

PART XIV ANTIDOPING EXAMINATION REGULATIONS

INTRODUCTION

The International Cycling Union has created a drug test system (also known as an antidoping examination system) the purpose of which is to prevent drug abuse (also known as “doping”) in world cycling. This system comprises the Antidoping Examination (Drug Test) Regulations, the list of classes of doping substances (doping agents) and methods, the list of international events at which drug tests are to be effected, the list of approved laboratories and the dissemination of information on and promotion of action aimed at dissuading the abusive use of drugs.

The purpose of thus combating drug abuse is to avoid all possible negative repercussions that such abuse may have on the normal running of cycling races and on the physical or psychic well-being of the riders especially by their trying artificially to increase their performance.

The UCI definition of drug abuse (“doping”), as that of the IOC Medical Commission, is based on the principle that the use of all substances belonging to the pharmaceutical categories mentioned in the Regulations shall be strictly forbidden.

The advantage of such a definition is that it also covers and prohibits the use of any new substance, belonging to any of these categories, that might even have been created specifically for the purpose of doping.

Chapter I PRINCIPLES

- Art. 1 These Regulations shall govern the drug test effected for the purpose of determining whether riders have availed themselves of any doping agent or method.
- Art. 2 The use of the pharmaceutical categories of substances and of the doping methods appearing on the list of doping agents and methods adopted by the UCI president shall be prohibited.

Participants in cycling races are required to undertake not to avail themselves of the forbidden agents and methods even if they consider that neither their sporting performance nor their health would be affected. Such considerations shall not be open to discussion.

Should a doping method be found to have been used or should the analysis or other evidence reveal the presence or administration of a doping agent or any substance likely to influence the result of the analysis, the rider shall be punished.

(modification came into force on 1st February 1999).

Blood doping and pharmacological, chemical or physical manipulation shall be forbidden and shall be punished as the use of a doping agent.

No substance belonging to a forbidden class or doping method may be used for medical treatment unless otherwise specified in the list. In the latter case, the burden of proof of medical treatment and the use of the substance or method for the purposes of that treatment shall lie with the rider.

- Art. 3 The list of doping agents and methods shall be compiled by the UCI Antidoping Commission and submitted to the President of the UCI for approval. Once adopted and published in the "Information" bulletin, that list shall form an integral part of these Regulations.

That list shall not be exhaustive. It shall merely contain the names of examples of each category of doping agent for information purposes.

The list of doping agents and methods of doping may include a special section on agents and, possibly, their modes of administration, in respect of which the disciplinary measures, as referred to in Article 90(2) of the present Regulations, shall apply.

Each list shall remain in force until the publication of a new list.

- Art. 4 These Regulations and these alone shall apply to the events mentioned in Article 8. They shall be binding upon all National Federations which may neither deviate therefrom nor add thereto.

If a drug test is organised in another race on the International Calendar, that test shall also be governed by the present Regulations.

- Art. 5 If in a national event or during an out-of-competition test conducted at national level, national regulations are applied, any suspensions handed down against a rider holding the license of some other National Federation or of the UCI shall be applicable without restriction in the country where that event or that drug test took place.

The UCI shall be informed of such cases. If the Antidoping Commission confirms that the same facts would lead to a suspension under the present Regulations, the suspension shall be applicable world-wide to the extent that its duration does not exceed the maximum which is fixed under the present Regulations. Under the same condition, cases of drug abuse observed in application of such national regulations shall be deemed offences for the purpose of Articles 90 to 92 of the present Regulations.

The rider shall be heard by the Antidoping Commission and has a right of appeal with the Appeals Board.

- Art. 6 *(abrogated since 1st February 1999).*

- Art. 7 The cost of the drug test shall be borne by the organiser of the event without prejudice to the provisions concerning the counter-analysis, appeal and out-of-competition tests.

II

Chapter SELECTING RACES AND RIDERS

Races

- Art. 8 The drug test shall be mandatory at the following events:
- World Championships, Continental Championships and Regional Games.
 - World record and continental record attempts.
 - Any other event of the world and continental calendars designated by the Antidoping Commission (A list and B list).

Drug tests conducted at international multidisciplinary competitions such as the Olympic Games shall be the subject of specific regulations of the UCI.

Riders

- Art. 9 **§ 1)** The UCI Antidoping Commission shall, for each event referred to in Article 8, instruct the Inspector to select up to 10 riders to be tested.
- § 2)** Where no such instructions are issued, the following riders shall be tested:

I. One-Day events (all disciplines)

• **General Rule**

- The first rider placed
- Two riders selected at random by the Inspector

• **Half-stages**

- The first rider placed in the first half-stage
- The first rider placed in the second half-stage
- A rider selected at random by the Inspector from each half-stage

Team events

- A rider selected at random by the Inspector from the first team placed
- Two riders selected at random by the Inspector from all the other teams

II. Stage events (all disciplines, including prologue)

• **General Rule**

- The first rider placed in the stage
- The first rider in the general classification after the stage
- Two riders selected at random by the Inspector

• **Team Time Trial stage**

1. One rider selected at random from the 1st team placed
2. The first rider in the general classification after the stage
3. Two riders selected at random by the Inspector from all the other teams

- **Half-stage**

1. The first rider placed in the first half-stage
2. The first rider placed in the second half-stage
3. The first rider in the general classification after the second half-stage

III. Specific Time-Trial events

- **Individual**

1. The first three riders placed
2. Two riders selected at random by the inspector.

- **Team**

1. One rider selected at random from the 1st team placed
2. One rider selected at random from the 2nd team placed
3. One rider selected at random from each of four other different teams selected at random.

IV. Track events (all disciplines)

- **Individual**

1. The first rider placed
2. Three riders selected at random by the Inspector

- **Team**

1. One rider selected at random by the Inspector from the 1st team placed
2. Three riders selected at random by the Inspector from all the other teams

V. Six-Day events

1. One rider selected at random by the Inspector from the team placed first
2. Three riders selected at random by the Inspector from various other teams

VI. World Championships, Continental Championships and Regional Games

Riders to be checked at World Championships are indicated in the table in Annex 1 to these Regulations.

This table shall be applied in like manner at Continental Championships and Regional Games.

Art. 10 In each event, the Inspector shall draw lots for a first and a second reserve rider who shall be subjected to the test in sequence if a rider drawn by lot according to Article 9 has to be examined in any case because of his placing or if a rider simultaneously meets two selection criteria or else if one of the riders is materially unable to submit to the drug test (e.g. because he has had to be hospitalised) in such a way that the number of tests required by the Antidoping Commission or under Article 9(2) above always be conducted.

The reserve riders shall present for the drug test within the deadline referred to in article 50, even if they appear not to have to undergo the test.

Art. 11 At the request of the Antidoping Inspector a drug test shall be conducted on any rider he may designate.

However, the number of riders tested should not exceed 10.

Art. 12 The Inspector shall conduct the draw.

In in-line events and stages, riders shall be drawn about one hour before the envisaged time of the finish.

Art. 13 Each rider shall be responsible for personally ascertaining whether he has to present to the drug test.

The organiser and the inspector shall ensure that the list of riders' numbers indicating the riders to present for the test be posted at the finishing line and at the place designated for the test.

In Time Trial events, the Inspector or the person appointed by him shall notify the riders designated or drawn by lots at the end of their race by means of the form given in Annex 10 to these regulations. A copy shall be given to the rider or his team manager/team leader who shall acknowledge receipt by signing the original.

Riders who, by virtue of their placing are obliged to submit to the drug test, may not plead the absence of their names or numbers from the list posted.

Art. 14 If so requested by the Inspector, the organiser shall designate escorts to accompany riders who have to present for the drug test.

No rider may plead the absence of an escort.

Art. 15 No rider may claim that his test was not mandatory or that it was not announced before the event that tests would take place.



Chapter ORGANISATION OF THE DRUG TEST

The National Federation

Art. 16 The National Federation to which the organiser of the event or of the record-breaking attempt is affiliated shall be responsible for the material organisation of the drug test and for the obligations incumbent on the organiser. It shall ensure that all personnel (inspector, doctor, nurse), all necessary facilities and all the equipment required be present in such a way that the drug test may proceed in accordance with these Regulations.

- Art. 17 Any shortcomings in the practical organisation shall render the National Federation to which the organiser of the event is affiliated liable to a fine of SFr. 10,000.— maximum per offence. In events run over more than one day, the fine may be multiplied by the number of days for which the shortcoming persists.

The fine shall be imposed by the Disciplinary Commission.

- Art. 18 Should shortcomings occur at any given event for two years running, the Management Committee may refuse to include that event on the International Calendar for a year.

Where a shortcoming occurs on the first occasion that an event is held after a one-year suspension, the event may again be suspended for a further year.

- Art. 19 If, as the consequence of a shortcoming on the part of the National Federation to which the organiser of the event is affiliated, the Inspector appointed by the UCI Management Committee pursuant to Article 20 (2nd paragraph) should be unable properly to perform his function, the National Federation shall also pay his per diem and expenses.

Antidoping Inspector

- Art. 20 The drug test shall be conducted under the supervision of an Antidoping Inspector.

The Antidoping Commission shall designate an Inspector for such events as it may decide upon (A list) as well as for record attempts. In an emergency, the Inspector shall be designated by the President of the UCI. The Antidoping Commission shall inform the National Federation to which the organiser of the event is affiliated of the appointment.

For all other events (B list), the inspector shall be appointed by the National Federation to which the organiser of the event is affiliated which may designate or accept as Inspector an agent of the authority in its country with jurisdiction in matters of drug abuse.

- Art. 21 The Inspector shall perform all tasks required of him under the present Regulations, viz:
- organise the meeting referred to in Article 34 below;
 - ensure that proper premises have been prepared;
 - ensure that the organiser's National Federation has appointed an examining doctor and, if necessary, a nurse;
 - ensure that all equipment complies with the provisions of the present Regulations;
 - check the identity of riders presenting for the test;
 - check on the persons present during the taking of samples;
 - ensure that the bottles be numbered and distributed;
 - ensure that all forms be properly filled out;
 - ensure the required sealing;
 - ensure that the boxes and forms be duly forwarded.

- Art. 22 The Inspector shall draw up a report on each test in which he shall either vouch for its compliance with these Regulations or recount any irregularities he may have noted.

Within 48 hours of the despatch of the samples this report shall be sent by registered mail to the Antidoping Commission for the events of the A list, and to the Antidoping Commission with a copy to the organiser's National Federation for the other events.

The Examining Doctor

- Art. 23 The National Federation to which the organiser of an event is affiliated shall appoint a doctor responsible for the conduct of the test and the taking of samples as specified in these Regulations.

The Race Doctor may not be appointed Examining Doctor for an event.

The National Federation to which the organiser of the event is affiliated shall also appoint a nurse to attend the women during the taking of samples.

- Art. 24 The Examining Doctor may co-opt the assistance of another doctor or a nurse.

Laboratories

- Art. 25 The analysis of the samples taken for the purpose of the drug test shall be entrusted to a laboratory approved by the UCI Management Committee.

- Art. 26 The UCI Management Committee shall draw up a list of approved laboratories. That list shall be published in the "Information" bulletin.

Amendments to that list shall come into effect on being published in the UCI Information bulletin or in any other UCI communication.

- Art. 27 The laboratory entrusted with analysing samples shall be selected from among those on the list by the National Federation to which the organiser of the event is affiliated. In the case of World Championships, the laboratory shall be selected by the UCI Antidoping Commission.

Premises and Equipment

- Art. 28 Appropriate premises shall be provided in the immediate vicinity of the place where the event finishes for the taking of urine samples. The place shall be clearly signposted from the finishing line.

Those premises shall be of sufficient size and shall comprise two parts (as indicated in the model in Annex 3 hereto - if applicable two caravans shall be used if one is not big enough):

- one part (anteroom) for preliminary formalities,
- the other (inner room) for the actual taking of samples.

If so required by the Inspector, the organiser shall designate someone to guard the entrance to the premises, admitting only such persons as are involved in the drug test.

The premises shall be equipped in such a way as to facilitate the conduct of the test. An indicative list of equipment is given in Annex 4 hereto.

- Art. 29 All the equipment required for the drug test shall be available in sufficient quantities.

Art. 30 The fact that the test has been effected shall be certified by the form as given in Annex 5 hereto. A separate form shall be made out for each rider.

That form shall be filled out in quintuplicate comprising one original and four copies using a self-copying method (NCR paper), it being understood that items 5 to 9, 15, 16 and 19 shall not appear on the second, third and fourth copies.

The original shall be for the UCI.

The first copy shall be for the rider.

The second copy shall be sent to the organiser's National Federation.

The third copy shall be for the first analysis and the fourth copy shall be for the counter-analysis.

Art. 31 The receptacles for taking the urine samples shall be transparent or translucent and have a minimum capacity of 150 cc. They shall be chemically pure and pre-wrapped individually.

Art. 32 The bottles for holding the urine samples taken shall be transparent and have a minimum capacity of 50 cc. They shall be chemically pure, pre-wrapped individually and fitted with an inert stopper.

Art. 33 The recipients, the bottles and the material for sealing the bottles and engraving the code on the bottles shall all comply with models approved by the UCI Antidoping Commission. The models in question are lodged with the UCI secretariat.

The recipients and bottles may differ from the approved models in shape only.

Any National Federation unable to obtain approved equipment may use other equipment provided that it has such equipment approved by the UCI Antidoping Commission beforehand and that the Commission, in giving its approval, especially note the suitability of the equipment for the conservation of urine.

Only the National Federation in question may avail itself of equipment for which such special approval has been given. The special approval shall expire after one year but may be renewed. The use of non-regulation equipment shall result in the taking of the disciplinary measures referred to in Article 17 above, even if the result of the drug test was not influenced thereby.

IV

Chapter THE TESTING PROCEDURE

Art. 34 § 1) On the eve of the event or, in - the case of stage events - on the eve of the first stage, the Inspector shall convene a meeting with a representative of the organiser or his National Federation.

The premises referred to in Article 28 above shall then be inspected. In the case of stage events, the premises shall be inspected in advance whenever possible.

§ 2) The participants in the meeting shall then inspect the equipment necessary for the examination.

The equipment shall be kept by the Inspector.

Art. 35 Each rider to be tested shall report to the anteroom of the premises within 30 minutes of finishing the event or where applicable, 30 minutes after the end of the ceremonials if he participated therein.

A rider who drops out of the event shall report no later than 30 minutes after the arrival of the last rider placed.

Any rider who has to participate in another race on the same day may ask the Inspector within the above deadline to undergo the test after that other race. The inspector shall decide whether the test shall be conducted immediately or after the other race. In the last case his decision shall be laid down in writing according to the form given in Annex 10. A copy shall be given to the rider or his team manager/team leader who shall acknowledge receipt by signing the original.

Art. 36 The rider may be accompanied by a person of his choice and an interpreter.

Art. 37 The rider, the person accompanying him and his interpreter may be subjected to a search (frisking) as they enter and leave the testing station.

Art. 38 The rider shall report to the Inspector who shall check his identity. In the presence of the Inspector, the rider shall then select a recipient and two bottles. The rider, or the Inspector with the rider's approval, shall engrave on each bottle by some tamper-free means a code in alphanumerical characters followed, in the case of the first bottle, by an A and, in the case of the second bottle, by a B. Other systems of like quality may be used to mark the code on the bottles. Pre-marked bottles may also be used but the rider shall be entitled to add a code.

The Inspector shall then fill in items 1 to 10, and 12, 18 on the form and hand it to the Examining Doctor.

Art. 39 The rider shall remain in the anteroom until he is called into the inner room by the Examining Doctor who shall determine the order of taking the samples.

If the rider leaves the room before the sample is taken, he shall be considered positive.

The taking of the sample may not be delayed awaiting the arrival of the rider's assistant or interpreter.

Art. 40 The rider shall strip down to knee level.

The Examining Doctor shall ensure that the rider produces at least 75 cc of urine. Should the rider fail to produce that quantity, the Doctor shall keep him in sight until he does. The partially filled bottle will be sealed, and another bottle will be used for the rest.

Should the Examining Doctor dismiss a rider or terminate the test before all the riders have been tested, those thus dismissed shall be deemed to have been negative.

Art. 41 The urine shall be collected directly in the recipient. Then about 2/3 of the quantity shall be poured into the bottle marked A and the remaining 1/3 into that marked B.

Art. 42 The Inspector, in the presence of the Examining Doctor, shall stop up each flask and then seal it around with sealing wax and apply the UCI seal.

For safety in transit, each flask shall be placed in a hard plastic tube, or in a carton, or any other similar system.

These operations may be replaced by the use of an integrate packing and sealing system approved by the UCI.

All of the operations to be performed pursuant to Articles 41 and 42 shall be performed in the presence of the rider.

Art. 43 The Examining Doctor shall fill out items 11 (possibly 13), 14 and 17 on the form.

If the rider has any comments to add, he shall note them - or have them noted by the Examining Doctor - on the form.

The rider must indicate on the form any drugs listed on the list of classes of doping substances and methods which he has taken but which may not be taken into consideration under the medical conditions specified in the same list. If he has not and any such substance is found by the laboratory, the test result shall be considered as positive and the rider shall be sanctioned even when he produces a medical certificate after the test.

The form shall then be signed by the rider and the Examining Doctor. Should the rider refuse to sign, a note to this effect shall be added by the Examining Doctor.

The rider shall, by appending his signature, confirm that, subject to any comments as referred to in the second paragraph of this Article, the test was conducted in accordance with these Regulations hence obviating the possibility of any subsequent complaint.

Art. 44 The rider shall then return to the anteroom where the form shall be countersigned by the Inspector.

The Inspector shall then separate the copies of the form, handing the first carbon copy to the rider who shall acknowledge receipt of it by signing the top copy (original) to that effect.

Art. 45 Once all the samples have been taken, the Inspector, in the presence of the Examining Doctor, shall, taking all due care to ensure that the bottles do not break, place all the tubes containing the bottles in a box or other form of packaging.

- Art. 46 The Inspector shall place the third and fourth copies of the forms in an envelope which he shall seal. The inspector shall place the envelope in the box with the bottles and shall close the box.
- Art. 47 The Inspector shall personally ensure that the box be sent to the laboratory selected to perform the analyses. He shall choose the surest and most rapid form of transport. He shall, in his report, mention the time of despatch and method of conveyance chosen.
- If so requested by the Inspector, the organiser shall make available to him a car and a chauffeur for the purpose of conveying the bottles either directly to the laboratory or to the selected carrier (rail, air).
- The Inspector shall have the courier sign a Conveyance Note by way of receipt, the various copies of which shall be signed and sent as shown in Annex 6 hereto.
- Art. 48 In case of a test after a world record attempt the Inspector shall send the bottles to the Antidoping Commission of the UCI who shall forward them to the approved laboratory of its choice.
- Art. 49 The Inspector shall send the originals of the forms to the UCI in a closed envelope.
- The Inspector shall send the second copy of the forms to the National Federation of the organiser.

V

Chapter DEFAULT AND FRAUDE

- Art. 50 Save in the case of an act of God, any rider not presenting for the test within the deadline set in Article 35 shall be considered positive.
- The Inspector shall refuse to test a rider presenting after the expiry of the deadline.
- Art. 51 A rider refusing to give a sample shall be considered positive.
- Art. 52 A rider committing a fraud or attempted fraud and especially a rider that uses, tries to use or is found in possession of ways of influencing the result of the analysis shall be liable to the penalties provided for in Article 91 below.
- The rider in question shall, nevertheless, have to submit to the drug test. The result of the analysis will be taken into consideration only if the accusation of fraud is dropped.
- Art. 53 The Inspector and/or the Examining Doctor shall draw up a detailed report of the facts referred to in Articles 39 (2nd paragraph), 50, 51 and 52 above.
- The "No-Show" Report shall be drawn up as shown in Annex 7.
- The Inspector and/or the Examining Doctor shall note the identity of witnesses. Eye-witness accounts may be included in the report and shall be countersigned by the witnesses.

The Drug-Test or “No-Show” report shall be sent to the UCI and the National Federation of the rider which shall then forward a copy to the rider within two working days, summoning him to attend the procedure referred to in Articles 69 *et seq.* below.

- Art. 54 § 1)** Any license-holder (rider, coach, team manager, attendant, mechanic, etc.) who contributes directly or indirectly to drugging a rider or who, on the occasion of a race or training session, impedes the smooth conduct of the drug test or is found in possession of doping agents or means for influencing the result of an analysis, shall be liable to the penalties provided for in Article 93 below.

The facts will be examined and disciplinary measures handed down by the National Federation of the license-holder on the strength of a complaint brought by anyone concerned. All commissaires, drug test Inspectors and Examining Doctors shall be obliged to prepare a report on any facts that they may observe and to send that report to the National Federation of the license-holder concerned. The license-holder's National Federation shall then immediately summon the license-holder to appear and the facts shall be judged pursuant to Articles 69 to 89 below.

The deadline set in Article 82 below shall commence from the date the complaint or the report was sent to the National Federation of the license-holder in question.

- § 2)** Should the facts have been committed by a doctor, the National Federation of his country shall take against him such measures as are provided for such cases in the country in question.

The UCI Antidoping Commission may bar that doctor from attending any cycling event. It may also forbid any National Federation, club or Trade Team to call on his services on pain of a fine of between SFr. 1,000.— and SFr. 10,000.— per offence to be imposed by the Disciplinary Commission.

VI

Chapter ANALYSIS AND COUNTER-ANALYSIS

Sample analysis

- Art. 55** On receiving the samples, the laboratory shall note the time and date of reception and the appearance of the parcel. It shall fill out and sign the acknowledgment of receipt referred to in Annex 6. It shall then, as rapidly as possible, have the content of each rider's bottle A examined while immediately taking all measures necessary for the preservation of bottle B.
- Art. 56** The laboratory shall draw up a report in triplicate on each bottle the contents of which were found to be positive. This report shall include:
- 1) the date and time the box of bottles was received and the state of the box on receipt;
 - 2) items 1 to 4 on the form accompanying the bottle;
 - 3) the code number on the bottle, description of the external appearance of the bottle and of the seals thereon and of the state of those seals;
 - 4) details of the nature, volume, pH and density of the liquid examined;

- 5) method of analysis used;
- 6) the results and findings, accompanied by a full report (including copies of the chromatographs and mass spectrograms if any).

Art. 57 One copy of the laboratory report shall be filed in chronological order and kept by the laboratory for 18 months.

Bottles containing positive samples shall be kept by the laboratory for 2 months after the report on the positive result of the first analysis has been sent to the UCI.

In the event of a dispute, the laboratory shall preserve the bottles at the request and expense of the more diligent party until a final decision be reached.

Communication of the results of the analysis

Art. 58 The laboratory shall send the UCI two copies of the report referred to in Article 56 above.

Art. 59 On receiving the analysis report, the UCI shall verify that it concerns drug abuse according to the UCI list of classes of doping agents and methods.

Should the UCI deem the result positive, it shall inform the National Federation of the rider to that effect. The UCI shall send the Federation a copy of the analysis report and advise it of the name and date of the event in question. The National Federation shall immediately implement the procedure provided for in Articles 60 *et seq.* below.

Should the UCI consider that the result is negative, the matter shall be closed and no further action taken.

Art. 60 The National Federation of the rider shall, within two working days, send a copy of the communication of the positive result to the rider concerned. It shall at the same time inform the UCI that this has been done.

Art. 61 The communication to the National Federation of the rider referred to in Article 59 above and the communication to the rider referred to in Article 60 above, shall be confirmed at the same time by registered mail with recorded delivery.

All communications shall be validly made when sent to the address of the rider which was last made known to the National Federation.

Counter-analysis

Art. 62 A rider, once found positive after the first analysis, and/or his National Federation shall be entitled to demand a counter-analysis. The counter-analysis shall be conducted by the laboratory that conducted the first analysis.

Art. 63 The request for the counter-analysis shall be made by the National Federation of the rider directly to the laboratory, either automatically or on the request of the rider. A copy of the counter-analysis request shall at the same time be sent to the UCI.

Art. 64 To be acceptable, the request for the counter-analysis shall be sent to the laboratory no more than five working days after reception of the registered letter sent to the National Federation of the rider informing it of the positive result.

Art. 65 The National Federation of the rider is liable for the costs of the counter-analysis.

The National Federation of the rider may let the filing of a request for a counter-analysis depend on payment by the rider of a guarantee the amount of which shall not exceed SFr. 500.

Art. 66 The counter-analysis may be attended by the rider, an expert designated by him or by his National Federation, a representative his National Federation and a representative of the UCI. The parties involved shall make contact to set the time of the counter-analysis. The counter-analysis shall take place within ten working days of the request referred to in Article 63. Any difficulty in this respect shall be submitted to the Antidoping Commission.

No party may plead inability to attend the counter-analysis on the set date.

Art. 67 The laboratory shall, for each counter-analysis prepare the report referred to in Article 56 above.

The laboratory shall send two copies of that counter-analysis report to the UCI.

Art. 68 Should the UCI consider that the result of the counter-analysis does not confirm the positive result of the first analysis, the matter shall be closed and no further action taken.

Should the UCI consider that the result of the counter-analysis does indeed confirm the result of the first analysis, it shall inform the National Federation of the rider which shall immediately implement the procedure provided for under Articles 69 *et seq.*

VII

Chapter RIGHT OF DEFENCE - APPEAL

Art. 69 Should the rider not have requested a counter-analysis within the deadline or should the result of the counter-analysis also be positive, the National Federation of the rider shall summon the rider to come and present his explanations and arguments.

This summons shall be sent to the rider by registered letter with the announcement of the positive result of the counter-analysis. If no counter-analysis was requested within the deadline, the summons shall be sent within 2 days of the expiry of that deadline.

The rider or license-holder may waive the right to be heard in which case the investigation shall be conducted in writing.

Art. 70 The summons shall be sent 10 days at least before the hearing at which the rider or the license-holder is to appear. The summons shall, at the same time, be sent to the UCI.

The summons shall indicate the date, time and place of the hearing. If need be, it shall mention the facts referred to in Articles 50 to 54 above, of which the person summoned is accused.

The hearing may be postponed once only and then by not more than 8 days, save some act of God which shall be proven by the person concerned.

Art. 71 The rider or the license-holder shall be questioned and the matter shall be investigated by the competent body pursuant to the regulations of the National Federation of the rider or the license-holder under investigation.

Art. 72 Evidence shall also be taken from the National Federation to which the organiser is affiliated, the laboratory having undertaken the analysis(es), the Inspector, the Examining Doctor and any witnesses and experts should they or any of the parties to the case so request.

The party to the case requesting that such evidence be heard shall be directly responsible for summoning such persons and shall, at the same time, inform the other parties and the competent body.

Art. 73 The UCI may give its opinion in each case **and - either in writing or through its presence at the hearing - demand the imposition of a penalty.**

It may require that it be furnished with a copy of the complete file, including the record of the proceedings and the items of evidence lodged by the parties.

(modification came into force on 1st February 1999).

Art. 74 The parties shall immediately furnish one another with all the pleadings and items of evidence that they intend to present. **At the same time they shall send a copy to UCI.**

(modification came into force on 1st February 1999).

Art. 75 The defendant shall be entitled to take cognisance of the case file. Each party may obtain a copy thereof at his/its own expense.

Moreover, the file shall be available for consultation during the hearing.

Art. 76 The hearing shall be public, unless otherwise requested by the rider or the license-holder.

The Chairman of the competent body may also, *ex officio*, ban the public from the room during all or part of the session in the interest of public order or when respect for privacy or medical secrecy so justifies.

Art. 77 Each party shall be entitled to be represented by a barrister or by a representative bearing a special written power-of-attorney and may also be accompanied by any other person desired .

Each party shall be heard as well as any witnesses and experts summoned. The rider or licence-holder shall be entitled to the last word.

Should a summoned party fail to appear, the case shall proceed *in absentio*. The decision shall be deemed to have been adopted after hearing all parties.

- Art. 78 The decision shall include mention of the parties summoned or heard and shall contain a brief summary of the proceedings.

It shall mention the name of the persons having deliberated the matter and be signed by them. The decision shall be dated and the grounds stated.

It shall, if need be, bear mention of the forbidden substances or methods in respect of which the rider was declared positive.

It shall indicate the sentence to be handed down on the rider or licence-holder.

(modification came into force on 1st February 1999).

- Art. 79 Unless especially indicated in the decision, stating the grounds, each party shall bear the expenses that it incurs.

Nevertheless, if the rider is found guilty of drug abuse, he shall bear the cost of the counter-analysis, his National Federation being jointly liable for that payment.

If the defendant is acquitted, any guarantee which he would have paid shall be reimbursed and the cost of the counter-analysis shall be borne by another party designated in the decision.

- Art. 80 Copies of the **complete** decision shall be sent to the rider or licence-holder, to the National Federation to which the organiser is affiliated and to the UCI. These copies shall be sent by registered letter with recorded delivery **within three working days of the date of the decision**.

(modification came into force on 1st February 1999).

- Art. 81 The decision, once taken by the competent body of the National Federation of the rider or the licence-holder concerned, may not be appealed before any other body (appeal or higher court) within that same Federation unless the legislation of the country in question so requires.

In the latter case, the rider or licence-holder may waive his right to appeal before that appeal body and bring his appeal directly with the Court of Arbitration for Sport (CAS).

If, in the **same** case, it should not be possible for the UCI to appear as appellant before that appeal body, it shall be entitled immediately to enter its appeal directly with CAS.

(modification came into force on 1st February 1999).

- Art. 82 The proceedings before the competent body of the National Federation of the rider or licence-holder shall have ended within one month of reception of the communication of the positive result of the analysis referred to in Article 59 above or of the report or complaint referred to in Articles 53 and 54. If national legislation requires a mandatory appeal to a higher authority within the National Federation **and the defendant has entered such appeal**, the period shall be extended to two months.

The deadlines shall be extended by the amount of time that elapses between the date on which the request for the counter-analysis **or any other examination provided for by the present Regulations** is sent to the laboratory and the date on which the laboratory issues the results of the counter-analysis **or such examination**.

If there is no final decision within the deadlines the defendant shall be automatically suspended until the date of the decision, unless an extension of period is granted by the Antidoping Commission.

(modification came into force on 1st February 1999).

- Art. 83 Should an element likely to modify the final decision handed down by the National Federation of the rider or license-holder come to light after that decision has been pronounced, the party concerned shall be entitled to request the reopening of the case before the National Federation, except if that new element be such that it may be introduced in any proceedings that might be pending before the CAS.

The new element shall have occurred before the final decision was handed down and the party presenting it shall prove that he/it could not have found out about it at the hearing preceding the final decision at the very latest.

On pain of debarment, the reopening of a case shall be requested within one month of the time that the new element was discovered. The burden of proof as to when that discovery was made shall lie with the party invoking the new element.

- Art. 84 The person sentenced and the UCI may enter an appeal against the decision before the National Federation of the rider or license-holder by taking the matter to arbitration before an arbitration tribunal constituted in accordance with the statutes and regulations of the CAS in Lausanne.

No other recourse shall be permitted.

- Art. 85 Any appeal brought by the person sentenced shall be against the National Federation who sanctioned him.

The National Federation shall send immediately to UCI a copy of the appeal statement and of any other statement filed with CAS.

The UCI shall be entitled to intervene in the procedure before the CAS and require that a penalty be imposed.

(modification came into force on 1st February 1999).

- Art. 86 On pain of being declared unacceptable, the declaration of appeal **of the person sentenced** shall be lodged with the CAS within a period of one month from reception of the decision taken by the appellant, **subject to article 94.**

On pain of being declared unacceptable, the declaration of appeal of the UCI shall be lodged with the CAS within a period of one month from reception of the file of the competent body of the National Federation. If UCI has not asked the file within ten days from reception of the decision, the term of appeal shall expire one month from reception of the decision.

(modification came into force on 1st February 1999).

- Art. 87 An appeal to the CAS by the person sentenced shall not stay execution of the decision but shall not affect his right to petition the CAS for a stay of enforcement.

- Art. 88 The TAS shall take cognizance of the case in its entirety, unless otherwise determined in the present Regulations. Its decision shall not be open to appeal and shall be binding on all parties.

- Art. 89 The CAS may decide to increase the sentence passed on the appellant at the request of another party.

If the respondent files a cross appeal in his answer, the appellant shall be entitled to answer the cross appeal within a term of one month from the receipt of the answer of the respondent, subject to an extension of term granted by CAS. If the respondent is the person sentenced, he shall have the right to file a final statement within fifteen days from the receipt of the appellant's answer to the cross appeal, subject to an extension of term granted by CAS.

(modification came into force on 1st February 1999).

VIII

Chapter DISCIPLINARY MEASURES

- Art. 90 § 1) A rider declared or considered to be positive shall be disciplined as follows:

1) Elite MEN

1st offence:

- disqualification + suspension for six months minimum to one year maximum,
- fine of SFr. 2,000.– minimum to SFr. 4,000.– maximum.

2nd offence:

- disqualification + suspension for one year minimum to two years maximum,
- fine of SFr. 4,000.– minimum to SFr. 6,000.– maximum.

3rd offence:

- disqualification + permanent debarment,
- a fine of SFr. 8,000.–.

WOMEN

1st offence:

- disqualification + suspension for six months minimum to one year maximum,
- fine of SFr. 1,000.– minimum to SFr. 2,000.– maximum.

2nd offence:

- disqualification + suspension for one year minimum to two years maximum,
- fine of SFr. 3,000.– minimum to SFr. 5,000.– maximum.

3rd offence:

- disqualification + permanent debarment,
- a fine of SFr. 8,000.–.

2) Under 23

1st offence:

- disqualification + suspension for six months minimum to one year maximum,
- fine of SFr. 500.– minimum to SFr. 1,000.– maximum.

2nd offence:

- disqualification + suspension for one year minimum to two years maximum,
- fine of SFr. 1,500.– minimum to SFr. 3,000.– maximum.

3rd offence:

- disqualification + permanent debarment,
- a fine of SFr. 8,000.–.

3) Other riders

1st offence:

- disqualification + suspension for six months minimum to one year maximum,

2nd offence:

- disqualification + suspension for one year minimum to two years maximum,

3rd offence:

- disqualification + permanent debarment.

§ 2) If a rider is found positive with respect to one of the substances in the special section on the list of doping agents referred to in Article 3 (3rd paragraph) above, the following disciplinary measures shall apply:

1) Elite

MEN

1st offence:

- disqualification + suspension for three months maximum,
- fine of SFr. 2,000.– minimum to SFr. 4,000.– maximum.

2nd offence:

- disqualification + suspension for six months minimum to one year maximum,
- fine of SFr. 4,000.– minimum to SFr. 6,000.– maximum.

3rd offence:

- disqualification + permanent debarment,
- fine of SFr. 8,000.– .

WOMEN

1st offence:

- disqualification + suspension for three months maximum,
- fine of SFr. 1,000.– minimum to SFr. 2,000.– maximum.

2nd offence:

- disqualification + suspension for six months minimum to one year maximum,
- fine of SFr. 2,000.– minimum to SFr. 5,000.– maximum.

3rd offence:

- disqualification + permanent debarment,
- a fine of SFr. 8,000.– .

2) Under 23

1st offence:

- disqualification + suspension for three months maximum,
- fine of SFr. 500.– minimum to SFr. 1,000.– maximum.

2nd offence:

- disqualification + suspension for six months minimum to one year maximum,
- fine of SFr. 1,500.– minimum to SFr. 3,000.– maximum.

3rd offence:

- disqualification + permanent debarment,
- a fine of SFr. 8,000.– .

3) Other riders

1st offence:

- disqualification + suspension for three months maximum,

2nd offence:

- disqualification + suspension for six months minimum to one year maximum,

3rd offence:

- disqualification + permanent debarment.

If, in the case of a second offence, either the first offence or the second offence be an offence referred to in this section, the duration of the suspension to be handed down with respect to the second offence shall be determined according to Article 90, § 1.

§ 3) If a rider is found positive for the same substance or the same method several times over a brief lapse of time and if it is decided that these positive results may have resulted from a single act of drug abuse, the cases shall be taken together and only one period of suspension and one fine shall be handed down. All of these positive results shall be considered a single offence for the purposes of Article 92. Conversely, the disqualification shall be applied to all races run, from the first to the last, on completion of which the rider is found positive.

§ 4) (deleted)

Art. 91 Fraud or attempted fraud by a rider shall be penalised as follows:

1) Elite

MEN

1st offence:

- disqualification + suspension of six months minimum and two years maximum,
- fine of SFr. 15,000.—.

2nd offence:

- disqualification + one year's suspension minimum to permanent debarment,
- fine of SFr. 20,000.—.

WOMEN

1st offence:

- disqualification + suspension of six months minimum and two years maximum,
- fine of SFr. 8,000.—.

2nd offence:

- disqualification + one year's suspension minimum to permanent debarment,
- fine of SFr. 12,000.—.

2) Under 23

1st offence:

- disqualification + suspension of six months minimum and two years maximum,
- fine of SFr. 1,500.—.

2nd offence:

- disqualification + one year's suspension minimum to permanent debarment,
- fine of SFr. 3,000.—.

3) Other riders

1st offence:

- disqualification + suspension of six months minimum and two years maximum.

2nd offence:

- disqualification + one year's suspension minimum to permanent debarment.

As, in such cases, the result of the analysis is not taken into consideration, no separate penalty shall be imposed for drug abuse.

Art. 92 A first offence, pursuant to Articles 90 and 91, shall be deemed to be that committed after a three-year offence-free period where an offence be understood as a positive result, a fraud or an attempted fraud.

A second offence shall be deemed to be that committed within a three-year period following the first.

A third offence shall be any offence committed after two other offences, regardless of the period that may have elapsed between them.

The three-year period shall not run during the time that the rider is suspended and cannot ride.

The date of the offence shall be the date of the drug test.

Art. 93 § 1) Any license-holder who is directly or indirectly accessory to the doping of a rider or who hinders the proper conduct of the drug test or who, on the occasion of an event or training session, is found to be in possession of doping agents or methods that could influence the results of the analysis, shall be punished as follows:

1st offence:

- fine of SFr. 3,000.— and six months' effective suspension;

2nd offence:

- fine of SFr. 6,000.— and permanent debarment.

Determination as to whether an offence be a 1st or 2nd offence shall be made according to Article 92 above.

§ 2) Regardless of the provisions governing Default and Fraud, any rider evading the surveillance of his escort shall be subject to a fine of SFr. 3,000.— .

Art. 94 § 1) If the defendant is found guilty, disqualification operates automatically, also when it is not pronounced in the decision.

If the defendant is found guilty and no fine or a fine under the minimum is imposed in the decision, the minimum fine shall be imposed and be due automatically, subject to the right of appeal with CAS.

If the defendant is found guilty and no suspension or a suspension under the minimum is imposed in the decision, the minimum suspension shall be imposed automatically, subject to the right of appeal with CAS. The UCI shall inform the defendant thereof, in which case the term of appeal or for applying probation starts from the date of that communication.

If the fine or the suspension pronounced exceeds the maximum set by the present Regulations, it is automatically reduced to that maximum, subject to the right of appeal with CAS.

§ 2) The suspension becomes effective from the day after the date of the decision.

To the term of suspension imposed by the decision shall be added the period of normal inactivity of the rider concerned as follows:

1. if the term of suspension imposed includes the first day of the period of normal inactivity, the term of suspension is extended with the term of the period of normal inactivity.
2. if the term of suspension imposed becomes effective during the period of normal inactivity, the term of suspension is extended with the period of time between the starting date of the suspension and the end of the period of normal inactivity.

The period of normal inactivity is determined as follows:

1. for a rider whose principal activity is road cycling, from November 1st till January 31;
2. for a rider whose principal activity is mountain biking, from November 1st till January 31;
3. for a rider whose principal activity is cyclo-cross, from March 1st till September 30;
4. for a rider whose principal activity is bmx, from November 1st till February 28.

The Antidoping Commission shall determine which is the principal activity of the rider. It shall also determine the period of normal inactivity in specific cases, e.g. for riders who usually take part in cycling events in the southern hemisphere.

Unless evidence to the contrary is provided, members of a trade team of road cycling or mountain biking are presumed to have a principal activity of road cycling or mountain biking respectively.

If an extension applies, the Antidoping Commission shall inform the defendant thereof. In such case the time-limit for appeal with CAS or for applying probation shall be one month from the communication.

In case of appeal, CAS shall indicate the starting and ending date of the period of suspension, taking into account the period of normal inactivity of the rider or licence holder, so that the suspension shall be effective in all matters sporting. To that end the final period of suspension may exceed the maximum periods referred to in articles 90 to 93.

(modification came into force on 1st February 1999).

Art. 95 § 1) The President of the Antidoping Commission or a member appointed by the President can grant probation for suspensions imposed by the competent body of the National Federation.

The probation shall not be granted for more than half the period of suspension.

The person sentenced shall file a petition, containing its grounds, with the President of the Antidoping Commission by registered letter sent in a period of one month from reception of the decision of the competent body.

By filing such petition the person sentenced renounces his right to appeal to CAS or any other recourse against the decision of the competent body of the National Federation.

The decision is to discretion of the President of the Antidoping Commission and shall not be open to appeal. The person sentenced shall not have to be heard.

The beneficiary of a probation shall undergo the suspended sanction if he is sanctioned for another offence committed within three years from the former offence and in addition to the sanction for that other offence.

§ 2) In case of an appeal to CAS by the person sentenced, a probation may also be granted by CAS under the conditions of paragraph 1.

(clause into force on 4 October 1998).

Art. 96 The place(s) of any disqualified rider(s) shall be taken by that/those next placed in such a way that all places always be filled.

In track races, the disqualification of a rider found or considered positive shall in no way affect the order of placing.

Art. 97 Should a rider be found or considered to be positive at the end of a team race or if he has committed a fraud during the drug test following the race, the whole team shall be disqualified.

Nevertheless, during a team event in a stage event, the team shall be relegated to the last place in the stage with its real time and a 10-minute penalisation in the general team classification.

Art. 97 bis Definitive sanctions and the name of the person sanctioned shall be published in the UCI information bulletin.

IX

Chapter WORLD CHAMPIONSHIPS

Art. 98 The special provisions below shall apply to the administration of the drug test at World Championships.

Art. 99 The UCI shall provide all the equipment required for the drug tests as well as the relevant forms.

The meeting referred to in Article 34 shall take place at least 48 hours prior to the first event.

The Inspector's report referred to in Article 22 and the original forms referred to in Article 49 shall be delivered to the Antidoping Commission.

Art. 100 The Management Committee shall appoint the Official UCI Doctor from among the members of the UCI Antidoping Commission or the UCI Medical Commission or else some other doctor proposed by the Antidoping Commission.

Art. 101 The Antidoping Commission shall:

- to contact the organising National Federation and request a plan of the testing premises and all the equipment necessary for the test,
- to contact the laboratory designated to perform the analyses and settled with it the manner in which the reception of the samples is to be confirmed, the method of analysis to be used, the time limits for communicating the results and counter-analysis procedure,
- to organise the procedure for communications between the laboratory and the Official Doctor during the Championships.

In such a way as to ensure that all of the above details shall have been settled three months before the start of the Championships.

Art. 102 The Official Doctor shall be the only person to be in contact with the laboratory and to receive the results.

Art. 103 The laboratory shall communicate the results of the first analyses to the Official UCI Doctor as soon as possible. It shall, moreover, send its report by the agreed method as soon as possible.

Art. 104 The Official Doctor shall immediately inform a rider or, when impossible, his team manager if he has been found positive.
The UCI Official Doctor shall automatically ask for the counter-analysis which he may attend.

Art. 105 The result of the counter-analysis and the laboratory report shall be communicated to the Official UCI Doctor in accordance with the provisions of Article 103 above.

The Official Doctor confirms whether the result is positive and informs the rider, the Appeals Board and the National Federation of the rider and sends then a copy of the counter-analysis report.

The communication to the National Federation of the rider may be made to that Federation's delegation present at the Championships.
The National Federation of the rider shall immediately implement the procedure provided for in articles 69 to 89.

Art. 106 Once the Appeals Board takes cognizance of a positive counter-analysis result or of a report concerning the acts referred to in Articles 50 to 53 above, it shall summon the rider and, after interviewing him, disqualify him from the race with the approval of the Chairman or some other member of the UCI Antidoping Commission.

In this case, where the event in question is a team event, the entire team shall be disqualified.

That disqualification shall be provisional and aimed at preserving the sporting nature of the Championships and shall not influence the final decision. It shall not provide grounds for a complaint if the rider is acquitted.

Art. 107 Should it not be possible for the results of the analysis to reach the Official UCI Doctor in time for the end of the Championships, they shall be communicated to the UCI which will forward them to the National Federation of the rider. That National Federation shall then summon the rider and proceed as indicated in Articles 69 *et seq.*

X

Chapter

STAGE EVENTS SIX-DAYS EVENTS

Stage events

Art. 108 In stage events where a drug test has to be conducted under the terms of Article 8 of the present Regulations, a test shall be conducted after each daily stage unless other instructions are given by the Antidoping Commission. If more than one event be run on any given day, the riders designated for the drug test in each event shall all be tested at the end of the last event.

Art. 109 Should the laboratory be able to provide the Inspector with its analysis report by the eve of the last stage at latest, the special provisions below shall apply.

In all other cases, and whenever the special provisions below cannot be applied, the general provisions of these Regulations shall apply.

Art. 110 The laboratory shall send its analysis reports to the Inspector as soon as possible.

Once he has verified whether a case of drug abuse in accordance with the UCI list of classes of doping agents and methods is involved, the Inspector shall warn the rider in question of the positive result of the first analysis. The Chief Commissaire shall listen to the rider's explanations. The rider shall confirm that he has been duly warned and heard using the form in Annex 8 hereto.

Should the rider not request the counter-analysis within the deadline set in Article 111 below, he shall be disqualified automatically.

Art. 111 The application containing the request for a counter-analysis shall be submitted to the Inspector in writing within the three hours following the warning referred to in Article 110 above.

The rider shall be given a receipt certifying the time at which the request was entered.

Art. 112 The counter-analysis may be postponed for not more than four days beyond the request therefore, in order to permit the presence of the persons referred to in Article 66 above.

Art. 113 The Inspector shall lodge the report on the counter-analysis with the Chief Commissaire.

The Chief Commissaire, upon taking cognizance of a positive result after a counter-analysis or of a report concerning acts as referred to in Articles 50 to 53 above, shall summon the rider and, after interviewing him, disqualify him from the race with the approval of the Chairman or some other member of the UCI Antidoping Commission.

In this case and where the event is a team event, Article 97 (2nd paragraph), shall apply.

That disqualification shall be provisional and aimed at preserving the sporting nature of the event and shall not influence the final decision. It shall not provide grounds for a complaint if the rider is acquitted.

Six-Day Events

Art. 114 Articles 109 to 113 shall apply equally to Six-Day events.

However the drug tests shall be conducted over no more than two days.

XI

Chapter OUT-OF-COMPETITION TESTS

Art. 115 Riders shall also submit to UCI out-of-competitions tests.

Art. 116 By out-of-competition tests is meant all drug tests conducted other than those conducted after an event as provided for in Chapter II above. Out-of-competition tests may, for example, be conducted:

- during stage events or World Championships on rest days or before the start of a stage,
- after an event where the test was not mandatory pursuant to Article 8,
- during training, especially outside the season for the discipline.

Art. 117 The UCI Antidoping Commission shall determine the place and time at which tests will be undertaken as well as the choice of riders to be tested.
The Doctors and Inspectors for the drug test shall be designated by the Antidoping Commission.

The Doctors and Inspectors shall be assigned their tasks by means of a letter of appointment.
The antidoping commission can have the out-of-competition tests conducted by a specialized institute or firm. The tasks of the doctor and of the antidoping inspector shall be carried out by the persons designated by that institute or firm, unless the antidoping commission decides otherwise.
(modification effective on 15 November 1997).

Art. 118 UCI representatives, the Doctor and the Inspector may appear without prior warning wheresoever they expect to be able to find the rider.

Art. 119 The Inspector shall inform the rider of the place and time of the drug test, either in person or, for stage events and World Championships, through the intermediary of his team leader or team manager, by means of the form given in Annex 10 to these Regulations. The rider, his team leader or his team manager shall sign the copy of the notification as proof of reception.

The convening period shall be set by the Inspector according to the circumstances. Save in special circumstances, the tests shall be performed within one hour of notification.

Art. 120 The Inspector and the Doctor shall present their identity cards or letters of appointment from the Antidoping Commission.

Art. 121 The drug test shall proceed according to Articles 37 to 49 and as discreetly as possible. The provisions concerning the premises shall not apply.

Art. 122 Any rider not presenting within the indicated period, shall be considered as having refused to submit to the test. He shall consequently be declared positive.

Any rider refusing to provide a sample of urine shall be declared positive.

Art. 123 The substances forbidden at out-of-competition tests shall be those contained in a special section of the list of classes of doping agents and doping methods.

The laboratory shall send its analysis report to the UCI which shall, where appropriate, inform the National Federation of the rider of the positive result and the National Federation shall proceed pursuant to Articles 60 *et seq.* above.

Art. 124 Disciplinary action shall be taken in accordance with the provisions of Chapter VIII.

During stage events, any rider who, having been tested, continues riding shall be punished as if he had been positive during the stage following the test.

The cost of out-of-competition tests shall be met by the UCI. However, should a rider be disciplined as the result of such a test, he shall bear the costs.

Art. 125 During stage events and World Championships, the team leader or the team manager shall always be able to indicate the place where riders are to be found so that they may be contacted as rapidly as possible. Team leaders and/or team managers who provide incorrect information, who refuse to provide information at all or who hinder the proper conduct of the drug test in any way shall be liable to the disciplinary measures in Article 93.

XII

Chapter ABUSE OF MEDICINAL DRUGS

Art. 126 The UCI Antidoping Commission shall examine cases where there are indications of an abusive use of medicinal drugs by a rider. The Antidoping Commission may take evidence on and investigate all parties concerned or involved in the matters brought to its notice. It shall recommend and admonish.

Art. 127 Should the Antidoping Commission consider that there be grounds for suspending a person involved in a case of abusive use of medicinal drugs, it shall forward the case file to the UCI Management Committee or to a commission instituted by the Management Committee for that purpose. The Management Committee or the commission in question shall examine the person and hand down a decision. The person sentenced may lodge an appeal with the CAS pursuant to Articles 86 to 88 above.

Art. 128 Where that person is a doctor, Article 54 (2) above shall apply.
The person concerned may be suspended for a maximum duration of one year in the case of a first offence and for a duration of anything up to permanent debarment, as determined by the Management Committee or the said commission, in the case of a second offence within a two-year period following the date of the first decision of the Management Committee or commission. In the case of a rider, the duration of the suspension may not exceed the duration of the suspension that would have been handed down in a case of doping.

The implementation of the penalty may be suspended for the duration subject to conditions set by the Management Committee or the commission.

Art. 129 Team or club doctors shall, before such events as may be designated by the Antidoping Commission list the medicinal drugs and quantities thereof consumed and any other medical treatment undergone by each of their riders within the 72 hours preceding the events. This declaration shall be made using the form shown in Annex 11 hereto. Any team failing to comply with this requirement shall be refused the start.

XIII

Chapter FINAL PROVISIONS

Art. 129 bis A rider against whom a doping fact or breach is found shall not be eligible for selection for world championships, olympic games and continental championships and shall not participate in such competitions. This shall apply until the effective starting date of the suspension which is imposed upon him or until the rider is acquitted by final decision. Acquittal shall not provide grounds for a complaint.

Unless the Antidoping Commission decides otherwise, the same applies in case of a doping fact, breach or proceedings under any other national or international doping act or regulation.

Special cases shall be decided by the Antidoping Commission or its President. Their decision shall not be open to appeal.

Under the present article a positive A sample is considered as a doping fact.

(clause into force on 16 July 1998).

Art. 130 Other than in disputed cases, the UCI may, for the purpose of further research and analysis, preserve or request any laboratory report or sample which shall then become the property of the UCI.

The UCI shall be entitled to require that a third sample be taken at drug tests. The Antidoping Commission shall instruct the Inspector accordingly. Articles 38, 40 and 41 hereof shall apply *mutatis mutandis*. The taking of a third sample shall be indicated in the report referred to in Article 22 and on the form mentioned in Article 30 above.

A subsequent examination of these samples may, where appropriate, justify disciplinary measures as provided for herein.

The rider who refuses to give a third sample and any licence-holder who hinders the taking of the third sample shall be sanctioned with a suspension for 3 months maximum and/or a fine of SFr. 2,000.– minimum to SFr. 4,000.– maximum. However no such sanction shall be imposed on the rider who is sanctioned according to articles 90 or 91 or on the licence-holder who is sanctioned according to article 93 with regard to the same drug test.

Art. 131 Any rider or licence-holding former rider who declares or admits that he has made use of doping agents or methods without that use having been discovered by a drug test shall be considered positive on the day of his declaration or admission.

His National Federation shall implement the procedure provided for in Articles 69 *et seq.*, either automatically or at the request of the UCI.

He shall not be disqualified unless the facts relate to a specific race.

The rider or licence-holder shall not be disciplined if it is shown that the use of the forbidden drugs or methods predated the declaration or admission by more than five years.

If the declaration or admission concerns a specific substance or method, the rider or licence-holder shall be considered positive if that substance or method appeared on the list of classes of forbidden substances and methods at the time of the commission of the act.

- Art. 132 The formalities, procedures and deadlines set forth in these Regulations with regard to drug tests are intended to ensure the proper conduct of the test. If, however, a procedural error should occur, provided that the error in question does not affect the result of the test, it shall not invalidate it.

No omission, defect or error may be invoked unless that omission, defect or error was such as to falsify the result of the analysis.

- Art. 133 The deadlines within which a right of appeal is to be exercised are to be observed failing which the appeal shall not be acceptable.

- Art. 134 If, with regard to tasks and obligations imposed by the present Regulations on the National Federations of the rider and of the organiser respectively, the National Federation of the organiser and that of the rider be one and the same, the present Regulations shall apply *mutatis mutandis*.

For the purposes of these Regulations, the National Federation of the organiser shall assume the role of National Federation of the rider or licence-holder for any riders or licence-holders having obtained their licences directly from the UCI.

- Art. 135 Should the appeal proceedings before the National Federation not be completed within the deadlines set in Article 82 above, the National Federation shall be liable to a fine of SFr. 5,000.— per week's delay to be imposed by the Disciplinary Commission notwithstanding the obligation to complete the proceedings as soon as possible.

Should the delay persist, the UCI shall be entitled to take the matter directly to the CAS on the responsibility and at the expense of the National Federation. The case shall be heard according to the CAS appeal arbitration proceedings. There shall be no time limit for such appeal.

(modification effective on 15 November 1997).

- Art. 136 All persons exercising any function during the drug test as well as members of the disciplinary bodies shall be required to observe secrecy with respect to all information concerning the drug test which is not to be communicated or rendered public under the present Regulations.

Breaches of this provision shall render the offender liable to a fine of between SFr. 1,000.— and SFr. 10,000.— to be imposed by the UCI Management Committee which may also debar the person in question from such functions and for such a duration as it may determine.

Art. 137 The UCI secretariat shall keep a register of penalties meted out. That register shall indicate the name of the rider or licence-holder, his National Federation, his category (Elite or other), the name and the date of the race, the penalties handed down, the date on which the sentences were handed down and the authorities that handed them down.

The UCI secretariat shall be authorised to disclose information from the register solely to National Federations that can give good cause and to the CAS.

Art. 138 The fine imposed under the present Regulations shall be integrally paid into the account of the UCI.

Art. 139 Amendments to the provisions of the present Regulations shall come into force on the date of their publication in the Information bulletin unless that bulletin itself stipulates some other date.

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TRANSITORY PROVISION

(abrogated on 4th October 1998).

(Annex 1)**TABLE OF RIDERS TO BE TESTED AT WORLD CHAMPIONSHIPS**

(in the absence of specific instructions from the Antidoping Commission)

A - JUNIOR WORLD CHAMPIONSHIPS**Track****Men**

• Kilometre Time Trial - first 4+1 chosen at random	5
• Sprint	
- heats - best 2 times + 1 chosen at random	
- Final - first 4 riders	7
• Individual Pursuit	
- heats - best 2 times + 1 chosen at random	
- Final - first 4 riders	7
• Team Pursuit	
- heats - 1 rider from the first 2 teams with	
- the best times + 1 rider chosen at random	
- from the other teams	
- Final - 1 rider per team from	
- the first 4 teams	7
• Points Race - first 4 + 1 chosen at random	5
• Olympic Sprint	
- heats - best 2 times + 1 chosen at random	
- Final - first 4 riders	7
Total	<u>38</u>

Women

• Sprint	
- heats - 1 best time + 1 chosen at random	
- Final - first 4	6
• Individual Pursuit	
- heats - 1 best time + 1 chosen at random	
- Final - first 4	6
• Points Race - first 4 + 1 chosen at random	5
• 500 m. Time Trial standing start	
- first 4 + 1 chosen at random	5
Total	<u>22</u>

Total: 60 tested

B - CYCLO-CROSS WORLD CHAMPIONSHIPS**Juniors**

- first 4 + 2 chosen at random 6

Under 23

- first 4 + 2 chosen at random 6

Elite

- first 4 + 2 chosen at random 6

Total 18

C - ROAD WORLD CHAMPIONSHIPS**Women Juniors**

- Individual - First 4 + 2 chosen at random 6
 - Individual Time Trial - first 4 + 2 chosen at random 6
- Total 12

Men Juniors

- Individual - first 4 + 2 chosen at random 6
 - Individual Time Trial - first 4 + 2 chosen at random 6
- Total 12

Under 23

- Individual - first 4 + 2 chosen at random 6
 - Individual Time Trial - first 4 + 2 chosen at random 6
- Total 12

Women Elite

- Individual - first 4 + 2 chosen at random 6
 - Individual Time Trial
 - first 4 + 2 chosen at random 6
- Total 12

Men Elite

- Individual - first 4 + 2 chosen at random 6
 - Individual Time Trial - first 4 + 2 chosen at random 6
- Total 12

Total: 60 tested

D - TRACK WORLD CHAMPIONSHIPS**Men**

- Kilometre - first 4 + 1 chosen at random 5
- Sprint
 - heats - best 2 times + 1 chosen at random

- final - first 4	7
• Individual Pursuit	
- heats - best 2 times + 1 chosen at random	
- final - first 4	7
• Team Pursuit	
- heats - 1 rider from the first 2 teams with the best times + 1 rider chosen at random from the other teams	
- final - 1 rider per team from the first 4 teams	7
• Points Race - first 4 + 2 chosen at random	6
• Keirin - first 4	4
American Madison - 1 rider per team from the first 3 teams + 2 chosen at random from the other teams	5
• Olympic sprint	
- heats - best 2 times + 1 chosen at random	
- final - first 4	7
Total	<u>48</u>

Women

• Sprint	
- heats - 1 best time + 1 chosen at random	
- final - first 4	6
• Individual Pursuit	
- heats - 1 best time + 1 chosen at random	
- final 5 - first 4	6
• Points Race	
- first 4 + 1 chosen at random	5
• 500 m Time Trial standing start	
- first 4 + 1 chosen at random	5
Total	<u>22</u>

Total: 70 tested

E - MOUNTAIN BIKE WORLD CHAMPIONSHIPS

- First 2 riders from the general placing in each category
- 1 chosen at random from each category.

F - INDOOR CYCLING WORLD CHAMPIONSHIPS

- Artistic Cycling: the champions of each discipline
- Cycle-Ball: in each group A/B/C - 1 chosen at random from the 2 teams taking part in the final.

G - BMX WORLD CHAMPIONSHIPS

Per category

- First
- 2 chosen at random.

(Annex 2)

DRUG TEST

REPORT OF THE ANTIDOPING INSPECTOR

Test effected on
 in.....
 Name of race.....
 Name of Inspector.....
 Inspector's address.....
 Supervising doctor.....
 Remarks.....

A. Test premises

Remarks.....
 Dimensions of premises.....

 Equipment.....

 General remarks.....

B. Conduct of drug test

a. Riders' behaviour.....

 b. Attendants' behaviour.....

 c. Persons with respect to whom a refusal, no-show or fraud report has been filed.....

General remarks.....

Comments on the organiser.....

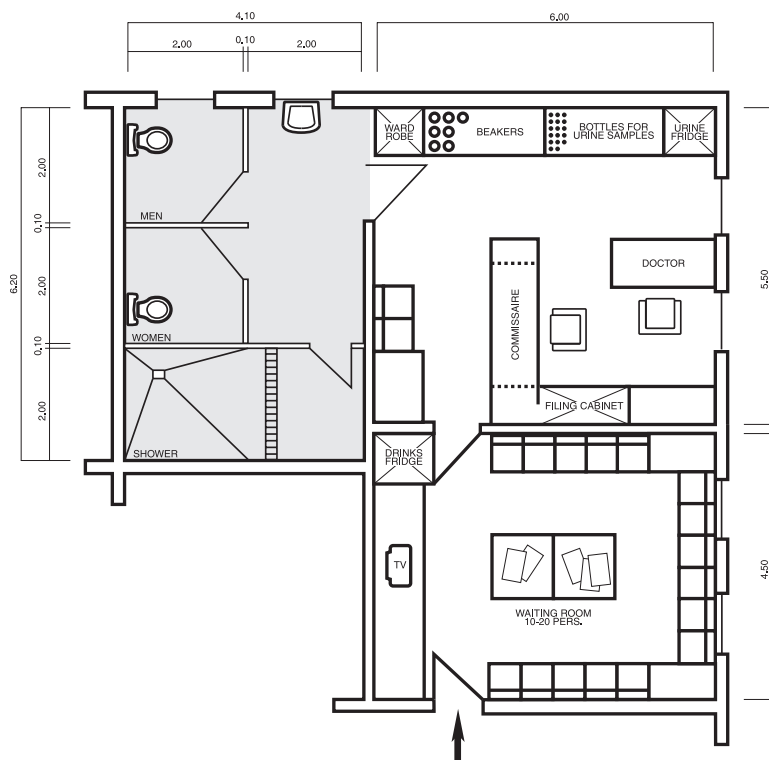
Disciplinary and other measures.....

C. Suggestions.....

Made this
 in.....
 Inspector.....

(Annex 3)

MODEL PLAN OF TEST STATION PREMISES



(Annex 4)

LIST OF EQUIPMENT FOR THE DRUG-TEST STATION

1. It is recommended that, at track events, a television or a screen be installed in the examination room in order that the events on the track may be followed.

2. Equipment to be made available:

- cardboard packing cases with self-adhesive address labels,
- adhesive tape,
- glue (gum),
- lead seals, sealing wire, twine,
- scissors,
- sealing wax,
- coloured felt pens (2),
- typewriter and paper,
- A4 and A5 envelopes (C4, B5),
- towels and soap,
- a sufficiency of soft drinks (lemonade, mineral water, etc.).

3. Furnishings:

Anteroom (20-25 m²)

- 2 tables
- 10 chairs
- 1 refrigerator
- 1 refuse container
- 1 cupboard
- 1 wardrobe
- 1 telephone

Inner room

- 4 tables
- 2 chairs
- toilet (WC)
- wash basin or shower
- telephone
- ventilation or opening window

(Annex 5)

INTERNATIONAL CYCLING UNION DRUG TEST

TEST CERTIFICATE

On chemical self-copying (NCR) paper (see Art. 30) in quintuplicate (1 top copy + 1 each white, blue, green and pink carbon copies).

- Top copy (original) to the UCI.
- 1st carbon copy (white)
to rider - identical to top copy
- 2nd carbon copy (blue)
to the National Federation of the organiser (items 5 to 9, 15, 16 and 19 omitted)
- 3rd carbon copy (green)
to laboratory with sample A (analysis) (items 5 to 9, 15, 16 and 19 omitted)
- 4th carbon copy (pink)
to laboratory with sample B (counter-analysis) (items 5 to 9, 15, 16 and 19 omitted).

1. Date
2. Place
3. Race (name, stage)
4. Discipline
5. Surname of rider
First name
6. Licence number
7. Rider's race number
8. Country 9. Assistant
10. Presentation time
11. Time of sampling
12. Bottle codes
13. Time of rider's refusal
14. Remarks - Pharmaceutical drugs taken by rider
15. Subject to the comments below, I confirm that the sample was taken in accordance with the regulations
.....
Rider's signature
16. Assistant's signature
17. Examining doctor.....
(name) (signature)
18. Drug-Test Inspector
(name) (signature)
19. Signature of rider acknowledging receipt of his copy

(Annex 6)

INTERNATIONAL CYCLING UNION DRUG TEST

BOTTLE CONVEYANCE NOTE

On chemical self-copying (NCR) paper in triplicate:

- One copy for the Inspector, to be signed by the carrier
- One copy for the carrier, to be signed by the Inspector and the laboratory
- One copy for the laboratory, to be signed by the Inspector and the carrier.

All copies shall be sent to the National Federation to which the organiser is affiliated.

For the attention of the Laboratory

The appointed Inspector

(Name) sample A bottles
has entrusted sample B bottles

to Mr
for immediate conveyance to the following laboratory:

Name

Address

Country.....

by¹⁾

☐ post.....

☐ rail

☐ air

☐ other conveyance

Inspector's signature.....

Carrier's signature

For the laboratory

Samples received on (date)at: (time)

Head of laboratory

Name

Signature

¹⁾ Tick as appropriate

(Annex 7)

DRUG TEST

NO-SHOW REPORT

To be sent to the UCI with a copy to the rider's National Federation

I, the undersigned,
 appointed to officiate as Drug-Test Inspector at the event
 on in
 do hereby certify that:

Rider No., who was properly designated and informed by all the means placed at my disposal
 by the organiser, to undergo the drug-testing procedure, did not present at the designated testing
 point within the 30 minutes following his/her¹⁾ arrival at the finishing line or the prize-giving cere-
 mony¹⁾.

- Time of arrival at the finishing line
- End of the official ceremony
- Time when the rider's deadline was seen to have expired

Consequently, this No-Show Report was drawn up on him/her¹⁾

Made in, on

Signature of the Drug-Test Inspector

Reason for designation²⁾

- ☐ Position at the finish.....
- ☐ Drawn by lot.....
- ☐ Reserve.....

Means provided by the organiser for informing the rider²⁾

- ☐ Radio announcement to
- ☐ Posted at the finishing line
- ☐ Posted on the door of the test room
- ☐ Written summons handed to.....

Distance from the finishing line to the test point.....

Additional information on the rider

Surname.....

Given name.....

Nationality

Licence No.

Category.....

¹⁾ Delete as appropriate

²⁾ Tick as appropriate

(Annex 8)

INTERNATIONAL CYCLING UNION
DRUG TESTNOTICE TO A RIDER OF A POSITIVE RESULT
(Article 110 of the Antidoping Examination Regulations)

Name of race.....

Rider:

• Surname.....

• Licence No.

• National Federation.....

is hereby informed that s/he was found positive after the following stage:

Name of stage.....

Date of stage.....

or Name of Six-Day Race.....

Date of test.....

The analysis effected at the following laboratory:

Name of laboratory

Full address.....

.....
revealed the presence of:

Name of substance or method.....

.....
The rider has been interrogated. S/He has received an application form in duplicate for requesting the counter-analysis.

S/He is reminded that:

(1) The rider is entitled to request a counter-analysis.

(2) The request must be handed to the Inspector within 3 hours of receipt of this notification.

(3) Failure to comply with the above shall result in the automatic disqualification of the rider.

Made on:

Date.....Place.....Time.....

By -.....Inspector's name.....

Signature.....

Confirmed by.....

Rider's name.....

Rider's comments.....

.....
Name and address of rider's expert..........
Rider's signature

(Annex 9)

INTERNATIONAL CYCLING UNION
DRUG TEST

REQUEST FOR A COUNTER-ANALYSIS
(Article 111 of the Antidoping Examination Regulations)

(to be handed to the Drug-Test Inspector in duplicate **within 3 hours** of notification of the positive result)

Name of the race
The undersigned.....
Name.....
Licence number.....
National Federation.....
Function.....

Requests a counter-analysis with regard to the following positive drug-test result:

Name of rider
Name and date of stage for which the result was positive
.....
Date of drug test (for Six-Day Races)

Made on:
PlaceDateTime
Signature.....

Request received at:

Place.....
Date.....
Time

By:

Name.....
Signature.....

Copy of the request received by:

Name.....
Signature.....

(Annex 10)

INTERNATIONAL CYCLING UNION
DRUG TEST

NOTICE TO RIDER

Name of race/Championship (if applicable)
 The rider
 Name of rider
 Licence No.
 National Federation
 is required to attend the following medical check-point
 to
 undergo a drug-test ata.m. / p.m.

Should you fail to attend, you will be considered positive and subject to such disciplinary measures as provided in Chapter VIII of the Antidoping Examination Regulations.

This notice has been served:

Place
 Date
 Time

Signature acknowledging receipt:

The rider

and/or The Team Leader/Team Manager:

Name
 Signature

Drug-Test Inspector:

Name
 Signature

(Annex 11)

INTERNATIONAL CYCLING UNION
DRUG TEST

LIST OF MEDICATION USED

Name of race.....
Country.....Date of the race.....
Team/Club.....
The undersigned team/club doctor.....
Name and address.....

Certifies that, in the 72 hours before the start of the race, the following riders* have taken the following medication or have undergone the following treatment:

Rider	Medication or treatment (indicate dose and manufacturer)
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

Date.....
Signature.....

* N.B.— All the team/club riders participating in the race shall be listed; if applicable, indicate "none".

(Annex 12)

CODE OF SPORTS-RELATED ARBITRATION (CAS)
(available upon request)

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