

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 4862

EXPLANATORY NOTE

The use of performance enhancing drugs in sports has been a big concern not only of the Philippines but all international sports governing bodies. They have enacted measures to ensure that athletes stay clean and competition is fair.

However, there are still instances when athletes have been found to have used performance enhancing drugs or have taken banned substances whether knowingly or not.

This is why we need an organization that will work towards combating and preventing doping in all international and national-level sports; testing for prohibited substances and methods, and penalizing violations.

This will ensure the country's full participation in all international competitions.

In view of the foregoing, immediate approval of this measure is earnestly requested.


RUFUS B. RODRIGUEZ

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AN ACT

ESTABLISHING A NATIONAL ANTI-DOPING POLICY IN SPORTS IN COMPLIANCE WITH THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION, INTERNATIONAL CONVENTION AGAINST DOPING IN SPORTS, ESTABLISHING THE PHILIPPINE NATIONAL ANTI-DOPING ORGANIZATION, PROVIDING FOR ITS POWERS, FUNCTIONS AND MANAGEMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the “Anti-Doping in Sports Act.”

SEC. 2. Declaration of Policy. – Article II, Section 17 of the 1987 Constitution provides that the State shall give priority to sports “to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.”

Further, Article XIV, Section 19 (1) provides that “the State shall promote physical education, sports programs and competition alongside training for international competitions to foster self-discipline, teamwork and excellence for the attainment of a healthy and alert citizenry.” To this end, the State shall promote and support the eradication of doping in sport in the country.

The State shall comply with its obligations under the United Nations Educational, Scientific and Cultural Organization International Convention Against Doping in Sport, which aims to formalize global anti-doping rules, policies and guidelines in order to provide an honest and equitable playing environment for all athletes and promote the health of athletes globally.

The State shall adopt the general principles of legitimacy confidentiality, ensuring rights and freedoms, mandatory nature of doping control, and maintenance of fair games in doping control in sport.

SEC. 3. Definitions. – As used in this Act, the following terms are defined as follows:

- a. *Accredited laboratory* refers to a laboratory approved by the WADA to test samples for the presence of prohibited substances in accordance with International Standards;
- b. *Adverse analytical finding* refers to a report from an accredited laboratory that identifies in a sample, the presence of a prohibited substance or its metabolism or markers or evidence of the use of a prohibited method;
- c. *Administration means* providing, supplying, supervising, facilitating, or otherwise participating in the use or attempted use by another person of a prohibited substance or prohibited method, *Provided that it shall not include the actions.*
 - i. *of bona fide medical personnel involving a prohibited substance or prohibited method used for genuine and legal therapeutic purposes or other acceptable justification: and*

- ii. involving a prohibited substance which is not prohibited in out-of-competition testing unless the circumstances as a whole demonstrate that such a prohibited substance is not intended for genuine and legal therapeutic purposes or is intended to enhance sport performance ;
- d. Anti-doping refers to the prevention or control of doping ;
- e. Anti-doping organization refers to a signatory to the Code that is responsible for adopting rules for initiating implementing or enforcing any part of the doping control process, and includes –
 - i. The International Olympic Committee;
 - ii. The International Paralympic;
 - iii. The WADA;
 - iv. An international sporting federation;
 - v. A major event organization that conducts testing at its events;
 - vi. The PH-NADO; and
 - vii. Any other National Anti-Doping Organization.
- f. Anti-doping rules refers to regulations on anti-doping, including but not limited regulations under this Act, Code, the Convention, and their amendments;
- g. Athlete refers to:
 - i. Any person who participates in a sport-
 - 1. As an international-level athlete;
 - 2. As a national-level athlete,

Including but not limited to any person in the Registered Testing Pool who is otherwise subject to the jurisdiction if this Act
 - ii. For purposes of information and education, any person referred to in paragraph (i) and any other competitor in sports;
- h. Athlete Support Personnel refers to any of the following –
 - i. Parent or guardian of an athlete who is a minor;
 - ii. Medical practitioner or paramedical personnel;
 - iii. Coach, trainer, manager, official, agent, or team staff;
 - iv. Any other person working with or treating or assisting an athlete Participating in or preparing for sports competition.
- i. Code refers to the World Anti-Doping Code adopted by the WADA, and includes any amendments to the Code adopted by WADA, from time to time;
- j. Competition or Sporting Competition refers to a sporting activity consisting of a single race, match, game or athletic contest;
- k. Complicity refers to assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of international act or omission involving an anti-doping rule violation or violation of Article 10.12.1 of the Code by another person;
- l. Convention refers to the United Nations Educational Scientific and Cultural Organization Convention Against Doping in Sport adopted by the 33rd session of the United Nations Educational Scientific and Cultural Organization General Conference on 19th October, 2005, including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport;
- m. Doping refers to the use of prohibited substances and methods in any sporting activity in order to artificially enhance performance;
- n. Doping Control refers to all the steps and processes from test distribution planning, through ultimate disposition of any appeal including all steps and processes in between, such as provisions of whereabouts information, sample collect and handling, results management and hearings;
- o. Event refers to a series of individual competitions conducted together under one international sporting federation or national sporting organization or ruling body;
- p. In competition refers to the period commencing twelve hours before a competition in which the athlete is scheduled to participate through the end of such

- competition and the sample collection process related to such competition, unless provided otherwise in the rules of an international federation or the body in charge of an event;
- q. *International-level athlete* refers to an athlete who competes in sport at the international level, as defined by each international federation, consistent with the International Standard for Testing and Investigations;
 - r. *International Standard* refers to a standard adopted by the WADA in support of the Code and includes any technical documents issued pursuant to the International Standard;
 - s. *National Anti-Doping Organization* refers to the entity designated by each country as possessing the primary authority and responsibility to adopt and implement Anti-Doping Rules, direct the collection of samples, the management of test results, and the conduct of hearings at the national level and where this designation has not been made by the competent public authorities, the entity shall be the country's National Olympic Committee or its designee;
 - t. *National-Level Athlete* refers to athletes who compete in sport at the national level, as defined by each national anti-doping organization, consistent with the International Standard for Testing and Investigations. In the Philippines, national-level athletes are defined as any athletes who:
 - i. participate in the national leagues, events or competitions organized by their NSA or by any sports organizations or club;
 - ii. are affiliated to a federation, national league, sports organization or club; or
 - iii. participate to competition of events organized by schools, colleges, other institutions, and other intercollegiate events;
 - iv. participate in professional sports.
 - u. *National Sports Association (NSA)* includes an umbrella body responsible for Olympic, non-Olympic, or Paralympic sports or multi-sport organization responsible for all sports disciplines or body responsible for a particular sport nationally and it may be affiliated to an international federation or not ;
 - v. *Out-of-Competition* refers to any period when not in competition;
 - w. *Possession* refers to the actual and physical possession, or the constructive possession, *Provided*, that:
 - i. if the person does not have exclusive control over the prohibited substance or prohibited method or the premises in which a prohibited substance or prohibited method exists, constructive possession shall only be found if the person knew about the presence of the prohibited substance or prohibited method and intended to exercise control over it; and
 - ii. there shall be no Anti-Doping Rule violation based solely on possession if, prior to receiving notification of any kind that the person has committed an Anti-Doping Rule violation, the person has taken concrete action demonstrating that the person never intended to have possession and has renounced possession by explicitly declaring it to an Anti-Doping Organization;
 - iii. the purchase of a prohibited substance or prohibited method constitutes possession by the person who makes the purchase.
 - x. *Prohibited List* refers to the list developed by the WADA for purposes of identifying the prohibited substances and prohibited methods;
 - y. *Prohibited Method* refers to any method so described on the prohibited list;
 - z. *Prohibited Substance* refers to any substance, or class of substances, so described on the Prohibited List;
 - aa. *Registered Testing Pool* refers to the pool of highest-priority athletes established separately at the international level by International Federations and at the national level by National Anti-Doping Organizations, who are subject to focused

In-Competition and Out-of-Competition Testing as part of that International Federation's or National Anti-Doping Organization's test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.6 of the World Anti-Doping Code and the International Standard for Testing and Investigations;

bb. *Sample* refers to any biological material collected for the purposes of doping control;

cc. *Tampering* refers to 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;

dd. *Testing* refers to the parts of the doping control process involving test distribution planning, sample collection, sample handling, and sample transport to the laboratory;

ee. *Therapeutic Use Exemption* refers to an exemption to use a prohibited substance or prohibited method and which is obtained in a manner as described in Appendix 1 and Article 4.4 of the Code;

ff. *Trafficking* refers to selling, giving, transporting, sending, delivering or distributing, or possessing for any such purpose, a prohibited substance or prohibited method (either physically or by any electronic or other refers to) by an athlete, athlete support person or any other person subject to the jurisdiction of an anti-doping organization; Provided, however,, this definition shall not include the actions of "bona fide" medical personnel involving a prohibited substance used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving prohibited substances which are not prohibited in out-of-competition testing unless the circumstances as a whole demonstrate such purposes or are intended to enhance sport performance;

gg. *Use* refers to the utilization, application, ingestion, injection or consumption by any means of any prohibited substance or prohibited method; and

hh. *World Anti-Doping Agency or WADA* refers to a sports body set up for the purposes of coordinating anti-doping activities worldwide.

SEC. 4. Coverage. – This Act shall apply for:

1. Philippine National Anti-Doping Organization;
2. International-level and National Level Athletes; and
3. Athlete Support Personnel; and
4. NSAs sports organizations, sports associations, and sports clubs.

SEC. 5. Establishment of the Philippine National Anti-Doping Organization (PH-NADO). – The Philippine National Anti-Doping Organization, herein referred to as PH-NADO, is hereby established as an attached agency to the Philippine Sports Commission, to be the only organization permitted to carry-out anti-doping activities in the Philippines and its authority shall be recognized by all national sports associations, athletes, and athlete support personnel in the country.

SEC. 6. Duties and Functions of the Philippine National Anti-Doping Organization (PH-NADO). – The PH-NADO shall exercise the following duties as are necessary to facilitate the control and prevention of doping in sports, including:

- a. Promote participation in sport, free from doping in order to protect the health and well-being of competitors and the rights of all persons who take part in sport;
- b. Prepare and implement PH-NADO's anti-doping rules for the purposes of:
 - i. Setting out the procedure for adopting testing methods, establishment of Registered Testing Pools, sample collection,

- accreditation of testing laboratories, standards to be maintained by testing laboratories based on the Code of International Standards for testing Laboratories;
- ii. Procedure to be followed in the analysis of samples, results management;
 - iii. Specifying anti-doping rules applicable and consequences of anti-doping rule violation;
 - iv. Specifying anti-doping control activities;
 - v. Specifying the procedures applicable in relation to Negative Analytical findings and Adverse Analytical findings and principles governing provisional suspension of an athlete;
 - vi. Specifying matters connected within the granting of TUE;
 - vii. Specifying the Philippine Code of Standards for the testing of samples based on the Code of International Standards for testing of samples;
 - viii. Procedure for re-entry of a banned athlete;
 - ix. Procedure for the providing access to independent observers;
 - x. Procedure in relation to in competition testing and out of competition testing of athletes;
- c. create awareness in order to discourage the practice of doping in sport among the public and the sporting community in particular.
 - d. develop a national strategy to address doping in sport in collaboration with the Philippine Sports Commission and other concerned agencies;
 - e. implement the Code and associated International Standards;
 - f. periodically publish International Standards;
 - g. use WADA accredited laboratories for analysis of samples and other required specimen
 - h. implement anti-doping activities in the country including the testing of collected samples in all sports, sport associations, sport organizations, and sport clubs;
 - i. undertake coordinate or arrange for research to be undertaken in the field of performance-enhancing substances and methods and doping practices in sport;
 - j. promote and implement the application of various guidelines and international standards in matters related to anti-doping;
 - k. oversee the processes of the Committee and Panel;
 - l. carry out investigations in matters of doping in sports;
 - m. provide information to athletes, athlete support personnel and on the procedures for, and developments concerning the collection and testing of sample in accordance with the Code and any standards developed by WADA;
 - n. implement the Prohibited List as published by the WADA from time to time;
 - o. select athletes who are to be requested to provide samples for testing when necessary;
 - p. collect samples from athletes in accordance with approved guidelines and International Standards and secure the safe transit of samples to laboratories accredited by WADA for testing;
 - q. summon, investigate and call for any document, evidence or person that may be required for the enforcement of the Act;
 - r. co-operate with state agencies, non-governmental organizations and other persons within the Philippines and internationally to achieve the PH-NADA's mandate;
 - s. take steps aimed at ensuring that the Government and the Philippine Olympic Committee complies with international agreements and other

- arrangements to which the Philippines is a party concerning the use of drugs and doping in sport;
- t. maintain data of all prohibited substances in accordance with the directions of the WADA;
 - u. maintain the Whereabouts Register and a Registered Testing Pool in accordance with the Code;
 - v. prosecute anti-doping offenses;
 - w. promote anti-doping education;
 - x. undertake result management in accordance with the PH-NADO's rules and the Code;
 - y. oversee all activities of the Therapeutic Use Exemption Committee;
 - z. generally taking all steps necessary or desirable to achieve the purposes of this Act;

In the performance of its functions, the PH-NADO shall address the needs of minors, take into account the needs of person with disabilities or other person with special needs, and ensure that the rights of everyone involved in the doping control procedures are respected.

Pursuant to the Code and the Convention, the PH-NADO, and its Disciplinary Panel and Therapeutic Use Committee shall:

- a. not require the consent of any person or authority to commence any investigations or impose any administrative sanctions; and
- b. not be under the direction or control of any person or authority in the exercise of their powers under this Act or any other written law.

SEC. 7. The PH-NADO Board (Board). – The Board shall be composed of the following:

- a. Chairperson of the Philippine Sports Commission (PSC) as Chairperson;
- b. Secretary of Department of Health (DOH);
- c. Secretary of Department of Education (DepEd);
- d. Chairperson of Commission on Higher Education (CHED);
- e. President of the Games and Amusement Board (GAB);
- f. Chairperson of President of the Philippine Olympic Committee (POC);
- g. Three (3) representatives distinguished in the field of law, sports medicine and sports science.

The members of the Board from the government may designate their permanent authorized representatives.

Within 30 (30) days from the effectivity , the members of the Board from the private sector shall be appointed by the President of the Philippines from a list of three nominees submitted by the other members of the Board. To ensure their independence, members of the private sector should not be appointed if that person:

- a. Is a member of or an official of a NSA;
- b. Is employed by or is associated with any person who supplies goods or services to the PH-NADO or whose spouse or family member is so employed or associated, or
- c. Is an athlete, athlete support personnel or an official of a sports organizations, sports club or sports federation.

Members representing the private sector of the Board shall service for a term of three (3) years. In case a vacancy occurs in the Board, any person chosen to fill the position vacated.

Upon the expiry of the terms of office, if a qualified member has yet to be appointed, the qualified member whose term of office has expired shall remain in office to continue to perform his or her duties until a new member assumes his or her duties.

SEC. 8. Duties and Functions of the Philippine National Anti-Doping Board. – The Board shall have the powers necessary for the proper performance of the functions of the PH-NADO under this Act, including:

- a. control, supervise and administer the assets of the PH-NADO in such manner as best promotes the purpose for which the PH-NADO is established;
- b. determine the provisions to be made for capital and recurrent expenditure and for the reserves of the PH-NADO;
- c. receive any grants, gifts, donations or endowments and make legitimate disbursements therefrom;
- d. open such banking accounts for the funds of the PH-NADO as may be necessary;
- e. invest any of the funds of the PH-NADO not immediately required for its purposes;
- f. lay down policy guidelines for operations and management of all funds collected by the PH-NADO ; and
- g. enter into associations with other bodies or organizations within and outside Philippines as the PH-NADO may consider desirable or appropriate in furtherance of the purpose for which the PH-NADO is established; and
- h. perform all such other acts or undertake any activity as may be incidental or conducive to the attainment or fulfilment of any of the functions of the PH-NADO under this Act.

The PH-NADO shall have a Director who shall be appointed by the Board, who shall have the power and duties to manage the affairs of the Office so that they may comply with the powers and duties of the office, and with the Rules, Regulations and policy prescribed by the Board

The PH-NADO may appoint such officers and members of staff upon such terms and conditions of service as it may consider necessary for the proper performance of its functions. A person shall be qualified to be employed by the PH-NADO if such person was not a member or official of a national sports body for the two (2) years immediately preceding the appointment.

SEC. 9. Therapeutic Use Exemption Committee (TUEC or Committee). – There shall be created a Therapeutic Use Exemption Committee, which shall consist of:

- a. Chairperson who is a doctor with seven (7) years experience;
- b. A medical doctor of not less than five (5) years experience in matters relating to sports;
- c. A clinical pharmacist of not less than five (5) years experience in matters relating to sports;
- d. An international level athlete who has since retired; and
- e. A sports administrator who shall have retired at least two (2) years prior to the appointment.

The Chairperson and members appointed under this section shall hold office for a term of three (3) years and shall be eligible for reappointment for one further term. The quorum for the conduct of the business of the Committee shall be three members of whom at least two, shall be doctors.

SEC. 10. Duties of the TUEC. – The TUEC shall exercise the following duties:

- a. receive, review, reject and approve applications for the grant therapeutic use exemption by athletes who compete at the national level;
- b. receive, review, reject, and approve applications for the grant of therapeutic use exemption by athletes who compete at the international level, if requested to do so by an international federation;
- c. review therapeutic use exemptions issued by an international federation for compliance with the International Standard for Therapeutic Use Exemptions;

- d. refer to the WADA any therapeutic use exemption issued by an international federation which in its view does not meet the requirements of the International Standards for Therapeutic Use Exemption;
 - e. notify the Board of its decision to grant therapeutic use exemption; and
 - f. perform any other functions that are conferred or imposed on it by this Act.
- The TUEC shall be guided by the following in the performance of their work:
- a. the Convention;
 - b. the Code;
 - c. International Guidelines on Therapeutic Use Exemption;
 - d. the Prohibited list;
 - e. the provisions of this Act; and
 - f. the PH-NADO's Anti-Doping Rules.

SEC. 11. Therapeutic Use Exemption (TUE). – An athlete, other than an international-level athlete, with a medical condition requiring the use of a prohibited substance or prohibited method, may, in accordance with the provisions of this Act and the Anti-Doping Rules, apply to the Committee for a therapeutic use exemption.

An international-level athlete, or an athlete who participates in an international event, with a medical condition requiring the use of a prohibited substance or prohibited method, may, in accordance with the International Standard for Therapeutic Use Exemptions, apply no later, except in emergency situations, than:

- a. thirty days before his participation in an international event; or
- b. such other period as may be provided for in the anti-doping rules of the relevant International Federation, to the relevant International Federation for an exemption and provide the Committee with a copy of the application prior to the international event.

An application for therapeutic use exemption shall be made:

- a. immediately after the athlete becomes aware that the use of a prohibited substance or prohibited method is required; and
- b. subject to any circumstance of emergency, no later than thirty days prior to the participation of the athlete in any competition or event.

Regulation may be made prescribing any other matters, procedures or documents which may be required for the consideration and grant of a TUE.

SEC. 12. Accredited Laboratories. – A sample taken from an athlete shall be analyzed at an accredited laboratory to detect prohibited substances and prohibited methods. A sample shall not be analyzed for a purpose other than that referred to under subsection (1) unless;

- a. the athlete consents in writing; and
- b. any means of identification is removed to ensure that the sample cannot be traced back to the athlete.

The results of all tests shall be submitted to the PH-NADO.

SEC. 13. Disciplinary Panel. – There shall be created a Disciplinary Panel (Panel), which shall consist of:

- a. an officer of the PSC designated by its Chairperson, who shall be the Chairman;
- b. two (2) persons from among lawyers who have more than five (5) years experience in court appearances, who shall both Vice Chairmen;
- c. two (2) persons from among medical practitioners who have more than five (5) years experience in the field of sports medicine;
- d. two (2) persons who shall be persons who have had previous experience in sports administration.

The Chairperson and members appointed under this section shall hold office for a term of three (3) years and shall be eligible for reappointment for one further term. The quorum for the conduct of the business of the Panel shall be three members of whom at least two, shall be doctors.

SEC. 14. Duties and Jurisdiction of the Disciplinary Panel (Panel). – The Panel shall exercise the following duties:

- a. Receive, examine, and hear Anti-Doping Rules violation;
- b. Conduct disciplinary hearing related to Anti-Doping Rules violations;
- c. Determine whether a violation of the Anti-Doping Rules has occurred;
- d. Impose sanctions and penalties of Anti-Doping Rules violations;
- e. Perform any other functions that are conferred or imposed on the DP by this Act.

The Panel shall be guided by the following in the performance of their work:

- a. the Convention;
- b. the Code;
- c. International Guidelines on Therapeutic Use Exemption;
- d. the Prohibited List;
- e. the provisions of this Act; and
- f. the PH-NADO's Anti-Doping Rules

Anti-Doping Rules violations involving national level athletes, athlete support personnel, NSA's and sports organizations, shall be resolved by the Panel both at the first instance and at appeal.

Except as otherwise provided for under the Code on Therapeutic Use Exemptions, disputes involving International level athletes shall be resolved by the Panel at the first instance with an appeal to Court of Arbitration for Sport as provided for in the Code.

In all disputes, there shall be a right of appeal within thirty (30) working days from the date of communication of the Panel's decision by the violator, the PH-NADO, the PH-NADO of the person's country of residence, WADA, International Paralympic Committee International Sports Federation, the International Olympic Committee and any other international sports body.

No final decision by the Disciplinary Panel shall be quashed, reversed, modified, or held invalid, by any court, arbitrator, tribunal or other hearing body other than Court of Arbitration for Sport for any reason, including for reason of any defect, irregularity, omission or departure from the procedures set out in this Act.

SEC. 15. Conformity to Anti-Doping Rules. – Each NSA, sports association, sports organization, sports club, and sports federation shall require all athletes and each athlete support personnel to agree to be bound by all Anti-Doping Rules and the PH-NADO's results management authority in conformity with the Code as a condition for such participation.

An athlete or an athlete support personnel who is not a minor shall be required to sign a declaration of the Anti-Doping Rules and submit the same to the PH-NADO. In the case of a minor, the parent/s or guardian shall sign such acceptance and submit the acceptance to the PH-NADO.

SEC. 16 Registered Testing Pool. – The PH-NADO shall establish a Registered Testing Pool. The PH-NADO shall, in accordance with the Anti-Doping Rules, publish criteria for the inclusion of the name of an athlete in its Registered Testing Pool. The PH-NADO shall notify an athlete, in writing, of the inclusion of his or her name in its Registered Testing Pool.

SEC. 17. Duties and Responsibilities of Athletes, Athlete Support Personnel; and NSAs, sports organizations, sports associations, and sports clubs. – The Athletes, Athlete Support Personnel, and NSAs sports organizations, sports associations, and sports clubs shall:

- a. respect PH-NADO's TUC's, Disciplinary Panel's autonomy and not to interfere with its operational decisions or activities;
- b. require clubs and other similar bodies under its authority to report to PH-NADO any information related to an anti-doping rule violation and to cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct the investigation

- c. cooperate with the operation of an investigation, including establishment of a doping test rooms at an Event sponsored by it or subordinated bodies.
- d. take appropriate information delivery and implement support measures towards Athletes who are part of the PH-NADO's Registered Testing Pool such as ensuring them to submit whereabouts filing in the Registered Testing Pool.
- e. report to PH-NADO, and to ensure the appropriate enforcement of Sanctions, Penalties and other consequences of, all potential anti-doping rule violations within its jurisdiction including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping, as well as to implement automatic investigation into anti-doping rule violations related to a minor.
- f. Comply with anti-doping rules.

Lack of knowledge about anti-doping regulations and the substances and methods, which have been included on the Prohibited List shall not be considered as a release from the responsibility.

NSAs shall obey the provisions of this Act and PH-NADO rules in case of adoption of sanctions against athlete or athlete support personnel. Non-execution of obligations stipulated herein by the NSA shall be considered as violation.

SEC. 18. Anti-Doping Rule Violation. – The following acts committed by athletes, athlete support personnel, sports federations, or sports organizations are considered anti-doping violations:

- a. the presence of a prohibited substance or its metabolites or markers in an athlete's bodily specimen;
- b. the use or attempted us of a prohibited substance or method;
- c. the refusal or failure, without compelling justification, to submit to sample collection after notification as authorized in terms of applicable anti-doping rules or otherwise evading sample collection ;
- d. the violation of applicable requirements regarding athlete availability for out of competition testing, including failure to provide required whereabouts information and missed tests which are declared based on reasonable rules;
- e. the tampering, or attempting to tamper, with any part of doping control;
- f. the possession of prohibited substances and methods;
- g. the trafficking in any prohibited substance or method; and
- h. the administration or attempted administration of a prohibited substance or method to any athlete, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any attempted violation;
- i. violation of any provision of this Act, PH-NADO Anti-Doping Rules, the Code, and Convention, and their amendments.

SEC. 19. Administrative Sanctions and Penalties. – Where any athlete, athlete support personnel, NSA, sports association/organization/club has been found to have committed anti-doping violations, be may be punished in terms of the applicable provisions of the Code and the PH-NADO Rules, including but not limited to:

- a. **Disqualification:** the results in a particular competition or event are invalidated, with all resulting consequences including forfeiture of my medals, points and prizes;
- b. **Ineligibility:** barred for a specified period of time (temporary or perpetual) from participating in any competition or other activity, withholding of financial support and access to sporting facilities; and
- c. **Provisional suspension:** barred temporarily from participating in any competition prior to a final decision;

d. **Fine:** imposition of a fine of not less than ONE HUNDRED THOUSAND PESOS (P100,000.00) but not more than ONE MILLION PESOS (P1,000,000.00).

Where a medical professional is found to be in complicity with Anti-Doping violations, the DP shall endorse the violation to the Professional Regulatory Commission (PRC), who shall also impose, depending on the gravity of the violation, the penalty of suspension or revocation of his professional license.

SEC. 20. Integration of Anti-Doping Policy into the Educational System. – The State shall ensure the integration of age-appropriate content pertaining to anti-doping into the physical education curriculum at all educational levels, both in public and private institutions.

SEC. 21. Appropriation. – The amount needed for the initial implementation of this Act shall be charged against the current year's appropriations of the PSC for the maintenance and other operating expenses of the PH-NADO. Thereafter, the required budget as recommended by the PH-NADO Board for the continued implementation of this Act shall be submitted to DBM for inclusion in the General Appropriation Act.

SEC. 22. Implementation Rules and Regulations. – The PH-NDO, in consultation with PSC, CHED, DepEd, DOH, PRC, Games and Amusement Board, NSAs, Philippine Olympic Committee, and with the participation of representative from sports organizations and clubs with proven track records of involvement and promotion of the rights and welfare of athletes, shall issue the Implementing Rules and Regulations of this Act within thirty (30) days from its effectivity.

SEC. 23. Transitory Clause. – All property, assets, rights, liabilities, obligations, agreements, conveyances, deeds, leases, licenses, permits, exemptions, power of attorney, undertakings, securities and other arrangements existing at the commencement of this Act and vested in, acquired, incurred or entered into by or on behalf of the former PH-NADO under the PSC, shall upon the commencement of this Act, be deemed to have vested in or to have been acquired, incurred or entered into by or on behalf of the PH-NADO established under this Act to the same extent as they were enforceable by or against the former PH-NADO before the commencement of this Act.

A person who, immediately before the commencement of this Act, was an employee of former PH-NADO shall, on the commencement of this Act, be deemed to be an employee of the PH-NADO established under this Act.

SEC. 24. Separability Clause. – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

SEC. 25. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

SEC. 26. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,