



BCAC ANTI DOPING POLICY

**Version 1.5
May 14, 2014**

ARTICLE 1 - DEFINITION OF DOPING

For the purposes of this document, doping is defined as the occurrence of one (1) or more of the anti-doping policy contraventions set forth in Article 2.1 through Article 2.3 of these Anti-Doping Policies. (Read other "definitions" in Appendix "A".)

ARTICLE 2 - ANTI-DOPING POLICY CONTRAVENTIONS

Athletes and other *Persons* are responsible for knowing what constitutes an anti-doping policy contravention and the substances and methods which have been included on the *Prohibited List*. British Columbia has adopted the *World Anti Doping Agency (WADA) - Prohibited List* as the list of substances and methods prohibited for BCAC professional combat sport competitions in British Columbia (BC). See Section 21 of the *Minister's Athletic Commissioner Regulations*.

The following constitute anti-doping policy contraventions:

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

2.1.1

It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping contravention.

2.1.2

Sufficient proof of an anti-doping policy contravention is established by either of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the B *Sample* and the B *Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*.

2.1.3

Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List*, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping policy contravention.

2.1.4

As an exception to the general policy of Article 2, the *Prohibited List* or *International Standards* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method

2.2.1

It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping policy contravention for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

2.2.2

The success or failure of the *Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an anti-doping policy contravention to be committed.

2.3 Refusing or Evading

Refusing or failing without compelling justification to submit to *Sample* collection after notification as authorized in this Anti-Doping Policy or otherwise evading *Sample* collection is in contravention of the *Regulations*.

ARTICLE 3 - THE PROHIBITED LIST

3.1 Incorporation of the *Prohibited List*

These Anti-Doping Policies incorporate the *Prohibited List* which is published and revised by *WADA* as described in Article 3.1 of the *WADA Code*. The *BCAC* will use the current *Prohibited List*.

3.2 Therapeutic Use

3.2.1

Athletes with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a Therapeutic Use Exception (*TUE*). The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method*, *Possession* of *Prohibited Substances* or *Prohibited Methods* or administration of a *Prohibited Substance* or *Prohibited Method*

consistent with the provisions of an applicable *TUE* issued pursuant to the WADA *International Standard* for Therapeutic Use Exemptions shall not be considered an anti-doping policy contravention.

3.2.2

Athletes competing in British Columbia must obtain a *TUE* from the BCAC (regardless of whether the *Athlete* previously has received a *TUE* elsewhere) no later than thirty days before the *Athlete's* participation in a competition.

3.2.3

Upon the BCAC's receipt of a *TUE* request, the BCAC shall either convene a panel of BCAC ringside physicians to consider and advise on the request (the "*TUE* Panel") or refer the *TUE* request to a body the BCAC believes competent to consider and give advice to the BCAC on *TUEs*. If the BCAC convenes a panel, the Chair (as appointed by the BCAC) of the *TUE* Panel shall appoint three (3) members of the *TUE* Panel (which may include the Chair) to consider such request. The *TUE* Panel members (or other competent body as decided by the BCAC) so designated shall promptly evaluate such request in accordance with the *International Standard* for Therapeutic Use Exemptions and render advice to the BCAC on such request.

3.2.4

The BCAC will not grant a *TUE* request for the use of testosterone.

ARTICLE 4 - TESTING

4.1 Authority to Test

All *Athletes* who wish to compete in British Columbia at a BCAC regulated professional competition shall be subject to testing in accordance with Section 21 of the Minister's Athletic Commissioner Act Regulations.

4.2 Responsibility for BCAC Testing

The BCAC shall be responsible for drawing up a test distribution plan for *Athletes* competing in combative events sanctioned or otherwise endorsed by the BCAC.

4.3 Testing Standards

Testing conducted by the BCAC shall be in substantial conformity with the *International Standards*.

4.4 Coordination of *Testing*

The BCAC will coordinate between athletes and the testing agency.

4.5 Selection of *Athletes* to be Tested

4.5.1

At *Events*, the BCAC shall determine the number of finishing placement tests, random tests and target tests to be performed.

4.5.2

In addition to the selection procedures set forth in Articles 4.5.1 the BCAC may also select *Athletes* for *Target Testing* at the event, so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.

ARTICLE 5 - ANALYSIS OF SAMPLES

Doping Control Samples collected under these Anti-Doping Policies shall be analyzed in accordance with the following principles:

5.1 Use of Approved Laboratories

The BCAC shall send *Doping Control Samples* for analysis only to WADA-accredited laboratories. The choice of the WADA-accredited laboratory (or other laboratory or method approved by WADA) used for the *Sample* analysis shall be determined exclusively by the BCAC.

5.2 Purpose of Collection and Analysis of *Samples*

Samples shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List*.

5.3 Research on *Samples*

No *Sample* may be used for any purpose other than as described in Article 5.2 without the *Athlete's* written consent. *Samples* used (with the *Athlete's* consent) for purposes other than Article 5.2 shall have any means of identification removed such that they cannot be traced back to a particular *Athlete*.

5.4 Standards for *Sample* Analysis and Reporting

Laboratories shall analyze *Doping Control Samples* and report results in conformity with the *International Standard* for Laboratories.

5.5 Retesting *Samples*

A *Sample* may be reanalyzed for the purposes described in Article 6.2 at any time exclusively at the direction of the BCAC. The circumstances and conditions for retesting *Samples* shall conform with the requirements of the *International Standard* for Laboratories.

ARTICLE 6 - RESULTS MANAGEMENT

6.1 Results Management for Tests Initiated by the BCAC

Results management for tests initiated by the BCAC shall proceed as set forth below:

6.1.1

The results from all analyses must be sent to the BCAC in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted in confidentiality.

6.1.2

Upon receipt of an *A Sample Adverse Analytical Finding*, the BCAC shall conduct a review to determine whether:

- (a) the *Adverse Analytical Finding* is consistent with an applicable *TUE*, or
- (b) there is any apparent departure from the *International Standard* for Testing or *International Standard* for Laboratories that caused the *Adverse Analytical Finding*.

6.1.3

If the initial review of an *Adverse Analytical Finding* does not reveal an applicable *TUE*, or departure from the *International Standard* for Testing or the *International Standard* for Laboratories that caused the *Adverse Analytical Finding*, the BCAC shall promptly notify the *Athlete* of:

- (a) the *Adverse Analytical Finding*;
- (b) the anti-doping policy violated;
- (c) the *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived;
- (d) 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 the *Athlete* or the BCAC chooses to request an analysis of the B *Sample*;

- (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the B *Sample* opening and analysis at the scheduled date, time and place if such analysis is requested; and
- (f) the *Athlete's* right to request copies of the A and B *Sample* laboratory documentation package which includes information as required by the *International Standard* for Laboratories.

6.1.4

Where requested by the *Athlete* or the BCAC, arrangements shall be made for *Testing* the B *Sample* within the time period specified in the *International Standard* for *Testing*. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. The BCAC may nonetheless elect to proceed with the B *Sample* analysis.

6.1.5

The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample* within the time period specified in the *International Standard* for Laboratories. Also a representative of the BCAC shall be allowed to be present.

6.1.6

If the B *Sample* proves negative, then (unless the BCAC takes the case forward as an anti-doping policy contravention) the entire test shall be considered negative and the *Athlete*, and the BCAC shall be so informed.

6.1.7

If a *Prohibited Substance* or the *Use* of a *Prohibited Method* is identified, the findings shall be reported to the BCAC which will promptly inform the *Athlete*.

6.1.8

For apparent anti-doping policy contraventions that do not involve *Adverse Analytical Findings*, the BCAC shall conduct any necessary follow-up investigation and, at such time as it is satisfied that an anti-doping policy contravention has occurred, it shall then promptly notify the *Athlete* of the anti-doping policy which appears to have been violated, and the basis of the contravention.

6.2 Suspensions

6.2.1

If analysis of an *A Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, and a review in accordance with Article 6.1.2 does not reveal an applicable *TUE* or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, the BCAC shall proceed in accordance with the *Athletic Commissioner Act*.

6.7 Retirement from Sport

If an *Athlete* or other *Person* retires while a results management process is underway, the BCAC retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun and the BCAC would have had results management jurisdiction over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping policy contravention, the BCAC has jurisdiction to conduct results management.

ARTICLE 7 - HEARINGS

7.1 Hearings arising out of BCAC Testing or Tests

Decisions of the BCAC may be appealed in accordance with the *Athletic Commissioner Act*.

ARTICLE 8 - AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A contravention of these Anti-Doping Policies in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition*.

ARTICLE 9 - RECONSIDERATIONS

Decisions made under these Anti-Doping Policies may be reconsidered in accordance with the *Act*.

ARTICLE 10 - AMENDMENT AND INTERPRETATION OF ANTI-DOPING POLICIES

10.1 These Anti-Doping Policies may be amended from time to time by the BCAC.

10.2 The headings used for the various Parts and Articles of these Anti-Doping Policies are for convenience only and shall not be deemed part of the substance of these Anti-Doping Policies or to affect in any way the language of the provisions to which they refer.

10.3 The APPENDIX DEFINITIONS shall be considered integral parts of these Anti-Doping Policies.

10.4 These Anti-Doping Policies will be effective as of April 30th, 2014.

APPENDIX 1 – DEFINITIONS

Act. The Athletic Commissioner Act of BC.

Adverse Analytical Finding. A report from a laboratory or other approved *Testing* entity that 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*.

Athlete. Any *Person* who participates as a competitor in either a professional boxing match or a professional mixed martial arts event in British Columbia.

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 contravention. Provided, however, there shall be no anti-doping rule contravention based solely on an *Attempt* to commit a contravention if the *Person* renounces the attempt prior to it being discovered by a third party not involved in the *Attempt*.

BCAC. British Columbia Athletic Commissioner.

Code. The World Anti-Doping *Code*.

Competition. A single match, bout, or singular athletic contest. For example, a mixed martial arts bout of 3-5 rounds.

Doping Control. All steps and processes from test distribution planning through to ultimate disposition of any reconsideration including all steps and processes in between.

Event. Any BCAC sanctioned event in BC.

In-Competition. The period commencing twenty four hours before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*.

International Standard. A standard adopted by WADA in support of the *Code*. 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. *International Standards* shall include any Technical Documents issued pursuant to the *International Standard*.

Jurisdiction. The extent to which this policy applies which is: it applies to any professional contest or exhibition as defined in the Act.

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

Metabolite. Any substance produced by a biotransformation process.

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

Participant. Any *Athlete* or *Athlete Support Personnel*.

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

Possession. The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance/Method* exists)

Prohibited List. The List identifying the Prohibited Substances and Prohibited Methods as established and modified from time to time by WADA.

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

Prohibited Substance. Any substance so described on the *Prohibited List*.

Regulations. Minister's Athletic Commissioner Regulations.

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

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; or providing fraudulent information to an *Anti-Doping Organization*.

Target Testing. Selection of *Athletes* for *Testing* where specific *Athletes* or groups of *Athletes* are selected on a non-random basis for *Testing* at a specified time.

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

TUE. Therapeutic Use Exemption