICC, consisting of persons with medical, technical and/or legal experience in anti-doping, to perform the functions assigned to the *Independent Review Board* in the *ICC Code*. Further persons may be included onto the *Independent Review Board* on a case-by-case basis, where there is a need for their specific expertise and/or experience. Each member of the *Independent Review Board* panel shall be independent of the ICC, which may provide reasonable compensation and reimbursement of expenses to such members.

Ineligibility. See *Consequences*, above.

International Event. A tournament/event where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organisation*, or another international sport organisation is the ruling body for such tournament/event or appoints the technical officials for the tournament/event.

International-Level Player. As defined in Article 1.1.

International Match. Each of the following (in men's and women's cricket): (a) any *Test Match*, *One Day International Match* or *Twenty20 International Match*; or (b) any *Match* played as part of an *ICC Event*.

International Registered Testing Pool or IRTP. As defined in Article 5.3.2.1.

International Standard. A standard adopted by WADA in support of the Code, as revised from time to time, such revisions becoming effective in relation to the ICC Code on the date specified by WADA, without the need for any further action by the ICC. The *International Standards* shall include any technical documents issued pursuant to the *International Standard*.

Major Event Organisations. The continental associations of *National Olympic Committees* and other international multi-sport organisations that function as the ruling body for any continental, regional or other *International Event*.

Marker. A compound, group of compounds or biological variable(s) that indicates the presence and/or Use of a *Prohibited Substance* or *Prohibited Method*.

Match. A cricket match of any format and duration in length in which two cricket teams compete against each other.

Metabolite. Any substance produced by a biotransformation process.

Minor. A natural *Person* who has not reached the age of eighteen years.

Missed Test. As defined in the International Standard for Testing and Investigations.

National Anti-Doping Organisation or NADO. The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings at the national level. For the purposes of *TUEs* only, the Australian Sports Drug Medical Advisory Committee (ASDMAC) and its successor bodies. If this designation has not been made by the competent public authority (ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Cricket Federation. A national or regional entity which is a member of or is recognised by the ICC as the entity governing the sport of cricket in a country (or collective group of countries associated for cricket purposes).

National Olympic Committee. The organisation recognised in each country by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

National Player Pool. As defined in Article 5.3.3.1.

No Advance Notice. A *Doping Control* which takes place with no advance warning to the *Player* and where the *Player* is continuously chaperoned from the moment of notification through *Sample* provision.

No Fault or Negligence. The *Player* or other *Person's* establishing that he/she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he/she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method* or otherwise violated an anti-doping rule. Except in the case of a *Minor*, for any violation of Article 2.1, the *Player* must also establish how the *Prohibited Substance* entered his or her system.

No Significant Fault or Negligence. The *Player* or other *Person's* establishing that his/her *Fault* or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the anti-doping rule violation. Except in the case of a

*Minor*, for any violation of Article 2.1, the *Player* must also establish how the *Prohibited Substance* entered his or her system.

*Notice of Charge*. As defined in Article 7.1.3.

*One Day International Match*. As defined by Section 33 (ICC Classification of Official Cricket) of the ICC's Operating Manual.

*Out-of-Competition*. The period(s) described in Article 5.3.1.1.

*Person*. A natural *Person* or an organisation or other entity.

*Player*. As defined in Article 1.1.

*Player Support Personnel*. As defined in Article 1.4.

*Possession*. Actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists, constructive *Possession* shall only be found if the *Person* knew about the presence of the *Prohibited Substance/Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organisation*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.

*Prohibited List*. The list identifying the *Prohibited Substances* and *Prohibited Methods*.

*Prohibited Method*. Any method so described on the *Prohibited List*.

*Prohibited Substance*. Any substance, or class of substance, so described on the *Prohibited List*.

*Provisional Hearing*. For purposes of Article 7.8, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the *Player* or other *Person* with notice and an opportunity to be heard in either written or oral form.

*Provisional Suspension*. See *Consequences*, above.

*Publicly Disclose or Publicly Report*. See *Consequences*, above.

*Public Reporting*. See *Consequences*, above.

*Sample*. Any biological material collected for the purposes of *Doping Control*.

*Signatories*. Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organisations*, *National Anti-Doping Organisations*, and WADA.

*Specified Substances*. As defined in Article 4.1.2.

*Substantial Assistance.* For purposes of Article 10.6.1 a *Person* providing *Substantial Assistance* must: (a) fully disclose in a signed written statement all information that he/she possesses in relation to anti-doping rule violations; and (b) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by the ICC, an *Anti-Doping Organisation* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case that is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

*Tampering.* Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.

*Target Testing.* Selection of specific *Players* for *Testing* based on criteria set forth in the *International Standard for Testing and Investigations*.

*Testing.* The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

*Test Matches.* As defined by Section 33 (ICC Classification of Official Cricket) of the ICC's Operating Manual.

*Trafficking.* Selling, giving, administering, transporting, sending, delivering or distributing (or *Possessing* for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by a *Player* or other *Person* subject to the jurisdiction of an *Anti-Doping Organisation* to any third party; provided, however, that this definition shall not include (a) the actions of bona fide medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification; or (b) actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* were not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

*TUE.* As defined in Article 4.4.1.

*TUE Committee.* A panel appointed by the ICC and composed of at least three physicians with a sound knowledge of clinical and exercise medicine. In all cases involving a *Player* with a disability, one of the physicians must have experience with the care and treatment of *Players* with disabilities.

*Twenty20 International Matches.* As defined by Section 33 (ICC Classification of Official Cricket) of the ICC's Operating Manual.

*Use.* The utilisation, application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

*WADA.* The World Anti-Doping Agency.

*WADA Database.* An on-line database, with a state-of-the-art security system, maintained by *WADA* for purposes of collating anti-doping information, currently known as the Anti-Doping Administration and Management System (ADAMS).

*Whereabouts Failures.* As defined in Article 2.4.

## APPENDIX 2 – THE PROHIBITED LIST

At any given time, the current version of the *Prohibited List* is available on the anti-doping section of the ICC's website at the following address:

**[www.icc-cricket.com](http://www.icc-cricket.com)**

**IMPORTANT NOTE:** the *Prohibited List* is updated annually, with effect from 1 January each year. All *Players* and *Player Support Personnel* should therefore review the new *Prohibited List* (available on the ICC's website each year) every year in the lead up to 1 January to ensure that anything they ingest or use, as well as any medical treatment they receive, does not give rise to an anti-doping rule violation under the ICC Code.

# APPENDIX 3 – THE CRICKET TESTING PROTOCOLS

## PREAMBLE

The following protocols are designed to supplement the International Standard for Testing and Investigations as necessary to reflect the specificities of cricket. They are not intended to amend or contradict the International Standard for Testing and Investigations. In the event of any conflict between these protocols and the International Standard for Testing and Investigations, the latter shall prevail.

In addition to the definitions set out in Appendix 1, for the purposes of this Appendix 3, the following definitions will also apply:

Doping Control Officer (DCO) means any official who has delegated responsibility for the on-site management of *Sample* collection at an *International Match*.

ICC Representative means the ICC's Anti-Doping Manager (or his/her appointed designee) or any other ICC representative duly authorised to carry out the duties set out in this Appendix 3.

Lead DCO means the *DCO* with overall responsibility for coordinating the on-site management of *Sample* collection at an *International Match*.

Match Referee means the person officially appointed to fulfil the duties of a 'Match Referee' at any *International Match*.

Team Manager means the manager of a cricket team participating in an *International Match* (or his/her designated representative).

### 1. The selection of *Players* for *In-Competition Testing* (ISTI Article 4.4.1)

1.1 Pursuant to Article 5.1.1 of the *ICC Code* and Article 4 of the International Standard for Testing and Investigations, the ICC shall be responsible for drawing up a test distribution plan for international-level cricket. One element of that plan will be *In-Competition Testing* at *International Matches*.

1.2 At those *International Matches* at which *In-Competition Testing* is selected to take place, the *Players* that will be required to provide *Samples* for *Testing* will be selected at random in accordance with the following procedure:

1.2.1 Prior to or during the commencement of any day's play in an *International Match*, the *Match Referee* (or the *ICC Representative* where he/she is present) will convene a selection meeting in the doping control station or such other venue as he/she may deem appropriate.

1.2.1.1 The following individuals must attend the selection meeting: (a) the *Match Referee* (or the *ICC Representative* where he/she is present); and (b) the *Team Manager* of each of the two teams participating in the *International Match* (or any representative appointed by the *Team Manager* in circumstances when the *Team Manager* is unable to attend).

1.2.1.2 In addition, the *Lead DCO* (where he/she is present at the time of the selection meeting) may attend the selection meeting.

1.2.1.3 Unless otherwise agreed by the *Match Referee* (or the *ICC Representative*), no other individuals shall be present at the selection meeting.

- 1.2.2** At the selection meeting, the *Match Referee* (or the *ICC Representative*) will provide a set of cards numbered one (1) to eleven (11) to each *Team Manager*.
- 1.2.3** Each *Team Manager* will simultaneously place his/her cards face down on a flat surface so as only to expose the reverse side of the cards, which should be blank. He/she may then rearrange those cards until he/she is completely satisfied that they are randomly set out and do not contain any identifying marks or features.
- 1.2.4** Once both *Team Managers* have confirmed that they are happy with the lay-out of their cards, they shall, in turn, and without revealing the numbers written on the face-down side of the cards, select two (2) cards from the opposite *Team Manager's* cards. Immediately upon selection of the opposition's cards, both *Team Managers* must, without revealing the numbers written on the face-down side of the cards, sign the reverse side of the two (2) cards that have been selected. The two (2) cards selected by each *Team Manager* will thereafter represent the two (2) *Players* from the opposition team that are required to provide a *Sample* for *Testing* at the *International Match*.
- 1.2.5** Then, in turn, and without revealing the number written on the face-down side of the card, each *Team Manager* will select a third card from the remaining cards in the opposite *Team Manager's* selection. Immediately upon selection of the third card, both *Team Managers* must, without revealing the number written on the face-down side of the card, sign the reverse side of the third card, again, and mark it with the capital letter 'R'. The third card selected by each *Team Manager* will thereafter represent the additional *Player* from each team that is to be the designated 'Reserve' *Player* who may be notified and called upon to provide a *Sample* for *Testing* at the *International Match* if either of the two *Players* selected from the same team cannot be notified because of exceptional circumstances, such as where a selected *Player* might have been taken to hospital during the *International Match* and prior to notification of his/her selection for *Testing*.
- 1.2.6** Once the random selection of the cards is complete, the *Match Referee* (or the *ICC Representative*) will then, without revealing the numbers written on the face-down sides of the cards, place the three (3) selected cards for each team (ie including the 'Reserve') into separate sealed envelopes and mark the name of the relevant team on each of the envelopes.
- 1.2.7** If, at any point in the procedure detailed in paragraphs 1.2.2 – 1.2.6, above, the numbers of the selected cards are revealed (whether inadvertently or otherwise) to either of the *Team Managers*, the selection process will automatically become void and the *Match Referee* (or the *ICC Representative*) will require the entire process to be repeated.
- 1.2.8** Once the selection process is complete, each envelope will be kept in the secure possession of the *Match Referee* (or the *ICC Representative*) until it is passed to the *Lead DCO* at the earliest opportunity. The *Lead DCO* should also obtain a copy of the official team sheet from the *Match Referee* at the earliest opportunity. The *Match Referee* should ensure that the official team sheet identifies the participating *Players* with numbers 1 – 11. Where that is not the case (for example because it identifies them by shirt number, or where no numbering identification is provided), the *Match Referee* should allocate the numbers 1 – 11 (in consecutive order) to each of the participating *Players* in each team, so that the *Players* selected for *Testing* can be accurately identified.
- 1.2.9** The *Lead DCO* shall determine when the envelope should be opened (such determination to be strictly at his/her discretion) and, once opened, he/she will then identify by comparing the numbers on the selected cards against the declared batting order numbers (and not the *Players' shirt numbers*) on the official team sheet those *Players* that have been selected for *Testing* at that *International Match*.

**1.2.10** At the appropriate time, the *Lead DCO* will arrange for the nominated chaperones to notify those *Players* that have been selected for *Testing*. Where, because of exceptional circumstances, one of the selected *Players* cannot be notified, then the *Player* from the same team as that of the *Player* that has been selected but cannot be notified, whose number corresponds with the card marked 'R', will be selected for *Testing* instead and will be notified accordingly.

**1.2.11** The *Lead DCO* will retain the signed selection cards and team sheets in a secure location and permit either *Team Manager* to inspect them as soon as all of the selected *Players* have been notified.

## **2. Collection of Samples (ISTI Article 6.3.3 and Annex G)**

**2.1** Those persons authorised to be present during the *Sample* collection session at any *International Match* are:

**2.1.1** the *Lead DCO* and his/her assistants (including other *DCOs*);

**2.1.2** the persons identified at ISTI Article 6.3.3; and

**2.1.3** the *Anti-Doping Manager* and/or his/her designee(s).

**2.2** If a *Sample* collected from a *Player* does not have a Suitable Specific Gravity for Analysis (as defined in the ISTI), the *DCO* shall inform the *Player* that he/she is required to provide a further *Sample* or *Samples*, until a *Sample* that has a Suitable Specific Gravity for Analysis is provided. (See ISTI Annex G). To facilitate this, the *Player* should fully void his/her bladder when providing a *Sample*, and shall remain under continuous observation until he/she is ready to provide another *Sample*. In the meantime, the *Player* should avoid unnecessary hydration (drinking liquids).

## **3. Storage of Samples and documentation (ISTI Article 8.3)**

**3.1** Storage of *Samples* prior to dispatch from collection site (ISTI Article 8.3.1):

**3.1.1** The *Lead DCO* is responsible for ensuring that all *Samples* are stored in a manner that protects their identity, integrity and security whilst at the collection site.

**3.1.2** The *Lead DCO* shall keep the *Samples* secured and under his/her control until they are passed to a third party (eg the laboratory, or a courier to take them to the laboratory). *Samples* must not be left unattended unless they are locked away in a refrigerator or cupboard, for example. In the absence of a secure area where the *Samples* may be left, the *Lead DCO* shall keep the *Samples* under his/her control. Access to *Samples* shall be restricted at all times to authorised personnel and a detailed record of where the *Samples* are stored and who has custody of them and/or is permitted access to the *Samples* shall be kept by the *Lead DCO*.

**3.1.3** Where possible, *Samples* shall be stored in a cool environment and warm conditions should be avoided. In the case of blood *Samples*, these should preferably be stored in a refrigerator or cool box. Variations in temperature should not exceed 2-8 degrees Celsius. Any variations in temperature should be recorded by the *Lead DCO* who shall report the same to the *ICC*.

**3.2** Secure handling of documentation for each *Sample* (ISTI Article 8.3.2):

- 3.2.1** The *Lead DCO* is responsible for ensuring that the documentation for each *Sample* is securely handled after completion.
- 3.2.2** Those parts of the *Sample* collection documentation that identify the *Player* and can be used to identify which *Player* provided a particular *Sample* shall be kept separately from the *Samples* themselves. Where a separate secure storage site is available at the collection site itself (lockable and/or accessible only by authorised personnel), the documentation may be stored there. Otherwise, it shall be kept by the *Lead DCO* and taken away from the site overnight.