
PROPOSED CHANGES TO SPORTS ANTI-DOPING RULES FOR 2011

DFSNZ is intending to make changes to the Sports Anti-Doping Rules ("Rules") that have been adopted by your Organisation.

The full copy of the proposed 2011 Rules is on our website. [Visit our website here](#)

Here is a list of changes that are proposed:

1. We have made changes to reflect the up-dated International Standards - the Prohibited List and TUE Standard. Also included in Rule 2.2 is a statement including the date that previous versions of International Standards cease to have legal effect which is required by section 20 of the Sports Anti-Doping Act. The wording of this addition is:

"Where the Rules refer to any of the above International Standards, the reference is to the version of the International Standard dated as above and previous versions of the International Standards cease to have legal effect."

2. Replacement of Rule 7.1 - Utilisation of Approved Laboratories with the applicable new Article 6.1 from the 2009 World Anti-Doping Code ("Code"). New Rule now reads:

"For purposes of Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers), Samples shall be analysed only in WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other laboratory or method approved by WADA) used for the Sample analysis shall be determined exclusively by the Anti-Doping Organisation responsible for results managers."

3. The inclusion of text from the 2009 World Anti-Doping Code in Rule 14.6 so that the full Code Article 10.6 is produced. The additional wording is:

"An Athlete or other Person can avoid the application of this Rule by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by an Anti-Doping Organisation."

4. A suggested amendment in Rule 9.7 to state that DFS can notify third parties of an investigation where this is required to carry out the investigation provided a notice as to the confidentiality is given. Worded as follows:

"In the course of an investigation, DFS may inform third parties of the investigation where it considers that this is required in order to carry out the investigation effectively. Where DFS informs a third party of any aspect of an investigation, it will give notice to the third party of the confidential nature of the investigation as set out in Rule 17."

5. A suggested amendment to clarify Rule 9.3.2.2 on reporting adverse analytical findings after the review of atypical findings as follows:

"After the investigation into the Atypical Finding has been completed, DFS will, where it decides as a result of the further investigation that there is an Adverse Analytical Finding, give notice to the Athlete and other Anti-Doping Organisations that the Atypical Finding will be brought forward as an Adverse Analytical Finding, as provided for by Rule 9.3.3."

6. Various minor amendments including the removal of underlining, correction of typing and date changes etc.

If you wish to make comment on any of the above changes, DFS will receive suggestions up until 23 November 2010. After that date, DFS will be notifying the Rules in the Gazette as required by the Act.

Kind Regards,

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Drug Free Sport New Zealand