



FEI

Equine Anti-Doping and Controlled Medication Regulations

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INTRODUCTION

INTRODUCTION

Preface

These **Equine Anti-Doping and Controlled Medication Regulations** (hereinafter "*EADCM Regulations*" or "*Regulations*") are adopted and implemented in conformity with the undertakings of the FEI in the spirit of the *World Anti-Doping Code (2009 version)* with respect to the *EAD Rules* and otherwise with deference to the findings of the "Joint Commission", notably the Clean Sport Commission, Chaired by Professor Arne Ljungqvist (hereinafter "Ljungqvist Commission") which was initiated by FEI Athletes in September 2008 who stepped forward to identify a problem, and the Stevens Commission, chaired by Lord Stevens. The findings of both Commissions were debated and ultimately harmonised to form the Joint Commission on 9 October 2009 in Copenhagen, Denmark. The *Equine Anti Doping Rules* (hereinafter "*EAD Rule*" or "*EAD Rules*"), the first chapter of the *EADCM Regulations*, shall apply to any violation alleged under the *EADCM Regulations* that involves a *Banned Substance* or *Banned Method*. Conversely, the *Equine Controlled Medication Rules* (hereinafter "*ECM Rule*" or "*ECM Rules*"), the second chapter of the *EADCM Regulations*, shall apply to any violation alleged under the *EADCM Regulations* that involves a *Controlled Medication Substance* or a *Controlled Medication Method*.

These *EADCM Regulations*, adopted by the General Assembly in November 2009 and effective April 5, 2010, specifically incorporate the material findings of the Joint Commission. One of the most significant recommendations to emerge from the Commission was the suggestion to establish two (2) separate and distinct approaches to *Doping*, on the one hand, which is defined in the *EAD Rules* Articles 2.1-2.8; and *Controlled Medication*, on the other hand, as defined in the *ECM Rules*. Consequently, these two (2) categories of rules are being presented in one comprehensive Rule book, in separate chapters, for ease of use and understanding. This new approach brings with it a change in the applicable terminology. Going forward, any substance prohibited by the *EADCM Regulations* will be referred to as a *Prohibited Substance* which is now meant to be the umbrella term. However, substances classified as *Doping* under the *EAD Rules* will be referred to as *Banned Substances* while substances classified as *Controlled Medication* under the *ECM Rules* will be referred to as *Controlled Medication Substances*.

EADCM Regulations are Sport Rules governing the conditions under which sport is performed. *Persons Responsible* and their *Support Personnel* accept these *Regulations* as a condition of participation and involvement in FEI activities and shall therefore be bound by them. The introduction of *Support Personnel* into these *Regulations* is not entirely new as the FEI General Regulations have always provided for the opportunity to include an "Additional Person Responsible" in the prosecution of a case where the factual circumstances have warranted that *Person's* inclusion. The incorporation and moderate expansion of the concept within the new *Regulations* is intended to ensure that all participants in equestrian sport who violate the *EADCM Regulations* will be held accountable. It is fundamental, however, that the inclusion of *Support Personnel* is in no way intended to lessen or shift the responsibility of the *Person Responsible*. The *Person Responsible* remains ultimately responsible, and thereby ultimately liable, for *EADCM* violations. Where appropriate, and only when the specific factual circumstances so warrant, *Support Personnel* will be held additionally responsible.

EADCM Regulations are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set forth in these *Regulations* represent the consensus of a broad

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spectrum of stakeholders with an interest in fair sport and *Horse* welfare and should be respected by all courts and adjudicating bodies.

Fundamental Rationale for the FEI's *EADCM Regulations*

Anti-Doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

Scope

These revised *EADCM Regulations* are effective as of 1 April 2010. They must be read in conjunction with the *FEI Statutes*, *General Regulations*, *Veterinary Regulations*, *Internal Regulations of the FEI Tribunal*, the *FEI Standard for Laboratories*, and any other applicable rules or regulations.

These *EADCM Regulations* shall apply to the *FEI*, each *National Federation*, and each *Person Responsible* and their *Support Personnel* by virtue of their membership in, accreditation by, or participation in the *FEI* or *National Federation*, or in their activities, *Competitions* or *Events*.

To be eligible for participation in *FEI Events*, a *Person Responsible* or *Horse* must be registered with the *FEI* and be a registered member of an *FEI National Federation*, unless special circumstances under the *FEI* General Regulations allow otherwise.

Each *National Federation* shall guarantee that all registered *Persons Responsible*, members of their *Support Personnel* (where possible), and other *Persons* (where possible) under its jurisdiction accept the *Statutes*, *Regulations* and all rules of the *FEI*, including these *EADCM Regulations* and any other applicable rules or regulations.

These *EADCM Regulations* shall therefore apply to all *Doping* and *Medication Controls* over which the *FEI* or its *National Federations* have jurisdiction or have been delegated jurisdiction by another governing body, subject to Article 13.1 of both the *EAD Rules* and the *ECM Rules*. However, there may be modified versions of these rules for Events where minors are competing on borrowed *Horses*, if the circumstances so warrant and the *FEI* Bureau has approved such rules (such as for the Youth Olympic Games.) The *EADCM Regulations*, particularly as they apply to *Banned Substances* (the *EAD Rules*), have

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intentionally been modeled after the 2009 WADA Model Code for human athletes. Conversely, the *ECM Rules* have been developed with special consideration for the need to administer responsible controlled medication to *Horses* to ensure *Horse* welfare and the highest levels of professionalism. Given the clear distinction between *Doping* and *Medication* established by the two separate chapters of the *EADCM Regulations* – the *EAD Rules* (Chapter I) and the *ECM Rules* (Chapter II) – a Veterinary Form shall only be available in connection with a *Controlled Medication Substance* under the *ECM Rules* and not in connection with a *Banned Substance* under the *EAD Rules*.

Note: The masculine gender used in relation to any physical person (for example, names such as Person Responsible, Athlete, Owner, Judge, Technical Delegate, Official, Chef d'Equipe, or pronouns such as he, they or them) shall, unless there is a specific provision to the contrary, be understood as including the feminine gender.

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ARTICLE 1 DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the *EAD Rule* violations set forth in Article 2.1 through Article 2.8 of these *EAD Rules*.

ARTICLE 2 EAD RULE VIOLATIONS

Persons Responsible and/or their *Support Personnel* shall be responsible for knowing what constitutes an *EAD Rule* violation and the substances and methods which have been included on the *Equine Prohibited Substances List* and identified as *Banned Substances*.

Where *Banned Substances* or *Banned Methods* are involved, the following constitute *EAD Rule* violations:

2.1 The presence of a Banned Substance or its Metabolites or Markers in a Horse's Sample

2.1.1 It is each *Person Responsible's* personal duty to ensure that no *Banned Substance* is present in the *Horse's* body. *Persons Responsible* are responsible for any *Banned Substance* found to be present in their *Horse's Samples*, even though their *Support Personnel* will be considered additionally responsible under Articles 2.2 - 2.7 below where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing *Use* be demonstrated in order to establish an *EAD Rule* violation under Article 2.1.

2.1.2 Sufficient proof of an *EAD Rule* violation under Article 2.1 is established by either of the following: (i) presence of a *Banned Substance* or its *Metabolites* or *Markers* in the *Horse's A Sample* where the *Person Responsible* waives analysis of the *B Sample* and the *B Sample* is not analysed; or, (ii) where the *Horse's B Sample* is analysed and the analysis of the *Horse's B Sample* confirms the presence of the *Banned Substance* or its *Metabolites* or *Markers* found in the *Horse's A Sample*. An *Adverse Analytical Finding* may be established by a positive blood or urine *Sample*.

2.1.3 Excepting those *Banned Substances* for which a quantitative threshold is specifically identified in the *Equine Prohibited Substances List*, the presence of any quantity of a *Banned Substance* or its *Metabolites* or *Markers* in a *Horse's Sample* shall constitute an *EAD Rule* violation.

2.1.4 As an exception to the general rule of Article 2.1, the *Equine Prohibited Substances List* or the *FEI Standard for Laboratories* may establish special criteria for the evaluation of *Banned Substances* that can also be produced endogenously.

2.2 Use or Attempted Use of a Banned Substance or a Banned Method.

2.2.1 It is each *Person Responsible's* personal duty, along with members of their *Support Personnel*, to ensure that no *Banned Substance* enters into the *Horse's* body. Accordingly, it is not necessary that intent, fault, negligence or

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knowing *Use* on the part of the *Person Responsible*, or member of his *Support Personnel* (where applicable), be demonstrated in order to establish an *EAD Rule* violation for *Use* of a *Banned Substance* or a *Banned Method*. However, in accordance with the definition of *Attempt*, it is necessary to show intent in order to establish an *EAD Rule* violation for *Attempted Use* of a *Banned Substance* or a *Banned Method*.**2.2.2** The success or failure of the *Use* or *Attempted Use* of a *Banned Substance* or a *Banned Method* is not material. It is sufficient that the *Banned Substance* or *Banned Method* was *Used* or *Attempted* to be *Used* for an *EAD Rule* violation to be committed.

2.3 Refusing or failing without compelling justification to submit to *Sample* collection after *Notification* or to comply with all *Sampling* procedure requirements including signing the *Sampling* form or otherwise evading *Sample* collection.

2.4 *Tampering, or Attempted Tampering* with any part of *Doping Control*.

2.5 *Administration or Attempted Administration* of a *Banned Substance*.

2.6 *Possession of Banned Substances or Banned Methods*.

This bans the *Persons Responsible* and members of their *Support Personnel* from *Possessing Banned Substances or Banned Methods*, unless he demonstrates compelling justification for the *Possession* (This section should be read in conjunction with the definition of *Possession* set forth in Appendix 1).

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

2.8 *Assisting, encouraging, aiding, abetting, covering up or any other type of complicity* involving an *EAD Rule* violation or any *Attempted EAD Rule* violation.

ARTICLE 3 PROOF OF *EAD RULE* VIOLATIONS

3.1 **Burdens and Standards of Proof**

The *FEI* shall have the burden of establishing that an *EAD Rule* violation has occurred. The standard of proof shall be whether the *FEI* has established an *EAD Rule* violation to the comfortable satisfaction of the *Hearing Panel* bearing in mind the seriousness of the allegation which 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. Where these *EAD Rules* place the burden of proof upon the *Persons Responsible* and/or member of their *Support Personnel* to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except where a different standard of proof is specifically identified.

3.2 **Methods of Establishing Facts and Presumptions**

Facts related to *EAD Rule* violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in *Doping* cases brought under these *EAD Rules*:

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3.2.1 *FEI-approved Laboratories* are presumed to have conducted *Sample analysis* and custodial procedures in accordance with the *FEI Standard for Laboratories*. The *Person Responsible* and/or member of the *Support Personnel* who is alleged to have committed the *EAD Rule* violation may rebut this presumption by establishing by a balance of probability that a departure from the *FEI Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the preceding presumption is rebutted by showing that a departure from the *FEI Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*, then the *FEI* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.2 Departures from another *FEI* standard or other *EAD Rule*, *FEI Manual* or policy which did not by a balance of probability cause an *Adverse Analytical Finding* or other *EAD Rule* violation shall not invalidate such results. If the *Person Responsible* and/or member of the *Support Personnel* (where applicable) establishes, by a balance of probability, that a departure from another *FEI* standard or *EAD Rule*, *FEI Manual* or policy could reasonably have caused the *Adverse Analytical Finding* or other *EAD Rule* violation, then the *FEI* must prove that the departure did not cause the *Adverse Analytical Finding* or the factual basis for the *EAD Rule* violation.

3.2.3 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 *Person Responsible* and/or member of the *Support Personnel* to whom the *Decision* pertained with regards to the factual findings unless it can be established that the *Decision* violated principles of natural justice.

3.2.4 The *Hearing Panel* presiding over a case alleging an *EAD Rule* violation may draw an inference adverse to the *Person Responsible* and/or member of the *Support Personnel* (where applicable) who is asserted to have committed an *EAD Rule* violation based on the refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the *FEI Tribunal*) in order to answer questions from the *Hearing Panel* or the *FEI*.

ARTICLE 4 THE EQUINE PROHIBITED SUBSTANCES LIST

4.1 Incorporation of the Equine Prohibited Substances List

These *EAD Rules* incorporate the *Equine Prohibited Substances List* (the "List") which is published and revised by the *FEI* from time to time. The *FEI* will publish the current *List* in such a manner that it is available to its members and constituents, including, but not limited to, publication on the *FEI* website.

4.2 Review and Publication of Banned Substances and Banned Methods Identified on the List

The *FEI* may revise the *List* from time to time but at least once annually by posting the new *List* on the *FEI* website, or via such other appropriate channel,

but such new *List* shall not go into effect any sooner than ninety (90) days following its publication. Each new version of the *List* shall also be sent by email to *National Federations* and to National Head FEI Veterinarians at email addresses supplied by the *National Federations* and on file with the *FEI*. The *List* shall be published by the *FEI* at least once a year, with an opportunity for *National Federation* and stakeholder feedback.

4.3 Substances and Methods included on the *List*

The *FEI's* categorization of a substance or method on the *List* as a *Banned Substance* or *Banned Method* (in particular, as opposed to a *Controlled Medication Substance* or *Method*) including any establishment of a threshold for a *Banned Substance* and/or the quantitative amount of such threshold shall be final and binding on all parties and shall not be subject to challenge by a *Person Responsible*, member of the *Support Personnel* or any other *Person* on any basis.

ARTICLE 5 TESTING

5.1 Authority to Test

All *Horses* registered with the *FEI* or a *National Federation*, or otherwise present or competing at an *International Event* or *National Event*, shall be subject to *In-Competition Testing* (a) by the *FEI* in the case of *International Events* and (b) in the case of *National Events*, by the *National Federation* through which the *Horse* is registered, or by any other *Anti-Doping Organisation* responsible for *Testing* at a *Competition* or *Event*.

The *FEI* or its assignees or agents shall be exclusively responsible for *Testing* at *International Events* and no other body may conduct *Testing* at *International Events* without the *FEI's* express written permission. Each *National Federation* or its assignees or agents, shall be exclusively responsible for *Testing* at its *National Events*, and no other body may conduct *Testing* at *National Events* without the *National Federation's* express written permission. *National Federations* are responsible for Results Management arising from *Testing* at *National Events* but are obligated to promptly report any positive findings to the *FEI* that have been notified as anti-doping rule violations unless doing so would contravene national law.

All *Horses* registered with the *FEI* or a *National Federation* shall be subject to intelligence based *Out-of-Competition Testing* by the *FEI*. Nothing in these *Rules* shall preclude any *National Federation* from adopting its own *Out-of-Competition Testing* protocols, subject to Article 13.1.

5.2 Responsibility for *FEI Testing*

The *FEI* Veterinary Department shall be responsible for overseeing all *Testing* conducted by the *FEI*. *Testing* may be conducted by the Testing Veterinarians or by other qualified and authorised persons at a given *Event* or at such other place as authorised by these *EAD Rules*, the *FEI* Veterinary Regulations, or as authorised in writing by the *FEI* Secretary General or his or her designee(s).

5.3 Testing Standards

Testing conducted by or on behalf of the *FEI* shall be in substantial conformity with the *Testing* procedures set forth in the *FEI* Veterinary Regulations in effect at the time of *Testing*.

5.4 Selection of Horses to be Tested

5.4.1 The *FEI* shall determine the number of *Tests* to be performed and on which *Horses* they shall be performed.

5.4.2 In addition to the selection procedures set forth in Article 5.4.1 above, the *Veterinary Commission*, *Veterinary Delegate* and/or *Testing Veterinarians* may also select *Horses* for *Random Testing* or *Target Testing* in cooperation with the *Ground Jury* at *International Events*.

5.4.3. Each *National Federation* shall determine, within its jurisdiction, the number of *Tests* to be performed and on which *Horses* they shall be performed.

5.4.4. Nothing in these *EAD Rules* shall be construed to limit where the *FEI* is authorised to conduct *Testing* on *Horses In- Competition*.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples collected under these *EAD Rules* and arising from *FEI Testing* are the property of the *FEI*. They shall be analysed in accordance with the following principles:

6.1 Use of Approved Laboratories

These *EAD Rules* incorporate the *FEI* List of Approved Laboratories which is published and revised by the *FEI* from time to time. The *FEI* shall send *Samples* for analysis only to these approved *Laboratories*, which are subject to the *FEI Standard for Laboratories*. The choice of *Laboratory* used for the *Sample* analysis of either or both the A and B *Sample* shall be determined exclusively by the *FEI*. However, the *Person Responsible* may elect to have the B *Sample* analysed at a different *Laboratory* than the one which performed the A *Sample* analysis. If such an election is made, the *FEI* shall select the B *Sample Laboratory* from the *FEI* List of Approved Laboratories and inform the *Person Responsible* accordingly.

6.2 Purpose of Collection and Analysis of Samples

Samples shall be analysed to detect *Banned Substances and Banned Methods*, all as set forth in the *List*. The *FEI* may also seek to detect other substances for research and monitoring purposes, as publicly announced by the *FEI* from time to time pursuant to a defined monitoring program.

6.3 Research on Samples

No *Sample* may be used for any purpose other than as described in Article 6.2 above, without the *Person Responsible's* written consent. Those *Samples* used for purposes other than as set forth in Article 6.2 (for example research)

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following written consent from the *Person Responsible* shall have all means of identification removed from the *Sample* so it cannot be traced back to a particular *Horse* or *Person Responsible*. All *Samples* shall be destroyed pursuant to the guidelines set forth in the *FEI Standard for Laboratories* and in no event later than the lapse of the Statute Of Limitations in Article 14 below.

6.4 Standards for *Sample* Analysis and Reporting

Laboratories shall analyse *Samples* and report results in conformity with the *FEI Standard for Laboratories*.

6.5 Retesting *Samples*

A *Sample* may be reanalysed for the purpose of Article 6.2 above at any time exclusively at the direction of the *FEI*. The circumstances and conditions for retesting *Samples* shall conform with the requirements of the *FEI Standard for Laboratories*. The retesting of *Samples* may lead to an *EAD Rule* violation only if the *Sample* was taken at the Olympic, Paralympic or World Equestrian Games and only if the *Banned Substance* or *Banned Method* was prohibited at the time the *Sample* was taken, all subject to Article 14.

6.6 Equestrian Community Integrity Unit

The *Equestrian Community Integrity Unit* (ECIU) shall have the power to conduct investigations arising from or related to these *EAD Rules* in order to protect the integrity of the *FEI* and equestrian sport, as set forth in the *FEI Statutes*. The refusal of a *Person Responsible* or member of the *Support Personnel* to cooperate with the *E C IU* may result in an adverse inference being drawn against that *Person* in any related *FEI Tribunal* proceeding. If the *Equestrian Community Integrity Unit* determines that it has a good faith basis to pose questions relating to any investigation to a *Person Responsible* or member of the *Support Personnel* and such *Person* refuses to answer such questions, he may be prohibited from participating in any *FEI* activities until such questions are answered to the satisfaction of the *ECUIECIU*. Any *Person Responsible* or member of the *Support Personnel* who has a good faith basis to refuse answering such questions to the satisfaction of the *ECIU* may file a Protest to the *FEI Tribunal* under Article 163 of the *FEI General Regulations*.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for Tests arising out of *FEI* Testing or other *EAD Rule* violations

Results management for *Tests* arising out of *FEI Testing* or other *EAD Rule* violations shall proceed as set forth below:

7.1.1 The results of all *Sample* analyses must be sent exclusively to the *FEI*, in a report signed by an authorised representative of the *Laboratory*. All communications must be conducted in such a way that the results of the *Sample* analyses are confidential.

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7.1.2 Upon receipt of an *A Sample Adverse Analytical Finding*, the *FEI* shall conduct a review to determine whether there is any apparent departure from *Testing* procedures of the *FEI* Veterinary Regulations or the *FEI Standard for Laboratories* that caused the *Adverse Analytical Finding*.

7.1.3 If the initial review under Article 7.1.2 does not reveal an apparent departure from the *Testing* procedures of the *FEI* Veterinary Regulations or from the *FEI Standard for Laboratories* that caused the *Adverse Analytical Finding*, the *FEI* shall promptly *Notify* the *Person Responsible* of:

(a) the *Adverse Analytical Finding*;

(b) the *EAD Rule* violated;

(c) the *Person Responsible'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 opportunity for the *Person Responsible* to elect to have the *B Sample* analysed at a different laboratory than the one which performed the *A Sample* analysis, such *Laboratory* to be chosen by the *FEI*, and the opportunity to send a representative (witness) to be present for the *B Sample* analysis within the time period specified in the *FEI Standard for Laboratories* unless allowing such representative or witness presents a threat to the integrity of the analysis process; and

(e) the right of the *Person Responsible* to request copies of the *A* and *B Sample* (if applicable) *Laboratory Documentation Package* which includes information as specified in the *FEI Standard for Laboratories*.

If, upon the initial review, the *FEI* *Decides* not to bring forward the *Adverse Analytical Finding* as an *EAD Rule* violation, it shall so *Notify* the *Person Responsible's National Federation*.

7.1.4 Pursuant to Article 7.1.3 (d) above, within seven (7) days of receipt of the *Confirmatory Analysis Request Form (B Sample)*, the *FEI* will propose possible dates for such analysis. The *Person Responsible* may accept the *A Sample* analytical results by waiving the right to a *B Sample* analysis. The *FEI* may nonetheless elect at its discretion to proceed with the *B Sample* analysis. In such case, the *B Sample* analysis shall only be used to confirm the *A Sample Adverse Analytical Finding*. The *Person Responsible* is deemed to have waived his right to a *B Sample* analysis if he does not submit the *Confirmatory Analysis Request Form* within the stipulated time-limit in the *Notification*.

7.1.5 In addition to the *Person Responsible* and his representative (witness), a representative of the *National Federation(s)* involved as well as a representative of the *FEI* shall also be allowed to be present for the *B Sample* Analysis. If *Notice* under Article 7.1.3 has not been carried out through the *National Federation*, the *National Federation* shall be informed in a timely manner by the *FEI* of the *Adverse Analytical Finding* and its right to attend the *B Sample* Analysis.

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7.1.6 If the *B Sample* proves negative, then the entire test shall be considered negative. The *FEI* shall be informed of the results confidentially and shall *Notify* the *Person Responsible*.

7.1.7 If a *Banned Substance* or the *Use of a Banned Method* is identified in the *B Sample*, the *FEI* shall be informed of the results confidentially and shall *Notify* the *Person Responsible*.

7.1.8 The *FEI* may conduct any follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, the *FEI* shall promptly *Notify* the *Person Responsible's National Federation* of the results of the follow-up investigation.

7.1.9 For the avoidance of doubt, an *Adverse Analytical Finding* confirmed by the *B Sample Analysis* may result from blood or urine *Samples*, or any combination thereof (for example, a confirmatory *B Sample Analysis* is valid if performed on a blood sample, even if the *A Sample Adverse Analytical Finding* arose from a urine *Test*, and vice-versa). In addition, and also for the avoidance of doubt, where the *A Sample* is positive for a *Threshold Banned Substance*, as it is quantitatively above the threshold level set for the *Banned Substance*, the *B Sample* shall be deemed to confirm the *A Sample* so long as the *B Sample* is also quantitatively above the threshold, even if the *B Sample* varies quantitatively from the *A Sample*.

7.1.10 Where appropriate, the members of the *Support Personnel*, including the *Owner*, shall receive *Notification* of the *EAD Rule violation* and all relevant corresponding documents. However, the right to request a *B Sample* analysis rests exclusively with the *Person Responsible* under 7.1.3 above.

7.2 Review of Atypical Findings

As provided in the *FEI Standard for Laboratories*, in some circumstances laboratories are directed to report the presence of *Banned Substances*, which may also be produced endogenously, as *Atypical Findings* subject to further investigation. Upon receipt of an *A Sample Atypical Finding*, the *FEI* shall conduct a review to determine whether there is any apparent departure from the *Testing* procedures or the *FEI Standard for Laboratories* that caused the *Atypical Finding*. If that review does not reveal any departure that caused the *Atypical Finding*, the *FEI* and/or the *Equestrian Community Integrity Unit* shall conduct the required investigation. After the investigation is completed, the *Person Responsible* and his or her *National Federation*, shall be *Notified* whether or not the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*. The *Person Responsible's National Federation* shall be *Notified* as provided in Article 7.1 *EAD Rules*.

7.2.1 The *FEI* will not provide *Notice* of an *Atypical Finding* until the investigation is completed and it has *Decided* whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding*. However, if the *FEI* determines that the *B Sample* should be analysed prior to the conclusion of the investigation under Article 7.2, the *FEI* may conduct the *B Sample Analysis* after supplying the *Person Responsible* with such *Notice* including a description of the *Atypical Finding* and the information described in Article 7.1.3 (b)-(e) above.

7.3 Review of Other EAD Rule Violations

For apparent *EAD Rule* violations that do not involve *Adverse Analytical Findings*, the *FEI* and/or the *Equestrian Community Integrity Unit* may conduct any necessary follow-up investigation and at such time as the *FEI* is satisfied that an *EAD Rule* violation has occurred, it shall then promptly *Notify* the *Person Responsible* and/or member of the *Support Personnel* (where applicable) of the *EAD Rule* which appears to have been violated and the basis of the violation.

7.4 Provisional Suspensions

7.4.1 The *FEI* shall provisionally suspend a *Person Responsible*, member of the *Support Personnel*, and/or the *Person Responsible's Horse* prior to the opportunity for a full hearing based on: (a) an admission that an *EAD Rule* violation has taken place (for the avoidance of doubt, an admission by any *Person* can only be used to provisionally suspend that *Person*); or (b) all of the following elements: (i) an *Adverse Analytical Finding* from the *A Sample* or *A and B Samples*; (ii) the review described in Article 7.1.2 above; and (iii) the *Notification* described in Article 7.1.3 above. If a *Provisional Suspension* is imposed by the *FEI*, either the hearing in accordance with Article 8 below shall be advanced to a date which avoids substantial prejudice to the *Person* alleged to have committed the *EAD Rule* violation, or such *Person* shall be given an opportunity for a *Preliminary Hearing* either on a timely basis after imposition of the *Provisional Suspension* or before imposition of the *Provisional Suspension* in order to show cause why the *Provisional Suspension* should not be imposed (or should be lifted). Where a *Horse* is provisionally suspended, the *Owner* shall also have the right to request a *Preliminary Hearing*.

7.4.2. The *Provisional Suspension* shall be maintained unless the *Person* requesting the lifting of the *Provisional Suspension* establishes to the comfortable satisfaction of the *FEI Tribunal* that:

- (i) the allegation that an *EAD Rule* violation has been committed has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the allegation is based; or
- (ii) the *Person* can demonstrate that the evidence will show that he bears *No Fault or No Negligence* for the *EAD Rule* violation that is alleged to have been committed, so that any period of *Ineligibility* that might otherwise be imposed for such offence is likely to be completely eliminated by application of Article 10.5.1 below or that 10.5.2 applies and the *Person* can demonstrate that the evidence will show that he bears *No Significant Fault or Negligence* and that he has already been provisionally suspended for a period of time that warrants the lifting of the *Provisional Suspension* pending a final *Decision* of the *FEI Tribunal*; or
- (iii) exceptional circumstances exist that make it clearly unfair, taking into account all of the circumstances of the case, to impose a *Provisional Suspension* prior to the final hearing of the *FEI Tribunal*. 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 *Person* or *Horse* competing in a particular *Competition*

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or *Event* shall not qualify as exceptional circumstances for these purposes.

7.4.3 If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and a subsequent *B Sample Analysis* (if requested) does not confirm the *A Sample Analysis*, then the *Person(s)* alleged to have committed the *EAD Rule* violation and his member of the *Support Personnel*, and/or *Horse* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 above (Presence of a *Banned Substance* or its *Metabolites* or *Markers*). In circumstances where the *Person Responsible* or his *Horse* has been removed from a *Competition and/or Event* based on a violation of Article 2.1 and the subsequent *B Sample Analysis* does not confirm the *A Sample* finding, if it is still possible for the *Person Responsible* and his *Horse* to be re-entered without otherwise affecting the *Competition and/or Event*, the *Person Responsible* and his *Horse* may continue to take part in the *Competition and/or Event*.

7.4.4 After the imposition of a *Provisional Suspension* and following a *Preliminary Hearing* but prior to a final hearing, the *Person Responsible* and/or member of the *Support Personnel* (including *Owner*) can petition the *FEI Tribunal* for another *Preliminary Hearing* provided that new evidence exists that, if known at the time of the earlier *Preliminary Hearing*, may have satisfied the requirements of Article 7.4.2 above and may have lead to the lifting of the *Provisional Suspension*. Such petition must be made in writing to the *FEI Tribunal* and copied to the *FEI Legal Department* and must clearly establish the existence of such new evidence meeting this criterion. If the request for another *Preliminary Hearing* is granted by the *FEI Tribunal*, the same *FEI Tribunal* member who presided over the prior *Preliminary Hearing* will *Decide* the new *Preliminary Hearing* request, unless exceptional circumstances prevent him from doing so, in which case another *FEI Tribunal* member will be appointed to conduct the new *Preliminary Hearing*. If another *Preliminary Hearing* is granted after the *Hearing Panel* has been constituted, any member of the *Hearing Panel* may conduct the *Preliminary Hearing*. *Preliminary Hearing Decisions* may be issued by the *FEI Tribunal* without reasons.

7.4.5 During a period of *Provisional Suspension*, no *Person Responsible* and/or member of the *Support Personnel* who themselves are provisionally suspended, or a *Horse* that is provisionally suspended, may participate in any capacity at an *Event*, or in a *Competition* or activity, or be present at an *Event* (other than as a spectator) that is authorised or organised by the *FEI* or any *National Federation* or in *Competitions* authorised or organised by any international or national level *Event* organisation.

7.5 Retirement from Sport

If a *Person Responsible* and/or member of the *Support Personnel* retires while a *Results Management* process is underway, the *FEI* retains jurisdiction to complete its *Results Management* process. If a *Person Responsible* and/or member of the *Support Personnel* retires before any *Results Management* process has begun, the *FEI* similarly has jurisdiction to conduct *Results Management*.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings before the *FEI Tribunal*

8.1.1 The *FEI Tribunal* shall *Decide* all cases involving violations of these *EAD Rules*.

8.1.2 When it appears, following the Results Management Process described in Article 7, that these *EAD Rules* have been violated, then the case shall be submitted to a *Hearing Panel* of the *FEI Tribunal* for adjudication.

8.1.3 Hearings pursuant to this Article shall be completed expeditiously following the completion of the Results Management or investigation process described in Article 7 above and the submission of all relevant evidence and pleadings by the parties. The *Person Responsible* and/or member of the *Support Personnel* (where applicable) alleged to have violated the *EAD Rules* shall cooperate promptly in the submission of such evidence and pleadings and in attendance at a hearing if requested by the *FEI Tribunal*.

8.1.4 The *Person Responsible* and/or member of the *Support Personnel* (including Owner) alleged to have violated the *EAD Rules* may attend the hearing under all circumstances.

8.1.5 A *Person Responsible* and/or member of the *Support Personnel* (where applicable) may acknowledge the *EAD Rule* violation and accept consequences consistent with Articles 9 and 10 below as proposed by the *FEI*.

8.1.6 *Decisions* of the *FEI Tribunal* may be appealed to the Court of Arbitration for Sport as provided in Article 12 below.

8.2 Principles for a Fair Hearing

All *Decisions* and hearings under these *EAD Rules* shall respect the following principles:

- A. fair and impartial *Hearing Panel*;
- B. the right to be represented by counsel (separately or together) at the *Person Responsible's* and/or member of the *Support Personnel's* (including Owner's) own expense;
- C. The right to be fairly and timely informed of the asserted *EAD Rule* violation;
- D. The right to respond to the asserted *EAD Rule* violation and resulting consequences;
- E. The right of each party to present evidence (including, but not limited to any evidence the *FEI* obtains from the activities of the *Equestrian Community Integrity Unit*);
- F. The right of each party to call and question witnesses (subject to the *Hearing Panel's* discretion to accept testimony by telephone or written submission);

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- G. A timely hearing, subject to prompt and complete submissions by the parties;
- H. The *Person Responsible's* and/or member of the *Support Personnel's* (including Owner) right to an interpreter at the hearing if requested at least five (5) business days in advance of the hearing, with the *Hearing Panel* to determine the identity and responsibility for the costs of the interpreter; and
- I. A timely, written, reasoned *Decision*, specifically including an explanation for any period of *Ineligibility*.

8.3 Waiver of Hearing

The right to a hearing may be waived either expressly or by the *Person Responsible's* and/or member of the *Support Personnel's* (where applicable) failure to request a hearing within ten (10) days of *Notification* that such a violation is alleged. Where no hearing occurs, the *FEI Tribunal* shall issue a reasoned *Decision*.

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A violation of these *EAD Rules* in connection with a test in a given *Competition* automatically leads to the *Disqualification* of the result of the *Person Responsible* and *Horse* combination obtained in that *Competition* with all resulting *Consequences*, including forfeiture of any related medals, points and prizes. Even if a Sanction is reduced or eliminated under Article 10 below, such reduction or elimination shall under no circumstances reverse the automatic *Disqualification* of Individual Results mandated by this Article 9.

ARTICLE 10 SANCTIONS

10.1 Disqualification of Results in the Event during which an EAD Rule Violation Occurs

Except for the Olympic and Paralympic Games where the *Disqualification* of Athlete's results from *Competitions* following an *EAD Rule* violation is set forth in the FEI Regulations for Equestrian Events at the Olympic or Paralympic Games, the following rules relating to the *Disqualification* of results will apply. An *EAD Rule* violation occurring during or in connection with an *Event* may lead to *Disqualification* of all of the *Person Responsible's* individual results obtained in that *Event*, with any and all *Horses* with which the *Person Responsible* competed, with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1. Notwithstanding the above, for all Events, including but not limited to the Olympic and Paralympic Games, exceptional circumstances may be considered. Generally, and subject to 10.1.1 and 10.1.2 below, all Results from *Competitions* in which the *Person Responsible* or *Horse* participated prior to *Sample* collection shall be *Disqualified* unless it can be demonstrated that such Results were not likely to have been affected by the *EAD Rule* violation.

10.1.1 If the *Person Responsible* establishes that he bears *No Fault or Negligence* for the *EAD Rule* violation, the *Person Responsible's* individual results in the other *Competitions* shall not be *Disqualified* unless the *Person Responsible's* results in *Competitions* other than the *Competition* in which the

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EAD Rule violation occurred were likely to have been affected by the *Person Responsible's EAD Rule* violation.

10.1.2 In addition, the *Person Responsible's Horse* may also be *Disqualified* from the *Event* with all *Consequences*, including forfeiture of all medals, points, and prizes even if earned while being ridden by someone other than the *Person Responsible*, if the *Horse's* results in *Competitions* other than the *Competition* in which the *EAD Rule* violation occurred were likely to have been affected by the *EAD Rule* violation.

10.2 Ineligibility and Fine for Presence, Use or Attempted Use or Possession of Banned Substances and Banned Methods

The Sanction imposed for a violation of Article 2.1 (presence of a *Banned Substance* or its *Metabolites* or *Markers*), Article 2.2 (*Use* or *Attempted Use* of a *Banned Substance* or a *Banned Method*) or Article 2.5 (*Possession* of a *Banned Substance* or a *Banned Method*) shall be as follows unless the conditions for eliminating, reducing, or increasing the Sanction provided in 10.4 or 10.5 are met.

First Violation: Two (2) years *Ineligibility*; A Fine of CHF 15,000 unless fairness dictates otherwise, and appropriate legal costs.

Multiple Violations: As set forth in Article 10.6 below.

10.3 Ineligibility for Other Rule Violations

The Sanction for *EAD Rule* violations other than as provided in Articles 9 and 10.2 above shall be as follows:

10.3.1 For violations of Article 2.3 (Refusing or Failing to Submit to *Sample* collection), Article 2.4 (*Tampering* or *Attempted Tampering* with any part of *Doping Control*), Article 2.5 (Administration or Attempted Administration of a *Banned Substance*), Article 2.6 (Possession of *Banned Substances* or *Banned Methods*) or Article 2.8 (Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an *EAD Rule* violation or any *Attempted EAD Rule* violation.) the Sanction shall be as set forth in Articles 9 and 10.2 above, unless the conditions for eliminating, reducing or increasing the Sanction provided in Articles 10.4 or 10.5 are met.

10.3.2 For violations of Article 2.7 (*Trafficking* or *Attempted Trafficking*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility* unless the conditions provided in Article 10.4 are met. A *Fine* of CHF 25,000 shall also be imposed, unless fairness dictates otherwise along with appropriate legal costs. In addition, significant violations of Articles 2.7 or 2.8 which may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.

10.4 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

10.4.1 No Fault or Negligence

If the *Person Responsible* and/or member of the *Support Personnel* (where applicable) establishes in an individual case that he or she bears *No Fault or Negligence* for the *EAD Rule* violation, the otherwise applicable period of *Ineligibility* and other Sanctions (apart from Article 9) may be eliminated in regard to such *Person*. When a *Banned Substance* or its *Metabolites* or *Markers* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Banned Substance*), the *Person Responsible* and/or member of the *Support Personnel* (where applicable) must also establish how the *Banned Substance* entered the *Horse's* system in order to have the period of *Ineligibility* and other Sanctions eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the *EAD Rule* violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.6 below.

10.4.2 No Significant Fault or Negligence

If a *Person Responsible* and/or member of the *Support Personnel* (where applicable) establishes in an individual case that he bears *No Significant Fault or Negligence*, then the otherwise applicable period of *Ineligibility* and other Sanctions (apart from Article 9) may be reduced in regard to such *Person*, 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 Article may be no less than eight (8) years. When a *Banned Substance* or its *Metabolites* or *Markers* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Banned Substance* or its *Metabolites* or *Markers*), the *Person* alleged to have committed the *EAD Rule* violation must also establish how the *Banned Substance* or its *Metabolites* or *Markers* entered the *Horse's* system in order to have the period of *Ineligibility* reduced.

10.4.3 Substantial Assistance in Discovering or Establishing EAD Rule Violations

The *FEI Tribunal* may, prior to a final appellate *Decision* under Article 12 below or the expiration of the time to appeal, suspend a part or all of the period of *Ineligibility* imposed in an individual case where the *Person Responsible* and/or member of the *Support Personnel* has provided *Substantial Assistance* to the *FEI*, the *Equestrian Community Integrity Unit*, criminal authority or professional disciplinary body which results in the *FEI* discovering or establishing an *EAD Rule* violation by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another *Person*. Such *Substantial Assistance* must be independently corroborated in order to reduce the period of *Ineligibility* and under no circumstance should it amount only to blaming another *Person* or entity for the alleged *EAD Rule* violation. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the *EAD Rule* violation committed and the significance of the *Substantial Assistance* provided in an

effort to promote drug-free equestrian sport. In any event, no more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this section must be no less than eight (8) years. If the *FEI Tribunal* subsequently reinstates any part of the suspended period of *Ineligibility* because the *Person Responsible* and/or member of the *Support Personnel* has failed to provide the *Substantial Assistance* which was anticipated, the *Person Responsible* and/or member of the *Support Personnel* may appeal the reinstatement pursuant to Article 12.2.

10.4.4 Admission of an *EAD Rule* Violation in the Absence of Other Evidence

Where a *Person Responsible* and/or member of the *Support Personnel* voluntarily admits the commission of an *EAD Rule* violation before having received *Notice* of a *Sample* collection which could establish an *EAD Rule* violation (or, in the case of an *EAD Rule* violation other than Article 2.1, before receiving first *Notice* of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.

10.4.5 Where a *Person Responsible* and/or member of the *Support Personnel* Establishes Entitlement to a Reduction in Sanction Under More than One Provision of this Article

If the *Person Responsible* and/or member of the *Support Personnel* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two (2) or more of Articles 10.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter of the otherwise applicable period of *Ineligibility*.

10.5 Aggravating Circumstances Which May Increase the Period of *Ineligibility*

If the *FEI* establishes in an individual case involving an *EAD Rule* violation other than violations under Article 2.7 (Trafficking or *Attempted* Trafficking) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four (4) years unless the *Person Responsible* and/or member of the *Support Personnel* can prove to the comfortable satisfaction of the *Hearing Panel* that he did not knowingly commit the *EAD Rule* violation. The *Person Responsible* and/or member of the *Support Personnel* can avoid the application of this Article by admitting the *EAD Rule* violation as asserted promptly after being confronted by the *FEI* with the *EAD Rule* violation.

10.6 Multiple Violations

10.6.1 Second *EAD Rule* Violation

For the *Person Responsible's* and/or member of the *Support Personnel's* first *EAD Rule* violation, the period of *Ineligibility* is set forth in Articles 10.2 and

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10.3 (subject to elimination, reduction, or suspension under Article 10.4 or to an increase under Article 10.5). For a second *EAD Rule* violation, the period of *Ineligibility* shall be increased by the *Hearing Panel*, taking into account the respective severity of both *EAD Rule* violations involved and the circumstances of the particular case. The period of *Ineligibility* shall be a minimum of eight (8) years up to a lifetime *Ineligibility* if, alternatively, (i) both *EAD Rule* violations were or should be sanctioned by the standard sanction of two (2) years under Articles 10.2 or 10.3.1, or (ii) at least one of the two *EAD Rule* violations was or should be sanctioned by an aggravated Sanction under Article 10.6 or by a Sanction under Article 10.3.2. In all other cases, the *Ineligibility* period shall be within the range of one (1) year to eight (8) years.

Where a *Person Responsible* and/or member of the *Support Personnel* is found to have committed an *EAD Rule* violation after having committed an *ECM Rule* violation, this may be considered as a factor in determining aggravating circumstances under Article 10.5 above.

10.6.2 Application of Articles 10.4.3 and 10.4.4 to Second *EAD Rule* Violation

Where a *Person Responsible* and/or member of the *Support Personnel* who commits a second *EAD Rule* violation establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article 10.4.3 or Article 10.4.4, the *Hearing Panel* shall first determine the otherwise applicable period of *Ineligibility* and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 10.4.3 and 10.4.4, must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

10.6.3 Third *EAD Rule* Violation

A third *EAD Rule* violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.4. In these particular cases, the period of *Ineligibility* shall be from eight (8) years to a lifetime period of *Ineligibility*.

10.6.4 Additional *EAD Rules* for certain Potential Multiple Violations

For purposes of imposing sanctions under Article 10.6, an *EAD Rule* violation will only be considered a further violation if the *FEI* can establish that the *Person Responsible* and/or member of the *Support Personnel* (where applicable) committed the prior violation after he received *Notice* of the earlier violation pursuant to Article 7 (Results Management), or after the *FEI* made reasonable efforts to give *Notice* of the earlier violation.

If the *FEI* cannot establish this, the violations shall be considered together as one single first violation, and the Sanction imposed shall be based on the violation that carries the more severe sanction. However, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances under Article 10.5.

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If, after the resolution of a first *EAD Rule* violation, the *FEI* discovers facts involving an *EAD Rule* violation by the *Person Responsible* and/or member of the *Support Personnel* which occurred prior to *Notification* regarding the first violation, then the *FEI Tribunal* shall impose an additional Sanction based on the Sanction that could have been imposed if the further violations would have been adjudicated at the same time. Results in all *Competitions* dating back to the earlier *EAD Rule* violation will be *Disqualified* as provided in Article 9 and 10.1. To avoid the possibility of a finding of aggravating circumstances (Article 10.5) on account of the earlier-in-time but later-discovered violation, the *Person Responsible* and/or member of the *Support Personnel* must voluntarily admit the earlier *EAD Rule* violation on a timely basis after *Notice* of the violation for which he or she is first charged. The same rule shall also apply when the *FEI* discovers facts involving another prior violation after the resolution of a second *EAD Rule* violation.

10.6.5 Multiple *EAD Rule* Violations During an Eight-Year Period

For purposes of Article 10.6, each *EAD Rule* violation must take place within the same eight (8) year period in order to be considered multiple violations.

10.6.6 Violations involving both a *Controlled Medication Substance or Method* and a *Banned Substance or Method*

Where a *Person Responsible* and/or member of the *Support Personnel* based on the same factual circumstances is found to have committed a violation involving both a *Controlled Medication Substance or a Controlled Medication Method* under the *ECM Rules* and a *Banned Substance or Banned Method* under these *EAD Rules*, the *Person Responsible* and/or member of the *Support Personnel* shall be considered to have committed one *EAD Rule* violation and the Sanction imposed shall be based on the *Banned Substance or Banned Method* that carries the most severe Sanction. The occurrence of multiple substances or methods may be considered as a factor in determining aggravating circumstances under Article 10.5 above.

10.7 *Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an EAD Rule Violation*

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (*Automatic Disqualification of Individual Results*), all other competitive results obtained from the date a positive *Sample* was collected, or other *EAD Rule* violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

10.7.1 As a condition of regaining eligibility after being found to have committed an *EAD Rule* violation, the *Person Responsible* and/or member of the *Support Personnel* must first repay all prize money forfeited under this Article and any other fines and/or costs attributed to the violation which have been ordered by the *FEI Tribunal* or otherwise accepted by the *Person Responsible*.

10.8 Commencement of *Ineligibility* Period

Except as provided below, the period of *Ineligibility* imposed on any *Person* or *Horse* shall start on the date of the *Decision* providing for *Ineligibility* or any other date specified by the *FEI Tribunal* in its *Decision*.

10.8.1 Delays Not Attributable to the *Person Responsible* or member of the *Support Personnel*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Person Responsible* and/or member of the *Support Personnel* alleged to have committed the *EAD Rule* violation, the *Hearing Panel* may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another *EAD Rule* violation last occurred.

10.8.2 Timely Admission

Where the *Person Responsible* and/or member of the *Support Personnel* (where applicable) promptly (which, for the *Person Responsible*, in all circumstances, means before the *Person Responsible* competes again) admits the *EAD Rule* violation after being confronted with the *EAD Rule* violation by the *FEI*, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another *EAD Rule* violation last occurred. In each case, however, where this Article is applied, the *Person* who committed the *EAD Rule* violation shall serve at least one-half of the period of *Ineligibility* going forward from the date *Ineligibility* is imposed or accepted.

10.8.3 If a *Provisional Suspension* is imposed and respected by the *Person Responsible* and/or member of the *Support Personnel*, or *Horse*, then a credit shall be received for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed as determined by the *FEI Tribunal*.

10.8.4 If a *Person Responsible* and/or member of the *Support Personnel* voluntarily accepts a *Provisional Suspension* in writing from the *FEI* for himself, herself or the *Horse*, and thereafter refrains from participating in equestrian activities, such *Person* or *Horse* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the voluntary *Provisional Suspension* shall be provided promptly to each party entitled to receive *Notice* of a potential *EAD Rule* violation. If a *Provisional Suspension* is voluntarily accepted, it can only be lifted by *Decision* of the *FEI Tribunal*.

10.8.5 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 whether the *Person* alleged to have committed the *EAD Rule* violation elected not to compete or was suspended by his team.

10.9 Status During *Ineligibility*

10.9.1 Prohibition Against Participation during *Ineligibility*

No *Horse*, *Person Responsible* and/or member of the *Support Personnel* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity at an *Event*, or in a *Competition* or activity that is authorised or organised by the *FEI* or any *National Federation* or be present at an *Event* (other than as a spectator) that is authorised or organised by the *FEI* or any *National Federation*, or participate in any capacity at an *Event* or in a *Competition* authorised or organised by any international or national-level *Event* organisation. In addition, for any *EAD Rule* violation, some or all of sport-related financial support or other sport-related benefits received by such *Person Responsible* and/or *Support Personnel* may be withheld by the *FEI* and/or its *National Federations*. A *Horse* subject to a period of *Ineligibility* shall remain subject to *Testing*.

In addition, any *Person Responsible* or member of the *Support Personnel* subject to *Ineligibility* under Article 10 may also be banned from any venues where *FEI* competitions are taking place, whether or not the *Person Responsible* or member of the *Support Personnel* is registered with the *FEI*.

10.9.2 Violation of the Prohibition of Participation During *Ineligibility*

Where a *Person Responsible* and/or member of the *Support Personnel* who has been declared *Ineligible* or whose *Horse* has been declared *Ineligible* violates the prohibition against participation or attendance during *Ineligibility* described in Article 10.9.1 above, the results of any such participation shall be *Disqualified* and the period of *Ineligibility* which was originally imposed shall start over so that the entire period of *Ineligibility* must be served again from the beginning as of the date of the last violation committed. The new period of *Ineligibility* may be reduced under Article 10.4.2 if the *Person Responsible* and/or member of the *Support Personnel* establish that he bears *No Significant Fault or Negligence* for violating the prohibition against participation or attendance. In addition, further sanctions may be imposed if appropriate. The determination of whether any *Person* has violated the prohibition against participation or attendance, and whether a reduction under Article 10.4.2 or any other sanctions are appropriate, shall be made by the *FEI Tribunal*.

ARTICLE 11 CONSEQUENCES TO TEAMS

- 11.1** Unless otherwise provided in the *FEI Regulations for Equestrian Events* at the Olympic or Paralympic Games, the Consequences to teams set forth below will apply. If a *Person Responsible*, as a member of a team, is found to have committed a violation of these *EAD Rules* during an *Event* where a team ranking is based on the addition of individual results, the results of the *Person Responsible* committing the violation will be subtracted from the team result and replaced with the results of the next applicable team member. If by removing the *Person Responsible's* results from the team results, the number of *Persons* counting for the team is less than the required number, the team shall be eliminated from ranking. If a key member of a team, other than the *Person Responsible*, such as, but not limited to, the chef d'équipe, team veterinarian, or team coach, admits or is found to have violated these *EAD*

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Rules, the entire team may be *Disqualified* if fairness so requires. Notwithstanding the above, for all Events, including but not limited to the Olympic and Paralympic Games, exceptional circumstances may be considered.

ARTICLE 12 APPEALS

12.1 Decisions Subject to Appeal

Decisions made under these *EAD Rules* may be appealed as set forth below in Article 12.2 through 12.3. Such *Decisions* shall remain in effect while under appeal unless the appellate body orders otherwise.

12.2 Appeals from *Decisions Regarding EAD Rule Violations, Consequences, and Provisional Suspensions*

The following *Decisions* may be appealed exclusively as provided in this Article 12.2: (a) a *Decision* that an *EAD Rule* violation was committed; (b) a *Decision* imposing consequences for an *EAD Rule* violation; (c) a *Decision* that no *EAD Rule* violation was committed; (d) a *Decision* that an *EAD Rule* violation proceeding cannot go forward for procedural reasons (including, for example, exceeding the Statute of Limitations); (e) a *Decision* under Article 10.9.2 (Violation of the Prohibition of Participation during *Ineligibility*); (f) a *Decision* that the *FEI* or a *National Federation* lacks jurisdiction to rule on an alleged *EAD Rule* violation or its consequences; (g) a *Decision* by any *National Federation* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping violation, or a *Decision* not to go forward with an anti-doping violation; and (h) a *Decision* to impose a *Provisional Suspension* as a result of a *Preliminary Hearing* or otherwise, in violation of Article 7.4; the only *Person* that may appeal from a *Provisional Suspension* is the *FEI* or the *Person* upon whom or upon whose *Horse* the *Provisional Suspension* is imposed.

12.2.1 In cases arising from participation in an *International Event* or in cases involving *FEI*-registered *Horses*, the *Decision* may be appealed exclusively to *CAS* in accordance with the provisions applicable before *CAS*.

12.2.2 In cases under Article 12.2.1, the following parties shall have the right to appeal to *CAS*: (a) the *Person Responsible* and/or member of the *Support Personnel* who is the subject of the *Decision* being appealed, or the *Horse* owner, where its *Horse* is subject to *Provisional Suspension* or *Ineligibility*; (b) the other party to the case in which the *Decision* was rendered; (c) the *FEI*; (d) the *National Federation* of the *Person* who is the subject of the *Decision* being appealed; and (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the *Decision* may have an effect in relation to the Olympic Games or Paralympic Games, including *Decisions* affecting eligibility for the Olympic Games or Paralympic Games.

12.3 Time for Filing Appeals

The time to file an appeal to *CAS* shall be thirty (30) days from the date of *Receipt* of the *Hearing Panel Decision* by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a

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party entitled to appeal but which was not a party to the proceedings having led to the *Decision* subject to appeal:

a) Within ten (10) days from Notice of the *Decision*, such party/ies shall have the right to request from the *Hearing Panel* having issued the *Decision* a copy of the file on which it relied; a failure to make such request shall however not preclude such party from appealing to CAS within the time period set forth above; and

b) If such a request is made within the ten (10) day period, then the party making such request shall have thirty (30) days from receipt of the file to appeal to CAS.

ARTICLE 13 APPLICATION, REPORTING AND RECOGNITION

13.1 Application of FEI EAD Rules

For *FEI* Disciplines only, all *National Federations* shall specifically incorporate Articles 2, 3, 4, and 8.2 of these *EAD Rules* into their anti-doping regulations without substantive change by January 1, 2011 and enforce them against their members, unless doing so would contravene any applicable national law. For any *National Federation* that has had a system of national anti-doping rules in effect for at least five (5) years, such mandatory compliance may be delayed until January 1, 2012. With regards to the other Articles of these *EAD Rules*, *National Federations*, to the extent they do not wish to incorporate them, shall adopt corresponding provisions which embody similar concepts and principles, especially with respect to Article 10. Nothing in these *EAD Rules* shall be interpreted to prevent a *National Federation* from conducting out-of-competition testing on national *Horses* as part of its national *Doping Control*.

13.2 Statistical Reporting

National Federations shall report to the *FEI* at the end of every year aggregated and anonymous results of all *Doping Controls* within their jurisdiction. The *FEI* may periodically publish *Testing* data received from *National Federations* as well as comparable data from *Testing* under the *FEI*'s jurisdiction.

13.3 Public Disclosure

13.3.1 Neither the *FEI* or its *National Federation* shall publicly identify *Horses* or *Persons Responsible* whose *Horses' Samples* have resulted in *Adverse Analytical Findings*, or *Persons Responsible* and/or members of the *Support Personnel* who were alleged to have otherwise violated these *Rules*, until the earlier of completion of the administrative review and *Notification* described in Articles 7.1.2 and 7.1.3 above or the start of the *Provisional Suspension* of the *Person* alleged to have violated the *EAD Rule*. Once a violation of these *EAD Rules* has been established, it shall be publicly reported in an expeditious manner via the *FEI* Case Status Table at www.fei.org unless another mechanism for publicly reporting the information is warranted at the discretion of the *FEI*. If the *Person Responsible* and/or member of the *Support Personnel* or the *National Federation* of any such *Person* makes information concerning an *EAD Rule* violation or alleged *EAD Rule* violation public prior to release of this information on the Case

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Status Table, the *FEI* may comment on such public information or otherwise publicly report the matter.

13.3.2 In any case where it is determined, after a hearing or appeal, that the *Person Responsible* and/or member of the *Support Personnel* did not commit an *EAD Rule* violation, the *Decision* may be disclosed publicly only with the consent of the *Person* who is the subject of the *Decision*. The *FEI* 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 such *Person* and *FEI* may jointly approve.

13.3.3 Neither the *FEI*, any *National Federation*, any *FEI* approved *Laboratory*, or any official of any of the above, shall publicly comment on the specific facts of a pending case (as opposed to a general description of process and science), except in response to public comments attributed to the *Person Responsible* and/or member of the *Support Personnel* or their representatives.

13.4 Recognition of Decisions by National Federations

Any *Decision* of the *FEI* regarding a violation of these *EAD Rules* shall be recognised and enforced by all *National Federations* (including with respect to *National Events*) and *National Federations* shall take all necessary action to implement any and all ramifications relating to such *Decisions*. Failure to do so may be considered a violation of these *EAD Rules* and the *FEI Statutes*.

ARTICLE 14 STATUTE OF LIMITATIONS

No action may be commenced under these *EAD Rules* against a *Person Responsible* and/or member of the *Support Personnel* for an *EAD Rule* violation unless such action is commenced within eight (8) years from the date the violation is asserted to have occurred.

ARTICLE 15 AMENDMENT AND INTERPRETATION OF EAD RULES

15.1 These *EAD Rules* may be amended from time to time by the *FEI* in accordance with the *FEI Statutes* and *General Regulations*.

15.2 Except as provided in Article 15.5 *EAD Rules*, these *EAD Rules* shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes. Nothing herein shall be interpreted to supplant the applicability of national laws to national events.

15.3 The headings used for the various parts and Articles of these *EAD Rules* are for convenience only and shall not be deemed part of the substance of these *EAD Rules* or to affect in any way the language of the provisions to which they refer.

15.4 The Introduction, Appendix 1 Definitions, the *Equine Prohibited Substances List*, and the *FEI List of Approved Laboratories*, shall all be considered integral parts of these *EAD Rules*.

15.5 These *EAD Rules* have been adopted pursuant to the *FEI Statutes* and *General Regulations* and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of these *Statutes* and *General Regulations* as well as other *FEI* rules and regulations including but not limited to the

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*Veterinary Regulations, the Internal Regulations of the FEI Tribunal, the Procedural Rules of the FEI Tribunal, the FEI Standard for Laboratories and the various FEI Sport Rules. In the event of conflict with the Statutes or the General Regulations, the Statutes and the General Regulations shall apply, subject however, to the application by the FEI Tribunal of the legal principle of *lex specialis derogat legi generali* which provides that a specific provision should govern over a general provision. In the event of conflict with any other rules or regulations, these EAD Rules shall apply.*

- 15.6** The time limits fixed under the present *EAD Rules* shall begin from the day after which *Notification* by the FEI is received. Official holidays and non-working days are included in the calculation of time limits. The time limits fixed under the present *EAD Rules* are respected if the communications by the parties are sent before midnight on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the country where the *Notification* has been made, the time limit shall expire at the end of the first subsequent business day.

ARTICLE 16 TRANSITIONAL PROVISIONS

16.1 General Application of the 2010 EAD Rules

The 2010 *EAD Rules* shall apply in full force and effect after 1 April 2010 (the "Effective Date"). Any modifications or updates to the 2010 *EAD Rules* shall become effective as stipulated herein.

16.2 Application to *Decisions* Rendered Prior to the 2010 EAD Rules

The 2010 *EAD Rules* shall have no application to any anti-doping rule violation case where a Final *Decision* finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.

EQUINE CONTROLLED MEDICATION RULES

FEI Medication Code & Rationale for the *ECM Rules*

1. These *ECM Rules* have been adopted in recognition of the following fundamental imperatives of equestrian sport:

- A central and distinctive feature of equestrian sport is that it involves a partnership between two types of athlete, one human and one equine. One of those partners is unable to speak for itself. It is therefore the FEI's responsibility to speak on its behalf, and to ensure that, at every stage of the governance, regulation, administration and practice of the sport, the welfare of the *Horse* is paramount.
- This includes regulating the administration of *Controlled Medication Substances* to *Horses* involved in the sport to ensure *Horse* welfare and the highest levels of professionalism.
- In particular, all treatments must be given in the best health and welfare interests of the *Horse*, and not for any other reasons.
- No *Controlled Medication Substance* shall be given to any *Horse* during or close to an Event unless the appropriate FEI guidelines for medication authorisation have been followed.
- Every treatment must be fully justifiable based on the medical condition of the *Horse* receiving the treatment.
- *Horses* that cannot compete as a result of injury or disease must be given appropriate veterinary treatment and rest (or recovery period). *Persons Responsible* and their *Support Personnel* must obtain advice from a Permitted Treating Veterinarian and only administer treatments prescribed based on the objective clinical opinion of the Permitted Treating Veterinarian.
- A complete and accurate record of all treatments during or close to an Event should be maintained in the form of a *FEI Medication Logbook* as foreseen under the VRs.

2. These *ECM Rules* are to be interpreted and applied (including where an issue arises that is not expressly provided for in these *ECM Rules*) by reference to the need to follow the FEI Medication Code and protect and advance the fundamental imperatives described above. This purposive interpretation and application will take precedence over any strict legal or technical interpretations that may otherwise be proposed.

EQUINE CONTROLLED MEDICATION RULES

ARTICLE 1 DEFINITION OF A CONTROLLED MEDICATION VIOLATION

A *Controlled Medication* violation is defined as the occurrence of one or more of the *ECM Rule* violations set forth in Article 2.1 through Article 2.5 of these *ECM Rules*.

ARTICLE 2 CONTROLLED MEDICATION RULE VIOLATIONS

Persons Responsible and their *Support Personnel* shall be responsible for knowing what constitutes an *ECM Rule* violation and the substances and methods which have been included on the *Equine Prohibited Substances List* and identified as *Controlled Medication Substances*.

Where *Controlled Medication Substances* or *Controlled Medication Methods* are involved, the following shall constitute *ECM Rule* violations:

2.1 The presence of a *Controlled Medication Substance* or its *Metabolites* or *Markers* in a *Horse's Sample*.

2.1.1 It is each *Person Responsible's* personal duty to ensure that no *Controlled Medication Substance* is present in the *Horse* body during an *Event* without a valid *Veterinary Form*. *Persons Responsible* are responsible for any *Controlled Medication Substance* found to be present in their *Horse's Samples*, even though their *Support Personnel* will be considered additionally responsible under Articles 2.2 – 2.5 *ECM Rules* where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing *Use* be demonstrated in order to establish a *Rule* violation under Article 2.1.

2.1.2 Sufficient proof of a *Rule* violation under Article 2.1 is established by either of the following where there is no valid *Veterinary Form*: (i) presence of a *Controlled Medication Substance* or its *Metabolites* or *Markers* in the *Horse's A Sample* where the *Person Responsible* waives analysis of the *B Sample* and the *B Sample* is not analysed; (ii) or, where the *Horse's B Sample* is analysed and the analysis of the *Horse's B Sample* confirms the presence of the *Controlled Medication Substance* or its *Metabolites* or *Markers* found in the *Horse's A Sample* during an *Event*. An *Adverse Analytical Finding* may be established by a positive blood or urine *Sample*.

2.1.3 Excepting those *Controlled Medication Substances* for which a quantitative threshold is specifically identified in the *Equine Prohibited Substances List* or where a valid *Veterinary Form* has been submitted, the presence of any quantity of a *Controlled Medication Substance* or its *Metabolites* or *Markers* in a *Horse's Sample* during an *Event* shall constitute an *ECM Rule* violation.

2.1.4 As an exception to the general rule of Article 2.1, the *Equine Prohibited Substances List* or the *FEI Standard for Laboratories* may establish special criteria for the evaluation of *Controlled Medication Substances* that can also be produced endogenously.

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2.2 Use or Attempted Use of a Controlled Medication Substance or a Controlled Medication Method.

2.2.1 It is each *Person Responsible's* personal duty, along with members of their *Support Personnel*, to ensure that no *Controlled Medication Substance* enters into the *Horse's* body during an Event without a valid *Veterinary Form*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the part of the *Person Responsible*, or member of his *Support Personnel* (where applicable), be demonstrated in order to establish a *Rule* violation for *Use* of a *Controlled Medication Substance* or a *Controlled Medication Method*. However, in accordance with the definition of *Attempt*, it is necessary to show intent in order to establish an *ECM Rule* violation for *Attempted Use* of a *Controlled Medication Substance* or a *Controlled Medication Method*.

2.2.2 The success or failure of the *Use* or *Attempted Use* of a *Controlled Medication Substance* or a *Controlled Medication Method* is not material. It is sufficient that the *Controlled Medication Substance* or *Controlled Medication Method* was *Used* or *Attempted* to be *Used* during an Event without a valid *Veterinary Form* for an *ECM Rule* violation to be committed.

2.3 Tampering, or Attempted Tampering with any part of Medication Control that is not otherwise a violation of the ECM Rules.

2.4 Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an ECM Rule violation or any Attempted ECM Rule violation.

2.5 Administration or Attempted Administration of a Controlled Medication Substance.

ARTICLE 3 PROOF OF ECM RULE VIOLATIONS

3.1 Burdens and Standards of Proof

The *FEI* shall have the burden of establishing that an *ECM Rule* violation has occurred. The standard of proof shall be whether the *FEI* has established an *ECM Rule* violation on the balance of probabilities. Where these *ECM Rules* place the burden of proof upon the *Persons Responsible* and/or member of their *Support Personnel* to rebut a presumption or establish specified facts or circumstances, the standard of proof shall also be by a balance of probability, except where a different standard of proof is specifically identified.

3.2 Methods of Establishing Facts and Presumptions

Facts related to *ECM Rule* violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in *Controlled Medication* cases brought under these *ECM Rules*:

3.2.1 *FEI*-approved Laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *FEI Standard for Laboratories*. The *Person Responsible* and/or member of the *Support Personnel* who is alleged to have committed the *ECM Rule* violation may rebut this presumption by establishing by a balance of probability that a departure

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from the *FEI Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the preceding presumption is rebutted by showing that a departure from the *FEI Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*, then the *FEI* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.2 Departures from another *FEI* standard or other *ECM Rule*, *FEI Manual* or policy which did not by a balance of probability cause an *Adverse Analytical Finding* or other *Rule* violation shall not invalidate such results. If the *Person Responsible* and/or member of the *Support Personnel* (where applicable) establishes, by a balance of probability, that a departure from another *FEI* standard or *ECM Rule*, *FEI Manual* or policy could reasonably have caused the *Adverse Analytical Finding* or other *ECM Rule* violation, then the *FEI* must prove that the departure did not cause the *Adverse Analytical Finding* or the factual basis for the *ECM Rule* violation.

3.2.3 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 *Person Responsible* and/or member of the *Support Personnel* to whom the *Decision* pertained with regards to the factual findings unless it can be established that the *Decision* violated principles of natural justice.

3.2.4 The *Hearing Panel* presiding over a case alleging an *ECM Rule* violation may draw an inference adverse to the *Person Responsible* and/or member of the *Support Personnel* (where applicable) who is asserted to have committed an *ECM Rule* violation based on the refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the *FEI Tribunal*) in order to answer questions from the *Hearing Panel* or the *FEI*.

ARTICLE 4 THE EQUINE PROHIBITED SUBSTANCES LIST

4.1 Incorporation of the *Equine Prohibited Substances List*

These *ECM Rules* incorporate the *Equine Prohibited Substances List* (the "List") which is published and revised by the *FEI* from time to time. The *FEI* will publish the current *List* in such a manner that it is available to its members and constituents, including, but not limited to, publication on the *FEI* website.

4.2 Review and Publication of *Controlled Medication Substances* and *Controlled Medication Methods Identified on the List*

The *FEI* may revise the *List* from time to time but at least once annually by posting the new list on the *FEI* website, or via such other appropriate channel, but such new list shall not go into effect any sooner than ninety (90) days following its publication. Each new version of the *List* shall also be sent by email to *National Federations* and to National Head *FEI* Veterinarians at email addresses supplied by the *National Federations* and on file with the *FEI*. The *List* shall be published by the *FEI* at least once a year, with an opportunity for *National Federation* and stakeholder feedback.

4.3 Substances and Methods included on the *List*

The *FEI's* categorization of a substance or method on the *List* as a *Controlled Medication Substance* or *Controlled Medication Method* including any establishment of a threshold for a *Controlled Medication Substance* and/or the quantitative amount of such threshold shall be final and binding on all parties and shall not be subject to challenge by a *Person Responsible*, member of the *Support Personnel*, and/or any other *Person* on any basis.

4.4 Veterinary Form

Horses with documented medical conditions requiring the *Use* of a *Controlled Medication Substance* or a *Controlled Medication Method* during or prior to an *Event* must obtain permission for ongoing participation through the applicable *Veterinary Form* in accordance with the *FEI* *Veterinary Regulations* as specified therein.

ARTICLE 5 TESTING

5.1 Authority to Test

All *Horses* registered with the *FEI* or a *National Federation*, or otherwise present or competing at an *International Event* or *National Event*, shall be subject to *In-Competition Testing* (a) by the *FEI* in the case of *International Events* and (b) in the case of *National Events*, by the *National Federation* through which the *Horse* is registered, or by any other *Anti-Doping Organisation* responsible for *Testing* at a *Competition* or *Event*.

The *FEI* or its assignees or agents shall be exclusively responsible for *Testing* at *International Events* and no other body may conduct *Testing* at *International Events* without the *FEI's* express written permission. Each *National Federation* or its assignees or agents shall be exclusively responsible for *Testing* at its *National Events*, and no other body may conduct *Testing* at *National Events* without the *National Federation's* express written permission. *National Federations* are responsible for *Results Management* arising from *Testing* at *National Events* but are obligated to promptly report any positive findings to the *FEI* that have been notified as anti-doping rule violations unless doing so would contravene national law.

5.2 Responsibility for *FEI* Testing

The *FEI* *Veterinary Department* shall be responsible for overseeing all *Testing* conducted by the *FEI*. *Testing* may be conducted by the *Testing Veterinarians*, *Veterinary Delegate*, and/or by other qualified persons at a given *Event* or at such other place as authorised by these *ECM Rules*, the *FEI* *Veterinary Regulations*, or as authorised in writing by the *FEI* *Secretary General* or his or her designee(s).

5.3 Testing Standards

Testing conducted by or on behalf of the *FEI* shall be in substantial conformity with the *Testing* procedures set forth in the *FEI* *Veterinary Regulations* in effect at the time of *Testing*.

5.4 Selection of *Horses* to be Tested

5.4.1 The *FEI* shall determine the number of *Tests* to be performed and on which *Horses* they shall be performed.

5.4.2 In addition to the selection procedures set forth in Article 5.4.1 above, the *Veterinary Commission/Veterinary Delegate/Testing Veterinarian* in cooperation with the Ground Jury at *International Events* may also select *Horses* for *Random Testing* or *Target Testing* in cooperation with the *Ground Jury* at *International Events*.

5.4.3. Each *National Federation* shall determine, within its jurisdiction, the number of *Tests* to be performed and on which *Horse* they shall be performed.

5.4.4. Nothing in these *Rules* shall be construed to limit where the *FEI* is authorised to conduct *Testing* on *Horses In-Competition*.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples collected under these *Rules* and arising from *FEI Testing* are the property of the *FEI*. They shall be analysed in accordance with the following principles:

6.1 Use of approved *Laboratories*

These *ECM Rules* incorporate the *FEI List of approved Laboratories* which is published and revised by the *FEI* from time to time. The *FEI* shall send *Samples* for analysis only to these approved *Laboratories*, which are subject to the *FEI Standard for Laboratories*. The choice of *Laboratory* used for the *Sample* analysis of either or both the A and B *Sample* shall be determined exclusively by the *FEI*. However, the *Person Responsible* may elect to have the B *Sample* analysed at a different *Laboratory* than the one which performed the A *Sample* analysis. If such an election is made, the *FEI* shall select the B *Sample Laboratory* from the *FEI List of approved Laboratories* and inform the *Person Responsible* accordingly.

6.2 Purpose of Collection and Analysis of *Samples*

Samples shall be analysed to detect *Controlled Medication Substances and Controlled Medication Methods*, all as set forth in the *List*. The *FEI* may also seek to detect other substances for research and monitoring purposes, as publicly announced by the *FEI* from time to time pursuant to a defined monitoring program.

6.3 Research on *Samples*

No *Sample* may be used for any purpose other than as described in Article 6.2, without the *Person Responsible's* written consent. Those *Samples* used for purposes other than as set forth in Article 6.2 (for example research) following written consent from the *Person Responsible* shall have all means of identification removed from the *Sample* so it cannot be traced back to a particular *Horse* or *Person Responsible*. All *Samples* shall be destroyed pursuant

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to the guidelines set forth in the *FEI Standard for Laboratories* and in no event later than the lapse of the Statute Of Limitations in Article 14.

6.4 Standards for *Sample* Analysis and Reporting

Laboratories shall analyse *Samples* and report results in conformity with the *FEI Standard for Laboratories*.

6.5 Retesting *Samples*

A *Sample* may be reanalysed for the purposes of research pursuant to Article 6.3 at any time exclusively at the direction of the *FEI*. Nothing herein, however, shall prevent the *FEI* from conducting subsequent tests on a *Sample* pursuant to an alleged violation under Article 2.1. The retesting of *Samples* may lead to an *ECM Rule* violation only if the *Sample* was taken at the Olympic, Paralympic or World Equestrian Games and only if the *Controlled Medication Substance* or *Controlled Medication Method* was prohibited at the time the *Sample* was taken, all subject to Article 14.

6.6 Equestrian Community Integrity Unit

The *Equestrian Community Integrity Unit* (ECIU) shall have the power to conduct investigations arising from or relating to these *ECM Rules* in order to protect the integrity of the *FEI* and equestrian sport, as set forth in the *FEI Statutes*. The refusal of a *Person Responsible* or member of the *Support Personnel* to cooperate with the *ECIU* may result in an adverse inference being drawn against that *Person* in any related *FEI Tribunal* proceeding. If the *Equestrian Community Integrity Unit* determines that it has a good faith basis to pose questions relating to any investigation to a *Person Responsible* or member of the *Support Personnel* and such *Person* refuses to answer such questions, that *Person Responsible* or member of the *Support Personnel* may be prohibited from participating in any *FEI* activities until such questions are answered to the satisfaction of the *ECI*. Any *Person Responsible* or member of the *Support Personnel* who has a good faith basis to refuse answering such questions to the satisfaction of the *ECIU* may file a Protest to the *FEI Tribunal* under Article 163 of the *FEI General Regulations*.

ARTICLE 7 RESULTS MANAGEMENT

7.1 Results Management for *Tests* arising out of *FEI Testing* or other *ECM Rule* violations

Results management for *Tests* arising out of *FEI Testing* or other *ECM Rule* violations shall proceed as set forth below:

7.1.1 The results of all *Sample* analyses must be sent exclusively to the *FEI*, in a report signed by an authorised representative of the *Laboratory*. All communications must be conducted in such a way that the results of the *Sample* analyses are confidential.

7.1.2 Upon receipt of an A *Sample Adverse Analytical Finding*, the *FEI* shall conduct a review to determine whether: (a) the *Adverse Analytical Finding* is consistent with a valid *Veterinary Form* that has been granted, or (b) if there is

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any apparent departure from the *FEI Testing* procedures of the *FEI Veterinary Regulations* or the *FEI Standard for Laboratories* that caused the *Adverse Analytical Finding*.

7.1.3 If the initial review under Article 7.1.2 does not reveal a valid *Veterinary Form* or departure from the *Testing* procedures of the *FEI Veterinary Regulations* or from the *FEI Standard for Laboratories* that caused the *Adverse Analytical Finding*, the *FEI* shall promptly *Notify* the *Person Responsible* of:

(a) the *Adverse Analytical Finding*;

(b) the *ECM Rule* violated;

(c) the *Person Responsible'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 opportunity for the *Person Responsible* to elect to have the *B Sample* analysed at a different *Laboratory* than the one which performed the *A Sample* analysis, such *Laboratory* to be chosen by the *FEI*, and the opportunity to send a representative (witness) to be present for the *B Sample* analysis within the time period specified in the *FEI Standard for Laboratories* unless allowing such representative or witness presents a threat to the integrity of the analysis process; and

(e) the right of the *Person Responsible* to request copies of the *A* and *B Sample* (if applicable) *Laboratory Documentation Package* which includes information as specified in the *FEI Standard for Laboratories*.

If, upon the initial review, the *FEI* *Decides* not to bring forward the *Adverse Analytical Finding* as an *ECM Rule* violation, it shall so *Notify* the *Person Responsible's National Federation*.

7.1.4 Pursuant to Article 7.1.3 (d) above, within seven (7) days of receipt of the *Confirmatory Analysis Request Form (B Sample)*, the *FEI* will propose possible dates for such analysis. The *Person Responsible* may accept the *A Sample* analytical results by waiving the right to a *B Sample* analysis. The *FEI* may nonetheless elect at its discretion to proceed with the *B Sample* analysis. In such case, the *B Sample* analysis shall only be used to confirm the *A Sample Adverse Analytical Finding*. The *Person Responsible* is deemed to have waived his right to a *B Sample* analysis if he does not submit the *Confirmatory Analysis Request Form* within the time-limit in the *Notification*.

7.1.5 In addition to the *Person Responsible* and his representative (witness), a representative of the *National Federation(s)* involved as well as a representative of the *FEI* shall also be allowed to be present for the *B Sample* analysis. If notice under Article 7.1.3 has not been carried out through the *National Federation*, the *National Federation* shall be informed in a timely manner by the *FEI* of the *Adverse Analytical Finding* and its right to attend the *B Sample* analysis.

7.1.6 If the *B Sample* proves negative, then the entire test shall be considered negative. The *FEI* shall be informed of the results confidentially and shall notify the *Person Responsible*.

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7.1.7 If a *Controlled Medication Substance* or the *Use of a Controlled Medication Method* is identified in the *B Sample*, the *FEI* shall be informed of the results confidentially and shall *Notify* the *Person's Responsible*.

7.1.8 The *FEI* and/or the *Equestrian Community Integrity Unit* may conduct any follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, the *FEI* shall promptly notify the *Person Responsible's National Federation* of the results of the follow-up investigation.

7.1.9 For the avoidance of doubt, an *Adverse Analytical Finding* confirmed by the *B Sample* analysis may result from blood or urine *Samples*, or any combination thereof (for example, a confirmatory *B Sample* Analysis is valid if performed on a blood sample, even if the *A Sample Adverse Analytical Finding* arose from a urine *Test*, and vice-versa). In addition, and also for the avoidance of doubt, where the *A Sample* is positive for a *Threshold Controlled Medication Substance*, as it is quantitatively above the threshold level set for the *Controlled Medication Substance*, the *B Sample* shall be deemed to confirm the *A Sample* so long as the *B Sample* is also quantitatively above the threshold, even if the *B Sample* varies quantitatively from the *A Sample*.

7.1.10 Where appropriate, the members of the *Support Personnel*, including the *Owner*, shall receive *Notification* of the *ECM Rule violation* and all relevant corresponding documents. However, the right to request a *B Sample* analysis rests exclusively with the *Person Responsible* under 7.1.3 above.

7.2 Review of Atypical Findings

As provided in the *FEI Standard for Laboratories*, in some circumstances Laboratories are directed to report the presence of *Controlled Medication Substances*, which may also be produced endogenously, as *Atypical Findings* subject to further investigation. Upon receipt of an *A Sample Atypical Finding*, the *FEI* shall conduct a review to determine whether there is any apparent departure from the *Testing* procedures or the *FEI Standard for Laboratories* that caused the *Atypical Finding*. If that review does not reveal any departure that caused the *Atypical Finding*, the *FEI* shall conduct the required investigation. After the investigation is completed, the *Person Responsible* and his *National Federation* shall be notified whether or not the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*. The *Person Responsible's National Federation* shall be notified as provided in Article 7.1.

7.2.1 The *FEI* will not provide *Notice* of an *Atypical Finding* until it has completed its investigation and *Decided* whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding*. However, if the *FEI* determines that the *B Sample* should be analysed prior to the conclusion of the investigation under Article 7.2, the *FEI* may conduct the *B Sample* analysis after supplying the *Person Responsible* with such *Notice* including a description of the *Atypical Finding* and the information described in Article 7.1.3 (b)-(e).

7.3 Review of Other ECM Rule Violations

For apparent *ECM Rule* violations that do not involve *Adverse Analytical Findings*, the *FEI* and/or the *Equestrian Community Integrity Unit* may conduct any necessary follow-up investigation and at such time as it is satisfied that an

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ECM Rule violation has occurred, it shall then promptly *Notify* the *Person Responsible* and/or member of the *Support Personnel* (where applicable) of the *ECM Rule* which appears to have been violated and the basis of the violation.

7.4 Provisional Suspensions

7.4.1 The *FEI* may provisionally suspend a *Person Responsible*, member of the *Support Personnel*, and/or the *Person Responsible's Horse* prior to the opportunity for a full hearing if the *ECM Rule* violation arose during the Olympic or Paralympic Games or the *FEI World Equestrian Games* or if the *Person Responsible*, member of the *Support Personnel* or *Horse* has a pending *EAD* or *ECM Rule* violation or previously violated the *EAD Rules* in the last eight (8) years or the *ECM Rules* in the last four (4) years. The *Provisional Suspension* will be imposed based on: (a) an admission that an *ECM Rule* violation has taken place (for the avoidance of doubt, an admission by any *Person* can only be used to provisionally suspend that *Person*); or (b) all of the following elements: (i) an *Adverse Analytical Finding* from the *A Sample* or *A and B Samples*; (ii) the review described in Article 7.1.2; and (iii) the *Notification* described in Article 7.1.3 above. If a *Provisional Suspension* is imposed at the discretion of the *FEI*, either the hearing in accordance with Article 8 shall be advanced to a date which avoids substantial prejudice to the *Person Responsible* alleged to have committed the *ECM Rule* violation, or such *Person Responsible* shall be given an opportunity for a *Preliminary Hearing* either on a timely basis after imposition of the *Provisional Suspension* or before imposition of the *Provisional Suspension* in order to show cause why the *Provisional Suspension* should not be imposed (or should be lifted). Where a *Horse* is provisionally suspended, the *Owner* shall also have the right to request a *Preliminary Hearing*.

7.4.2. The *Provisional Suspension* shall be maintained unless the *Person* requesting the lifting of the *Provisional Suspension* establishes to the comfortable satisfaction of the *FEI Tribunal* that:

- (i) the allegation that an *ECM Rule* violation has been committed has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the allegation is based; or
- (ii) the *Person* can demonstrate that the evidence will show that he bears *No Fault* or *No Negligence* for the *ECM Rule* violation that is alleged to have been committed, so that any period of *Ineligibility* that might otherwise be imposed for such offence is likely to be completely eliminated by application of Article 10.4.1 below or that 10.4.2 applies and the *Person* can demonstrate that the evidence will show that he bears *No Significant Fault* or *Negligence* and that he has already been provisionally suspended for a period of time that warrants the lifting of the *Provisional Suspension* pending the final *Decision* of the *FEI Tribunal*; or
- (iii) exceptional circumstances exist that make it clearly unfair, in all of the circumstances of the case, to impose a *Provisional Suspension* prior to final hearing of the *FEI Tribunal*. 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

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Person or Horse competing in a particular *Competition* or *Event* shall not qualify as exceptional circumstances for these purposes.

7.4.3 If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and a subsequent *B Sample* analysis (if requested) does not confirm the *A Sample* analysis, then the *Person(s)* alleged to have committed the *Rule* violation and his member of the *Support Personnel*, and/or *Horse* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 (Presence of a *Controlled Medication Substance* or its *Metabolites* or *Markers*). In circumstances where the *Person Responsible* or his *Horse* has been removed from a *Competition* and/or *Event* based on a violation of Article 2.1 and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, if it is still possible for the *Person Responsible* and his *Horse* to be re-entered without otherwise affecting the *Competition* or *Event*, the *Person Responsible* and his *Horse* may continue to take part in the *Competition* and/or *Event*.

7.4.4 After the imposition of a *Provisional Suspension* and following a *Preliminary Hearing* but prior to a final hearing, the *Person Responsible* and/or member of the *Support Personnel* (including *Owner*) can petition the *FEI Tribunal* for another *Preliminary Hearing* provided that new evidence exists that, if known at the time of the earlier *Preliminary Hearing*, may have satisfied the requirements of Article 7.4.2 above and may have lead to the lifting of the *Provisional Suspension*. Such petition must be made in writing to the *FEI Tribunal* and copied to the *FEI Legal Department* and must clearly establish the existence of such new evidence meeting this criterion. If the request for another *Preliminary Hearing* is granted by the *FEI Tribunal*, the same *FEI Tribunal* member who presided over the prior *Preliminary Hearing* will *Decide* the new *Preliminary Hearing* request, unless exceptional circumstances prevent him from doing so, in which case another *FEI Tribunal* member will be appointed and will conduct the new *Preliminary Hearing*. If another *Preliminary Hearing* is granted after the *Hearing Panel* has been constituted, any member of the *Hearing Panel* may conduct the *Preliminary Hearing*. *Preliminary Hearing Decisions* may be issued by the *FEI Tribunal* without reasons.

7.4.5 During a period of *Provisional Suspension*, no *Person Responsible* and/or member of the *Support Personnel* who themselves are provisionally suspended, or a *Horse* that is provisionally suspended, may participate in any capacity at an *Event* or in a *Competition* or activity, or being present at an *Event* (other than as spectator) that is authorised or organised by the *FEI* or any *National Federation* or in *Competitions* authorised or organised by any International - or national-level - *Event* organisation.

7.5 Retirement from Sport

If a *Person Responsible* and/or member of the *Support Personnel* retires while a *Results Management* process is underway, the *FEI* retains jurisdiction to complete its *Results Management* process. If a *Person Responsible* and/or member of the *Support Personnel* retires before any *Results Management* process has begun, the *FEI* similarly has jurisdiction to conduct *Results Management*.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.1 Hearings before the *FEI Tribunal*

8.1.1 The *FEI Tribunal* shall *Decide* all cases involving violations of these *ECM Rules*.

8.1.2 When it appears, following the Results Management Process described in Article 7, that these *ECM Rules* have been violated, then the case shall be submitted to a *Hearing Panel* of the *FEI Tribunal* for adjudication.

8.1.3 Hearings pursuant to this Article shall be completed expeditiously following the completion of the Results Management or investigation process described in Article 7 and the submission of all relevant evidence and pleadings by the parties. The *Person Responsible* and/or member of the *Support Personnel* (where applicable) alleged to have violated the *ECM Rules* shall cooperate promptly in the submission of such evidence and pleadings and in attendance at a hearing if requested by the *FEI Tribunal*.

8.1.4 The *Person Responsible* and/or member of the *Support Personnel* (including Owner) alleged to have violated the *ECM Rules* may attend the hearing under all circumstances.

8.1.5 A *Person Responsible* and/or member of the *Support Personnel* (where applicable) may acknowledge the *ECM Rule* violation and accept consequences consistent with Articles 8.3.5 and 8.3.6 of the *ECM Rules* (if the Administrative Procedure is elected) or Articles 9 and 10 *ECM Rules* as proposed by the *FEI*.

8.1.6 *Decisions* of the *FEI Tribunal* may be appealed to the Court of Arbitration for Sport as provided in Article 12.

8.2 Principles for a Fair Hearing

All *Decisions* and hearings under these *ECM Rules* shall respect the following principles:

- A. fair and impartial *Hearing Panel*;
- B. the right to be represented by counsel (separately or together) at the *Person Responsible's* and/or member of the *Support Personnel's* (including Owner's) own expense;
- C. The right to be fairly and timely informed of the asserted *ECM Rule* violation;
- D. The right to respond to the asserted *ECM Rule* violation and resulting consequences;
- E. The right of each party to present evidence (including, but not limited to any evidence the *FEI* obtains from the activities of the *Equestrian Community Integrity Unit*);

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- F. The right of each party to call and question witnesses (subject to the *Hearing Panel's* discretion to accept testimony by telephone or written submission);
- G. A timely hearing, subject to prompt and complete submissions by the parties;
- H. The *Person Responsible's* and/or member of the *Support Personnel's* (including Owner) right to an interpreter at the hearing if requested at least five (5) business days in advance of the hearing, with the *Hearing Panel* to determine the identity and responsibility for the costs of the interpreter; and
- I. A timely, written, reasoned *Decision*, specifically including an explanation for any period of *Ineligibility*.

8.3 Administrative Procedure

8.3.1 For *Adverse Analytical Findings* involving *Controlled Medication Substances*, the *Person Responsible* and/or member of the *Support Personnel* (where applicable) may elect to have their case processed under the "*Administrative Procedure*" provided that:

- a. No more than one (1) *Controlled Medication Substance* (including its metabolites) is detected in the *Sample*;
- b. The *Person Responsible* and/or member of the *Support Personnel* (where applicable) and the *Horse* are first-time offenders (namely, no record of any *EAD* or *ECM Rule* violations, or violations of any predecessor rules) without any pending or concluded cases within the last four (4) years preceding the *Sample* which caused the *Adverse Analytical Finding*; and
- c. The *Event* during which the *Sample* was taken from the *Horse* is not part of the Olympic Games, Paralympic Games or World Equestrian Games.

8.3.2 If the *Person Responsible* requests a hearing before the *FEI Tribunal*, Article 10 below shall apply at the discretion of the *Hearing Panel*.

8.3.3 Where the *Administrative Procedure* is applied by the *FEI*, the following consequences shall be imposed and no other consequences, including those set forth in Article 10 below or elsewhere in these *ECM Rules*, shall be applicable to any *Person* who has elected this *Administrative Procedure*:

- a. *Disqualification* of the *Person Responsible* and/or member of the *Support Personnel* (where applicable) and the *Horse* from the whole *Event* and forfeiture of all prizes and prize money won at the *Event*;
- b. A *Fine* of CHF 1,500; and
- c. Costs of CHF 1,000. However, if a B *Sample* analysis is requested and the *Administrative Sanction* accepted after the B *Sample Analysis*, the costs shall be increased to CHF 2,000.

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8.3.4 Where the *Person Responsible* is a *Minor* at the time of the *Event*, the consequences shall be limited to *Disqualification* from the *Event* and forfeiture of all prizes and prize money won at the *Event*, in addition to payment of any costs associated with the *Administrative Procedure*.

8.3.5 In order to apply this *Administrative Procedure*, the *Person Responsible* and/or member of the *Support Personnel* (where applicable) must execute an Acceptance Form within fourteen (14) calendar days following the date of the *Notice* in which the *FEI* offers this *Administrative Procedure* to the *Person* alleged to have committed the *ECM Rule* violation. The *FEI* may reasonably extend such deadline provided the file has not yet been circulated to the *FEI Tribunal* or any of its members.

8.3.6 If the *Person Responsible* and/or member of the *Support Personnel* (where applicable) does not elect the *Administrative Procedure* within the fixed time limit, the *Administrative Sanctions* shall be considered declined and the case shall be submitted to the *FEI Tribunal* for final *Decision*. The *FEI Tribunal* may impose *Sanctions* and costs which may be more or less severe than the ones provided for in the *Administrative Procedure*.

8.3.7 A record of *Administrative Procedure Sanctions* will be published, on a weekly basis, on the *FEI* website.

8.4 Waiver of Hearing

The right to a hearing may be waived either expressly or by the *Person Responsible's* and/or member of the *Support Personnel's* (where applicable) failure to request a hearing within ten (10) days of *Notification* that such a violation is alleged. Where no hearing occurs, the *FEI Tribunal* shall issue a reasoned *Decision*.

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

For cases other than those prosecuted under the *Administrative Procedure*, a violation of these *ECM Rules* in connection with a *Test* in a given *Competition* automatically leads to the *Disqualification* of the result of the *Person Responsible* and *Horse* combination obtained in that *Competition* with all resulting consequences, including forfeiture of any related medals, points and prizes. Even if a *Sanction* is reduced or eliminated under Article 10 below, such reduction or eliminated shall under no circumstances eliminate the automatic *Disqualification of Individual Results* mandated by this Article 9.

ARTICLE 10 SANCTIONS

10.1 Disqualification of Results in the Event during which an ECM Rule Violation Occurs

Except for the Olympic and Paralympic Games where the *Disqualification* of Athlete's results from *Competitions* following an *ECM Rule* violation is set forth in the *FEI Regulations for Equestrian Events at the Olympic or Paralympic Games*, the following rules relating to the *Disqualification* of results will apply to cases other than those prosecuted under the *Administrative Procedure*. An *ECM Rule* violation occurring during or in connection with an *Event* may lead to

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Disqualification of all of the *Person Responsible's* individual results obtained in that *Event*, with any and all *Horses* with which the *Person Responsible* competed, with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1. Notwithstanding the above, for all *Events*, including but not limited to the Olympic and Paralympic Games, exceptional circumstances may be considered. Generally, and subject to 10.1.1 and 10.1.2 below, all Results from Competitions in which the *Person Responsible* or *Horse* participated prior to *Sample* collection shall be *Disqualified* unless it can be demonstrated that such Results were not likely to have been affected by the *ECM Rule* violation.

10.1.1 If the *Person Responsible* establishes that he bears *No Fault or Negligence* for the *ECM Rule* violation, the *Person Responsible's* individual results in the other *Competitions* shall not be *Disqualified* unless the *Person Responsible's* results in *Competitions* other than the *Competition* in which the *ECM Rule* violation occurred were likely to have been affected by the *Person Responsible's ECM Rule* violation.

10.1.2 In addition, the *Person Responsible's Horse* may also be *Disqualified* from the *Event* with all consequences, including forfeiture of all medals, points, and prizes even if earned while being ridden by someone other than the *Person Responsible*, if the *Horse's* results in *Competitions* other than the *Competition* in which the *ECM Rule* violation occurred were likely to have been affected by the *ECM Rule* violation.

10.2 *Ineligibility and Fine for Presence, Use or Attempted Use of Controlled Medication Substances or Controlled Medication Methods*

For *Controlled Medication Substances or Controlled Medication Methods*, the period of *Ineligibility* imposed for a violation of Article 2.1 (presence of a *Controlled Medication Substance* or its Metabolites or Markers) or Article 2.2 (Use or Attempted Use of a *Controlled Medication Substance* or a *Controlled Medication Method*) shall be commensurate with the seriousness of the offence, taking into account the underlying objectives and rationale of the *ECM Rules* and the *FEI Medication Code*, as well as principles of fair play. Therefore, the period of *Ineligibility* imposed on the *Person Responsible* and/or member of the *Support Personnel* shall be six (6) months, subject to any elimination or reduction as provided in Article 10.4 below or increase as provided in Article 10.5 below.

A *Fine* of up to CHF 15,000 and appropriate legal costs shall also be imposed for any *Controlled Medication* violation.

10.3 *Ineligibility for Other Rule Violations*

The period of *Ineligibility* for violations of these *ECM Rules* other than as provided in Article 10.2 shall be:

10.3.1 For violations of Article 2.3 (*Tampering or Attempted Tampering with Controlled Medication*), Article 2.4 (Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an *ECM Rule* violation or any *Attempted ECM Rule* violation) or Article 2.5 (Administration or *Attempted Administration* of a *Controlled Medication Substance* without valid Veterinary Form), the Sanctions set forth in Article 10.2 shall apply unless the conditions

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for eliminating, reducing or increasing the Sanction provided in Articles 10.4, or 10.5 are met. A *Fine* of up to CHF 15,000 and appropriate legal costs shall also be imposed.

10.4 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances

10.4.1 *No Fault or Negligence*

If the *Person Responsible* and/or member of the *Support Personnel* (where applicable) establishes in an individual case that he bears *No Fault or Negligence* for the *ECM Rule* violation, the otherwise applicable period of *Ineligibility* and other Sanctions (apart from Article 9) may be eliminated in regard to such *Person*. When a *Controlled Medication Substance* or its *Metabolites* or *Markers* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Controlled Medication Substance*), the *Person Responsible* and/or member of the *Support Personnel* (where applicable) must also establish how the *Controlled Medication Substance* entered the *Horse's* system in order to have the period of *Ineligibility* and other Sanctions eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the *ECM Rule* violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for Multiple Violations under Article 10.6 below.

10.4.2 *No Significant Fault or Negligence*

If a *Person Responsible* and/or member of the *Support Personnel* (where applicable) establishes in an individual case that he bears *No Significant Fault or Negligence*, then the otherwise applicable period of *Ineligibility* and other Sanctions (apart from Article 9) may be reduced in regard to such *Person*. When a *Controlled Medication Substance* or its *Metabolites* or *Markers* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Controlled Medication Substance* or its *Metabolites* or *Markers*), the *Person* alleged to have committed the *ECM Rule* violation must also establish how the *Controlled Medication Substance* or its *Metabolites* or *Markers* entered the *Horse's* system in order to have the period of *Ineligibility* and other Sanctions reduced.

10.4.3 *Substantial Assistance in Discovering or Establishing ECM Rule Violations*

The *FEI Tribunal* may, prior to a final appellate *Decision* under Article 12 below or the expiration of the time to appeal, suspend a part or all of the period of *Ineligibility* imposed in an individual case where the *Person Responsible* and/or member of the *Support Personnel* has provided *Substantial Assistance* to the *FEI*, the *Equestrian Community Integrity Unit*, criminal authority or professional disciplinary body which results in the *FEI* discovering or establishing an *ECM Rule* violation by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another *Person*. Such *Substantial Assistance* must be independently corroborated in order to reduce the period of *Ineligibility* and under no circumstance should it amount only to blaming another *Person* or entity for the alleged *ECM Rule* violation. The

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extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the *ECM Rule* violation committed and the significance of the *Substantial Assistance* provided in an effort to promote medication-free *Competition*. If the *FEI Tribunal* subsequently reinstates any part of the suspended period of *Ineligibility* because the *Person Responsible* and/or member of the *Support Personnel* has failed to provide the *Substantial Assistance* which was anticipated, the *Person Responsible* and/or member of the *Support Personnel* may appeal the reinstatement pursuant to Article 12.2 below.

10.4.4 Admission of an *ECM Rule* Violation in the Absence of Other Evidence

Where a *Person Responsible* and/or member of the *Support Personnel* voluntarily admits the commission of an *ECM Rule* violation before having received *Notice* of a *Sample* collection which could establish an *ECM Rule* violation (or, in the case of a *ECM Rule* violation other than Article 2.1, before receiving first *Notice* of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced subject to the discretion of the *Hearing Panel*.

10.4.5 Where a *Person Responsible* and/or member of the *Support Personnel* Establishes Entitlement to a Reduction in Sanction Under More than One Provision of this Article

If the *Person Responsible* and/or member of the *Support Personnel* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two (2) or more of Articles 10.4.2, 10.4.3 and 10.4.4, then the period of *Ineligibility* may be reduced or suspended further subject to the discretion of the *Hearing Panel*.

10.5 Aggravating Circumstances Which May Increase the Period of *Ineligibility*

If the *FEI* establishes in an individual case involving an *ECM Rule* violation other than violations under Article 2.4 above (Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an *ECM Rule* violation or any *Attempted Rule* violation) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard Sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of two (2) years unless the *Person Responsible* and/or member of the *Support Personnel* (where applicable) can prove to the comfortable satisfaction of the *Hearing Panel* that he or she did not knowingly commit the *ECM Rule* violation. The *Person Responsible* and/or member of the *Support Personnel* can avoid the application of this article by admitting the *ECM Rule* violation as asserted promptly after being confronted with the *Rule* violation by the *FEI*.

10.6 Multiple Violations

10.6.1 Second *ECM Rule* Violation or *ECM Rule* Violation Following an *EAD Rule* Violation

For the *Person Responsible* and/or member of the *Support Personnel's* first *ECM Rule* violation, the period of *Ineligibility* is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction, or suspension under Article 10.4 or to an increase under Articles 10.5). For a second *ECM Rule* violation within the previous four (4) years, the period of *Ineligibility* shall be at the discretion of the *Hearing Panel*, who shall in every case render increased penalties for multiple violations up to and including three (3) years of *Ineligibility*, if so warranted. For a third *ECM Rule* violation within the previous four (4) years, the *Hearing Panel* shall have the discretion to increase the Sanction to up to four (4) years of *Ineligibility*. For a fourth or more violations within the previous four (4) years, the *Hearing Panel* shall have the discretion to impose a lifetime period of *Ineligibility* and shall in no circumstances render a Sanction of less than four (4) years *Ineligibility*.

The same shall apply in case one or more of the rule violations previously committed were *EAD Rule* violations. However, this Article shall also be applicable if the *EAD Rule* violation preceding the current *ECM Rule* violation occurred in the previous eight (8) years.

10.6.2 Additional *ECM Rules* for certain Potential Multiple Violations

For purposes of imposing Sanctions under Article 10.6, an *ECM Rule* violation will only be considered a further violation if the *FEI* can establish that the *Person Responsible* and/or member of the *Support Personnel* (where applicable) committed the prior violation after he received *Notice* pursuant to Article 7 (Results Management), or after the *FEI* made reasonable efforts to give *Notice* of the earlier violation. If the *FEI* cannot establish this, the violations shall be considered together as one single first violation, and the Sanction imposed shall be based on the violation that carries the more severe Sanction. However, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances under Article 10.5 above.

If, after the resolution of a first *ECM Rule* violation, the *FEI* discovers facts involving a *Rule* violation by the *Person Responsible* and/or member of the *Support Personnel* which occurred prior to *Notification* regarding the first violation, then the *FEI Tribunal* shall impose an additional Sanction based on the Sanction that could have been imposed if the further violations would have been adjudicated at the same time. Results in all *Competitions* dating back to the earlier *ECM Rule* violation will be *Disqualified* as provided in Articles 9 and 10.1. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.5) on account of the earlier-in-time but later-discovered violation, the *Person Responsible* and/or member of the *Support Personnel*, must voluntarily admit the earlier *ECM Rule* violation on a timely basis after *Notice* of the violation for which he or she is first charged. The same rule shall also apply when the *FEI* discovers facts involving another prior violation after the resolution of a second *ECM Rule* violation.

10.6.3 Multiple *ECM Rule* Violations during a Four-Year Period or Multiple *ECM Rule* Violations following an *EAD Rule* Violation during an Eight-Year Period

For purposes of Article 10.6, each *ECM Rule* violation must take place within the same four (4) year period in order to be considered multiple violations. For an *EAD Rule* violation to trigger a second *ECM Rule* violation, the *EAD Rule* violation must have taken place in the last eight (8) years.

10.6.4 Violations Involving Both a *Controlled Medication Substance or Method* and a *Banned Substance or Method*

Where a *Person Responsible* and/or member of the *Support Personnel* based on the same factual circumstances is found to have committed an *ECM Rule* violation involving both a *Controlled Medication Substance or a Controlled Medication Method* under these *ECM Rules* and a *Banned Substance or Banned Method* under the *EAD Rules*, the *Person Responsible* and/or member of the *Support Personnel* shall be considered to have committed one rule violation, but the Sanction imposed shall be based on the *Banned Substance or Banned Method* that carries the most severe Sanction. The occurrence of multiple substances or methods may be considered as a factor in determining aggravating circumstances under Article 10.5 above.

10.7 *Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an ECM Rule Violation*

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (*Automatic Disqualification of Individual Results*), all other competitive results obtained from the date a positive *Sample* was collected, or other *ECM Rule* violation occurred, through the commencement of any *Provisional Suspension or Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

10.7.1 As a condition of regaining eligibility after being found to have committed an *ECM Rule* violation, the *Person Responsible* and/or member of the *Support Personnel* must first repay all prize money forfeited under this Article and any other fines and/or costs attributed to the violation which have been ordered by the FEI Tribunal or otherwise accepted by the *Person Responsible*.

10.8 Commencement of *Ineligibility* Period

Except as provided below, the period of *Ineligibility* imposed on any *Person* or *Horse* shall start on the date of the *Decision* providing for *Ineligibility* or any other date specified by the *FEI Tribunal* in its *Decision*.

10.8.1 Delays Not Attributable to the *Person Responsible* and/or member of the *Support Personnel*

Where there have been substantial delays in the hearing process or other aspects of *Medication Control* not attributable to the *Person Responsible* and/or member of the *Support Personnel* alleged to have committed the *Rule* violation, the *Hearing Panel* may start the period of *Ineligibility* at an earlier date

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commencing as early as the date of *Sample* collection or the date on which another *ECM Rule* violation last occurred.

10.8.2 Timely Admission

Where the *Person Responsible* and/or member of the *Support Personnel* (where applicable) promptly (which, for the *Person Responsible*, in all circumstances, means before the *Person Responsible* competes again) admits the *ECM Rule* violation after being confronted with the *Rule* violation by the *FEI*, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another *ECM Rule* violation last occurred. In each case, however, where this Article is applied, the *Person* who committed the *ECM Rule* violation shall serve at least one-half of the period of *Ineligibility* going forward from the date *Ineligibility* is imposed or accepted.

10.8.3 If a *Provisional Suspension* is imposed (or voluntarily accepted) and respected by the *Person Responsible*, member of the *Support Personnel*, and/or *Horse*, then a credit shall be received for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed as determined by the *FEI Tribunal*.

10.8.4 If a *Person Responsible* and/or member of the *Support Personnel* voluntarily accepts a *Provisional Suspension* in writing for himself, herself or the *Horse*, and thereafter refrains from participating in equestrian activities, such *Person* or *Horse* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the voluntary *Provisional Suspension* shall be provided promptly to each party entitled to receive *Notice* of a potential *ECM Rule* violation. If a *Provisional Suspension* is voluntarily accepted, it can only be lifted by *Decision* of the *FEI Tribunal*.

10.8.5 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 whether the *Person* alleged to have committed the *ECM Rule* violation elected not to compete or was suspended by his team.

10.9 Status During *Ineligibility*

10.9.1 Prohibition against Participation during *Ineligibility*

No *Horse*, *Person Responsible* and/or member of the *Support Personnel* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity at an *Event*, or in a *Competition* or activity that is authorised or organised by the *FEI* or any *National Federation* or be present at an *Event* (other than as a spectator) that is authorised or organised by the *FEI* or any *National Federation*, or participate in any capacity at an *Event* or in a *Competition* authorised or organised by any international or national-level *Event* organisation. In addition, for any *ECM Rule* violation, some or all of sport-related financial support or other sport-related benefits received by such *Person Responsible* or *Support Personnel* may be withheld by the *FEI* and/or its *National Federations*. A *Horse* subject to a period of *Ineligibility* shall remain subject to *Testing*.

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In addition, any *Person Responsible* or member of the *Support Personnel* subject to *Ineligibility* under Article 10 may also be banned from any venues where *FEI* competitions are taking place, whether or not the *Person Responsible* or member of the *Support Personnel* is registered with the *FEI*.

10.9.2 Violation of the Prohibition of Participation During *Ineligibility*

Where a *Person Responsible* or member of the *Support Personnel* who has been declared *Ineligible* or whose *Horse* has been declared *Ineligible* violates the prohibition against participation or attendance during *Ineligibility* described in Article 10.9.1 above, the results of any such participation shall be *Disqualified* and the period of *Ineligibility* which was originally imposed shall start over so that the entire period of *Ineligibility* must be served again from the beginning as of the date of the last violation committed. The new period of *Ineligibility* may be reduced under Article 10.4.2 if the *Person Responsible* and/or member of the *Support Personnel* establish that he bears *No Significant Fault or Negligence* for violating the prohibition against participation or attendance. In addition, further sanctions may be imposed if appropriate. The determination of whether any *Person* has violated the prohibition against participation or attendance, and whether a reduction under Article 10.4.2 or any other sanctions are appropriate, shall be made by the *FEI Tribunal*.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 Unless otherwise provided in the *FEI Regulations for Equestrian Events at the Olympic or Paralympic Games*, the Consequences to teams set forth below will apply. If a *Person Responsible*, as a member of a team, is found to have committed a violation of these *ECM Rules* during an *Event* where a team ranking is based on the addition of individual results, the results of the *Person Responsible* committing the violation will be subtracted from the team result and replaced with the results of the next applicable team member. If by removing the *Person Responsible's* results from the team results, the number of *Persons* counting for the team is less than the required number, the team shall be eliminated from ranking. If a key member of a team, other than the *Person Responsible*, such as, but not limited to, the chef d'équipe, team veterinarian, or team coach, admits or is found to have violated these *ECM Rules*, the entire team may be *Disqualified* if fairness so requires. Notwithstanding the above, for all *Events*, including but not limited to the Olympic and Paralympic Games, exceptional circumstances may be considered.

ARTICLE 12 APPEALS

12.1 *Decisions Subject to Appeal*

Decisions made under these *ECM Rules* may be appealed as set forth below in Article 12.2 through 12.3. Such *Decisions* shall remain in effect while under appeal unless the appellate body orders otherwise.

12.2 Appeals from *Decisions* Regarding *ECM Rule* Violations Consequences, and *Provisional Suspensions*

The following *Decisions* may be appealed exclusively as provided in this Article 12.2: (a) a *Decision* that an *ECM Rule* violation was committed; (b) a *Decision* imposing consequences for an *ECM Rule* violation; (c) a *Decision* that no *ECM Rule* violation was committed; (d) a *Decision* that an *ECM Rule* violation proceeding cannot go forward for procedural reasons (including, for example, exceeding the Statute of Limitations); (e) a *Decision* under Article 10.9.2 (Violation of the Prohibition of Participation during *Ineligibility*); (f) a *Decision* that the *FEI* or a *National Federation* lacks jurisdiction to rule on an alleged *ECM Rule* violation or its consequences; (g) a *Decision* by any *National Federation* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as a *Controlled Medication* violation, or a *Decision* not to go forward with a *Controlled Medication* violation; and (h) a *Decision* to impose a *Provisional Suspension* as a result of a *Preliminary Hearing* or otherwise, in violation of Article 7.4; the only *Person* that may appeal from a *Provisional Suspension* is the *FEI* or the *Person* upon whom or upon whose *Horse* the *Provisional Suspension* is imposed.

12.2.1 In cases arising from participation in an *International Event* or in cases involving *FEI*-registered *Horses* the *Decision* may be appealed exclusively to *CAS* in accordance with the provisions applicable before *CAS*.

12.2.2. In cases under Article 12.2.1, the following parties shall have the right to appeal to *CAS*: (a) the *Person Responsible* and/or member of the *Support Personnel* who is the subject of the *Decision* being appealed, or the *Horse Owner*, where its *Horse* is subject to *Provisional Suspension* or *Ineligibility*; (b) the other party to the case in which the *Decision* was rendered; (c) the *FEI*; (d) the *National Federation* of the *Person* who is the subject of the *Decision* being appealed; and (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the *Decision* may have an effect in relation to the Olympic Games or Paralympic Games, including *Decisions* affecting eligibility for the Olympic Games or Paralympic Games.

12.3 Time for Filing Appeals

The time to file an appeal to *CAS* shall be thirty (30) days from the date of *Receipt* of the *Hearing Panel Decision* by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the *Decision* subject to appeal:

a) Within ten (10) days from *Notice* of the *Decision*, such party/ies shall have the right to request from the *Hearing Panel* having issued the *Decision* a copy of the file on which it relied; a failure to make such request shall however not preclude such party from appealing to *CAS* within the time period set forth above; and

b) If such a request is made within the ten (10) days period, then the party making such request shall have thirty (30) days from receipt of the file to appeal to *CAS*.

ARTICLE 13 APPLICATION, REPORTING AND RECOGNITION**13.1 Application of FEI ECM Rules**

For FEI Disciplines only, all National Federations shall specifically incorporate Articles 2, 3, 4, and 8.2 of these *ECM Rules* into their anti-doping regulations without substantive change by January 1, 2011 and enforce them against their members, unless doing so would contravene any applicable national law. For any National Federation that has had a system of national anti-doping rules in effect for at least five (5) years, such mandatory compliance may be delayed until January 1, 2012. If any National Federations in this category (anti-doping rules in effect for at least five (5) years) are opposed to incorporating Article 4 by January 1, 2012, such National Federation may delay such implementation beyond January 1, 2012 and instead coordinate and agree with the FEI on an individual basis the appropriate implementation, if any, of Article 4 going forward. With regards to the other Articles of these Rules, National Federations, to the extent they do not wish to incorporate them, shall adopt corresponding provisions which embody similar concepts and principles, especially with respect to Article 10. Nothing in these Rules shall be interpreted to prevent a National Federation from conducting out-of-competition testing on national *Horses* as part of its national Doping Control.

13.2 Statistical Reporting

National Federations shall report to the FEI at the end of every year aggregated and anonymous results of all *Medication Control* within their jurisdiction. The FEI may periodically publish *Testing* data received from *National Federations* as well as comparable data from *Testing* under the FEI's jurisdiction.

13.3 Public Disclosure

13.3.1 Neither the FEI or its *National Federation* shall publicly identify *Horses* or *Persons Responsible* whose *Horses' Samples* have resulted in *Adverse Analytical Findings*, or *Persons Responsible* and/or members of the *Support Personnel* who were alleged to have otherwise violated these *Rules*, until the earlier of completion of the administrative review and *Notification* described in Articles 7.1.2 and 7.1.3 or the start of the *Provisional Suspension* of the *Person* alleged to have violated the *ECM Rule*. Once a violation of these *ECM Rules* has been established, it shall be publicly reported in an expeditious manner via the FEI Case Status Table at www.fei.org unless another mechanism for publicly reporting the information is warranted at the discretion of the FEI. With regards to the *Administrative Procedure* set forth in Article 8.3 above, publication shall occur on the acceptance of the Administrative Sanction. If the *Person Responsible* and/or member of the *Support Personnel* or the *National Federation* of any such *Person* makes information concerning a *Rule* violation or alleged *ECM Rule* violation public prior to release of this information on the Case Status Table, the FEI may comment on such public information or otherwise publicly report the matter.

13.3.2 In any case where it is determined, after a hearing or appeal, that the *Person Responsible* and/or member of the *Support Personnel* did not commit an *ECM Rule* violation, the *Decision* may be disclosed publicly only with the consent of the *Person* who is the subject of the *Decision*. The FEI shall use reasonable

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efforts to obtain such consent, and if consent is obtained, shall publicly disclose the *Decision* in its entirety or in such redacted form as such *Person* and *FEI* may jointly approve.

13.3.3 Neither the *FEI*, any *National Federation*, any *Laboratory*, or any official of any of the above, shall publicly comment on the specific facts of a pending case (as opposed to a general description of process and science), except in response to public comments attributed to the *Person Responsible* and/or member of the *Support Personnel* or their representatives.

13.4 Recognition of Decisions by National Federations

Any *Decision* of the *FEI* regarding a violation of these *ECM Rules* shall be recognized and enforced by all *National Federations* (including with respect to *National Events*) and *National Federations* shall take all necessary action to implement any and all ramifications relating to such *Decisions*. Failure to do so may be considered a violation of these *EAD Rules* and the *FEI Statutes*.

ARTICLE 14 STATUTE OF LIMITATIONS

No action may be commenced under these *ECM Rules* against a *Person Responsible* and/or member of the *Support Personnel* for an *ECM Rule* violation unless such action is commenced within four (4) years from the date the violation is asserted to have occurred.

ARTICLE 15 AMENDMENT AND INTERPRETATION OF ECM RULES

15.1 These *ECM Rules* may be amended from time to time by the *FEI* in accordance with the *FEI Statutes* and General Regulations.

15.2 Except as provided in Article 15.5, these *ECM Rules* shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes. Nothing herein shall be interpreted to supplant the applicability of national laws to national events.

15.3 The headings used for the various parts and articles of these *ECM Rules* are for convenience only and shall not be deemed part of the substance of these Rules or to affect in any way the language of the provisions to which they refer.

15.4 The Introduction, Appendix 1 Definitions, the Equine Prohibited Substances List, and the *FEI* List of Approved Laboratories, shall be considered integral parts of these *ECM Rules*.

15.5 These *ECM Rules* have been adopted pursuant to the *FEI Statutes* and General Regulations and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of these Statutes and General Regulations as well as other *FEI* rules and regulations including but not limited to the *Veterinary Regulations*, the *Internal Regulations of the FEI Tribunal*, the *FEI Standard for Laboratories* and the various *FEI Sport Rules*. In the event of conflict with the Statutes or the General Regulations, the Statutes and the General Regulations shall apply, subject however to the application by the *FEI Tribunal* of the legal principle of *lex specialis derogat legi generali* which provides that a specific provision should govern over a general provision. In the

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event of conflict with any other rules or regulations, these *ECM Rules* shall apply.

15.6 The time limits fixed under the present *ECM Rules* shall begin from the day after which *Notification* by the *FEI* is received. Official holidays and non-working days are included in the calculation of time limits. The time limits fixed under the present *ECM Rules* are respected if the communications by the parties are sent before midnight on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the country where the *Notification* has been made, the time limit shall expire at the end of the first subsequent business day.

ARTICLE 16 TRANSITIONAL PROVISIONS

16.1 General Application of the 2010 *ECM Rules*

The 2010 *ECM Rules* shall apply in full force and effect after 1 April 2010 (the "Effective Date"). Any update to the 2010 *ECM Rules* shall become effective as stipulated herein.

16.2 Application to *Decisions* Rendered Prior to the 2010 *ECM Rules*

The 2010 *ECM Rules* shall have no application to any Controlled Medication Rule violation case where a final *Decision* finding a Controlled Medication Rule violation has been rendered and the period of Ineligibility has expired.

APPENDIX 1 – DEFINITIONS

A Sample. At the time of testing, the sample of bodily fluids is split into two portions: an A Sample, which is tested first, and the B Sample, which may be tested if the A Sample requires confirmatory analysis or confirmatory analysis is requested.

Active Substance. Any chemical or compound that affects the function of the body of a human or animal. These substances can be artificial or natural, i.e. those created by the body in response to stimulation or injury. Active substances are often not the same as a product's trade name, and it is therefore necessary to check for the list of active substances within a product before use.

Administrative Procedure. The procedural mechanism available to an *Athlete* alleged to have committed an *ECM Rule violation* as set forth in Article 8.3 of the *ECM Rules*.

Adverse Analytical Finding. A report from a *Laboratory* or other approved entity that, consistent with the *FEI Standard for Laboratories*, identifies in a *Horse's Sample* the presence of one or more *Prohibited Substances* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use of a Prohibited Method*.

Anti-Doping Organisation. An organisation that is responsible for initiating, implementing or enforcing any part of the *Doping or Medication Control* process, including, for example, the *FEI*, the *International Olympic Committee*, the *International Paralympic Committee*, or a *National Federation*.

Athlete. Any person taking part in an *FEI Event*. Such person may be, including but not limited to, a rider, a driver, a lunger, or a vaulter.

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

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

Banned Method. Any method so described on the *Equine Prohibited Substances List*.

Banned Substance. Any substance so described on the *Equine Prohibited Substances List* including its *Metabolites* and *Markers*.

B Sample. At the time of testing, the sample of bodily fluids is split into two portions: an A Sample, which is tested first, and the B Sample, which may be tested if the A Sample requires confirmatory analysis or confirmatory analysis is requested.

CAS. The Court of Arbitration for Sport

Competition. As defined in the *FEI General Regulations*: "Refers to each individual class in which Athletes are placed in an order of merit and for which prizes may be awarded."

APPENDIX 1 - DEFINITIONS

Confirmatory analysis. An analysis of a B Sample to confirm an A Sample Adverse Analytical Finding. Persons Responsible as well as the FEI can request a confirmatory analysis if an Adverse Analytical Finding results from the A Sample during testing.

Confirmatory Analysis Request Form. The written form sent to the *Person Responsible* by the FEI Legal Department that must be completed and returned if the *Person* wants a confirmatory analysis of the B Sample to be undertaken following an *Adverse Analytical Finding* resulting from the A Sample.

Controlled Medication Method. Any method so described in the *Equine Prohibited Substances List*.

Controlled Medication Substance. Any substance, or its Metabolites or Markers, so described in the *Equine Prohibited Substances List*. Controlled Medication Substances are considered therapeutic and/or commonly used in equine medicine substances, and considered to have:

- a) the potential to affect performance, and/ or
- b) a potential welfare risk to the Horse.

Controlled Medication Substances are prohibited in Competition, but may be exceptionally permitted in competition when their use has been authorised by the appropriate Veterinary Form.

Decision (or "Decide"). An authoritative determination reached or pronounced after consideration of facts and/or law.

Disqualification, Disqualify, or Disqualified. A consequence of an *EADCM Regulation* violation whereby results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes.

Doping Control. All steps and processes from test distribution planning through to ultimate disposition under the *EAD Rules* of any appeal including all steps and processes in between such as *Sample* collection and handling, *Laboratory* analysis, Results Management, hearings and appeals.

EADCM Regulations. The entire regulation system involving *Doping Control* and *Medication Control*, incorporating both the *EAD Rules* and the *ECM Rules*.

EAD Rules. The FEI Equine Anti-Doping Rules.

ECM Rules. The FEI Equine Controlled Medication Rules.

Elective Testing. *Persons Responsible* or their representatives may, at the request of a *Permitted Treating Veterinarian*, elect to have a FEI registered Horse tested by the FEI Approved Laboratory for the presence of up to 4 *Controlled Medication Substances*. *Elective Testing* is not available for blood. Anyone applying for *Elective Testing* should know that some *Prohibited Substances* that are not detectable in urine tests may be found in a blood sample and lead to a positive test result. The application form for *Elective Testing* can be downloaded from the FEI website.

Elimination. Unless otherwise specified in the applicable FEI Rules and Regulations, Elimination means that the Athlete with the Horse in question may not continue in the Competition at issue but the Horse is not necessarily Eliminated from the entire Event.

APPENDIX 1 - DEFINITIONS

Endogenous Substances. Substances that originate from within an organism, tissue, or cell. An example of an endogenous substance is testosterone in the gelded horse.

Equestrian Community Integrity Unit. An investigative unit of the FEI empowered by Chapter XI of the FEI Statutes to gather evidence relating to any alleged violations of FEI rules, including these *EADCM Regulations*, and to submit such evidence for consideration by the *FEI Tribunal* for any cases brought under the *EADCM Regulations*.

Equine Prohibited Substances List. The list identifying the *Banned Substances/Controlled Medication Substances* and *Banned Methods/Controlled Medication Methods* as published from time to time under the direction of the Secretary General.

Substances with the same biological or chemical effect as a Prohibited Substance are also included on the List as a legal matter, even if they are not specifically listed by name on the List. This is to prevent anyone using substances that are almost identical to a specifically listed Prohibited Substance in either their chemical composition or biological effect. The List is revised by a group of experts (List Group) who propose changes to the FEI Bureau once a year. All changes come into effect 90 days after publication. The List is available in the "Resources" section of this Clean Sport toolkit, on the Clean Sport website (www.cleansport.org) and as a smartphone app.

Event. As defined in the FEI General Regulations: "A complete meeting, 'Show', 'Championship' or 'Games'. Events may be organised for one or more than one Discipline."

FEI. The *Fédération Equestre Internationale* acting through its applicable representative as determined in its Statutes, General Regulations, other regulations or rules, or by its Secretary General from time to time.

FEI Manual. Any manual approved and distributed by the FEI, such as but not limited to the FEI Testing Manual and the FEI Stewards Manual (see Veterinary Regulations).

FEI Medication Logbook. Under the FEI VRs, an FEI Medication Logbook must be kept for all FEI Horses, recording the date, substance, and dosage of any treatment of a substance listed on the EPSL whether it occurred during or outside of competition. The record must also clearly identify the person administering the treatment. In the prosecution of any EADCM violation, the FEI Tribunal may request to see the FEI Medication Logbook.

FEI Standard for Laboratories. A standard setting out the criteria for Laboratories to apply in respect of analyses, custodial procedures and reports thereon adopted by the *FEI Tribunal* from time to time as certified by the Secretary General in support of these *Regulations*. Compliance with this Standard (as opposed to another alternative standard, practice or procedure) in force at the time of *Sample* analysis shall be sufficient to conclude that the procedures addressed by this Standard were performed properly.

FEI Tribunal. The full membership of the hearing body authorised to *Decide* cases under these *Regulations*, as provided for in the FEI Statutes, General Regulations, or other applicable FEI rules and regulations.

Fine. A consequence of an EADCM violation whereby a *Person Responsible* and/or member of the *Support Personnel* receives a financial penalty.

APPENDIX 1 - DEFINITIONS

Foreign Veterinary Delegate. Veterinary Delegates appointed in accordance with the FEI General Regulations, Article 154, either by the NFs/OCs or by the FEI, with the agreement of the Technical Committee.

Ground Jury. A body of Officials that is empowered under the FEI General Regulations to deal with all protests and reports related to anything occurring during or in direct connection with an Event within the period of its jurisdiction. The period of jurisdiction of the Ground Jury begins one hour before the beginning of the first horse inspection and ends, so far as each discipline is concerned, half an hour after the announcement of the final results in that discipline. The duties of the Ground Jury follow from Article 159 of the FEI General Regulations.

Hearing Panel. The specific *FEI Tribunal* members comprising the *Decision*-making body in any particular case.

Horse. A *Horse*, pony or other member of the genus *Equus* competing in an *FEI* discipline. A Horse shall be born from a mare.

In-Competition. The period commencing one (1) hour before the beginning of the first *Horse* inspection and terminating half an hour after the announcement of the final results of the last *Competition* at the *Event*. This period may vary for the Olympic and Paralympic Games, as determined by the applicable rules.

Ineligibility. A consequence of an *EADCM Regulations* violation whereby the *Person Responsible*, *Horse* and/or member of the *Support Personnel* is barred for a specified period of time from participating in any activities surrounding any *Competition* or *Event* or other activity or funding as provided in the applicable rules.

International Event. An *Event* where the *FEI*, International Olympic Committee, International Paralympic Committee, or a major Event Organisation is the ruling body for the *Event* or appoints the technical officials for the *Event*.

Laboratory. A laboratory approved by the *FEI* to analyse *Samples*.

Laboratory Documentation Package. The material produced by the Laboratory to support an analytical result such as for example an Adverse Analytical Finding.

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

Medication Control. All steps and processes from test distribution planning through to ultimate disposition of any appeal involving an *ECM Rule* violation, including all steps and processes in between such as, *Sample* collection and handling, laboratory analysis, *Equine Therapeutic Use Exemption*, Results Management, hearings and appeals.

Metabolite. Any substance produced by a biotransformation process.

Minor. A natural *Person* who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Event. A sport *Event* involving international- or national-level *Persons Responsible* that is not an *International Event*.

APPENDIX 1 - DEFINITIONS

National Federation. The one national governing body from any country which is effectively in control of or is in a position to effectively control at least the Olympic Equestrian Disciplines and supported by its National Olympic Committee and approved by the General Assembly of the FEI.

National Head FEI Veterinarian. An FEI Veterinarian appointed by each National Federation in order to maintain effective communication with the FEI on veterinary matters and to coordinate other FEI Veterinarians of the same National Federation.

National Olympic Committee. The organisation recognized 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.

No Fault or Negligence. The *Person Responsible* and/or member of the *Support Personnel* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had administered to the *Horse*, or the *Horse's* system otherwise contained, a *Banned or Controlled Medication Substance* or he or she had *Used* on the *Horse*, a *Banned or Controlled Medication Method*.

No Significant Fault or Negligence. The *Person Responsible* and/or member of the *Support Personnel* establishing that his 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 *EADCM Regulation* violation.

Notice (or "Notify" or "Notification"). Notice to a *Person Responsible* and/or member of *Support Personnel* who was a member of a *National Federation* at the time the alleged *Rule* violation was committed may be accomplished by delivery of the *Notice* to the *National Federation* but, where possible, will also be sent to the *Person Responsible* and/or member of the *Support Personnel* (where applicable) directly. In a case where a *Horse* is Ineligible or subject to any type of Ineligibility, *Notice* shall be to the *Horse* owner, so long as such owner has properly registered with the *FEI*. *Notice* of anything of relevance to the *EADCM Regulations* will be deemed to have occurred upon *Receipt* by the relevant *Person*.

Out of Competition. Any *Doping Control* which is not *In-Competition*.

Participant. Any *Horse*, *Person Responsible*, and/or member of the *Support Personnel*.

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

Person Responsible. The *Person Responsible* for an *EADCM Regulation* violation arising in connection with an *In-Competition Test* or otherwise alleged to have occurred *In-Competition*, shall be the Athlete who rides, vaults, or drives the *Horse* during an Event. For all other *EADCM Regulation* violations, the *Person Responsible* shall be the *Horse's* owner.

Possession or Possessing. The actual, physical possession, or the constructive possession (which shall be found only if the *Person Responsible* has exclusive control over the *Banned Substance/Method* or the premises in which a *Banned Substance/Method* exists); provided, however, that if the *Person Responsible* does not have exclusive control over the *Banned Substance/Method* or the premises in which a *Banned Substance/Method* exists, constructive possession shall only be found if the *Person Responsible* knew about the presence of the *Banned Substance/Method* and intended to exercise control over it.

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Provided, however, that there shall be no *EAD Rule* violation based solely on possession if, prior to receiving Notification of any kind that the *Person Responsible* has committed an *EAD Rule* violation, the *Person Responsible* has taken concrete action demonstrating that the *Person Responsible* 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 *Banned Substance* or *Banned Method* constitutes possession by the *Person Responsible* who makes the purchase.

Preliminary Hearing. An expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) of the *EAD Rules* and the *ECM Rules* that provides the *Person* alleged to have committed the violation with *Notice* and an opportunity to be heard in either written or oral form.

Prohibited Substances. Any substance that is not allowed in a Horse's system during competition. Prohibited Substances fall into two categories, Banned Substances and Controlled Medication Substances.

Provisional Suspension. A consequence of an *EADCM Regulation* violation or admission whereby the *Person Responsible* and/or member of the *Support Personnel* and/or a *Horse* is barred temporarily from participating in any capacity in a *Competition* or activity or being present at an *Event* (other than as a spectator) that is authorised or organised by the *FEI* or any *National Federation* or at *Competitions* authorised or organised by any international- or national-level *Event* organisation prior to the final *Decision* at a hearing conducted under Article 8 (Right to a Fair Hearing).

Publicly Disclose or Publicly Report. To disseminate or distribute information to the general public or *Persons* beyond those *Persons* entitled to earlier *Notification* in accordance with Article 13 of both the *EAD* and *ECM Rules*.

Random Testing. Testing may be performed randomly under the *FEI Veterinary Regulations*, i.e. without any specific pattern, purpose or objective.

Receipt. When a *Person* receives something of relevance to the *EADCM Regulations*. For the avoidance of doubt, in the event there is no specific confirmation of receipt, receipt shall be assumed to have occurred after ten (10) business days from dispatch.

Sample. Any biological or other material collected for the purposes of *Doping* or *Controlled Medication*.

Substantial Assistance. For purposes of Article 10.5.3 of the *EAD Rules* and Article 10.4.3 of the *ECM Rules*, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to *EADCM Regulation* violation(s); and (2) 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 an *Anti-Doping Organisation* or *Hearing Panel*. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Support Personnel. Any coach, trainer, athlete, *Horse* owner, groom, steward, chef d'équipe, team staff, official, veterinarian, medical, or paramedical personnel assisting in any fashion a *Person Responsible* participating in or preparing for equine sports

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Competition. Veterinarians are included in the definition of *Support Personnel* with the understanding that they are professionals subject to professional standards and licenses. An allegation that a veterinarian violated an *EADCM Regulation* will only be made where the factual circumstances surrounding the case indicate a likelihood that the veterinarian was involved in the violation.

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 the *FEI or another Anti-Doping Organisation*.

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

Testing or Test. The parts of the *Doping Control* and *Controlled Medication* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the Laboratory.

Testing Veterinarian. An FEI Official Veterinarian who undertakes the collection of samples which will be analysed and processed for Prohibited Substances.

Threshold Banned or Controlled Medication Substance. *Prohibited Substances* for which there is an established quantitative threshold or ratio which must be exceeded in order to be declared an *Adverse Analytical Finding* as described in the *Equine Prohibited Substances List*.

Trafficking. Selling, giving, transporting, sending, delivering or distributing a *Banned Substance* or a *Banned Method* (either physically or by any electronic or other means) by a *Person Responsible* and/or member of his *Support Personnel* subject to the jurisdiction of an *Anti-Doping Organisation* to any third party.

Use. The utilization, application, ingestion, injection or consumption by any means whatsoever of any *Banned or Controlled Medication Substance* or a *Banned or Controlled Medication Method*.

Veterinary Commission. The official adviser on all veterinary matters to the Organising Committee, the Appeal Committee and the Ground Jury at Events, as those terms are defined in the General Regulations.

Veterinary Delegate. An FEI Veterinarian whose primary focus at the Event is to ensure that veterinary standards, in accordance with the Veterinary Regulations, are maintained, and to ensure that the welfare of the horse is protected. A Veterinary Delegate may not be involved in the treatment of horses.

Veterinary Form (formerly: Equine Therapeutic Use Exemption (ETUE)). The authorisation to compete when a *Controlled Medication Substance* and/or a *Controlled Medication Method* has been administered or used for legitimate therapeutic purposes in a *Horse*, as provided for in the *FEI Veterinary Regulations* through the use of an applicable *Veterinary Form* as therein specified. For the avoidance of doubt, *Veterinary Forms* are not available for *Banned Substances* or *Banned Methods*.

WADA. The World Anti-Doping Agency.