

**THE GAZETTE OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of September 06, 2013

SUPPLEMENT

(Issued on 09. 09. 2013)



CONVENTION AGAINST DOPING IN SPORT

A

BILL

to give effect to the International Convention Against Doping in Sport ; to make provision for the Implementation in Sri Lanka of the said Convention by the establishment of the Sri Lanka Anti Doping Agency and for Specifying the applicable Domestic Legal Mechanism to Combat Doping in Sport with in the framework of the aforesaid Convention ; and to provide for matters connected therewith or incidental thereto.

Ordered to be published by the Minister of Sports

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Convention against Doping in Sport

L.D.—O. 17/2011.

AN ACT TO GIVE EFFECT TO THE INTERNATIONAL CONVENTION AGAINST DOPING IN SPORT ; TO MAKE PROVISION FOR THE IMPLEMENTATION IN SRI LANKA OF THE SAID CONVENTION BY THE ESTABLISHMENT OF THE SRI LANKA ANTI DOPING AGENCY AND FOR SPECIFYING THE APPLICABLE DOMESTIC LEGAL MECHANISM TO COMBAT DOPING IN SPORT WITHIN THE FRAMEWORK OF THE AFORESAID CONVENTION ; AND TO PROVIDE FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

WHEREAS an International Convention Against Doping In Sport (hereinafter referred to as “the Convention”) was adopted on the Nineteenth day of October, Two Thousand and Five in Paris, at the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO): Preamble.

AND WHEREAS the Government of Sri Lanka acceded to the aforesaid Convention on the Twenty-Fourth day of February, Two Thousand and Eleven and the Instrument of Accession was deposited with the Director-General on the Ninth day of March, Two Thousand and Eleven :

AND WHEREAS the aforesaid Convention entered into force in respect of Sri Lanka on the First day of May, Two Thousand and Eleven :

AND WHEREAS it is necessary for the Government of Sri Lanka to enact domestic legislation to give effect to Sri Lanka’s obligations under the aforesaid Convention :

NOW THEREFORE BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :—

1. This Act may be cited as the Convention against Doping in Sport Act, No. of 2013. Short title.

2—PL 007529—425 (08/2013)

2. The provisions of this Act shall apply in respect of:— Persons to whom the Act applies.
- (a) all person who are members of any National Association of Sports, established in terms of the Sports Law, No. 25 of 1973 ;
 - 5 (b) any person or body of persons being an affiliated member, club, team, association or league of any National Association ;
 - (c) every person who participates in any sports activity organized, held, convened or authorized by any
10 National Association of Sports or by any person or body of persons ;
 - (d) every person connected with the training of “an athlete” at any level including any member of his entourage ;
 - 15 (e) every participant (including minors) at a sports event, being held in Sri Lanka or abroad.

PART I

OFFENCES

3. (1) Any person who— Offences.
- 20 (a) induces, supplies, administers any prohibited substance or uses or applies any prohibited method which are prescribed by regulations made under this Act on an athlete ;
 - 25 (b) induces or introduces its metabolites or its markers in any athlete’s sample ;
 - (c) uses or applies any prohibited substance or prohibited method on any animal used in sport ;
 - 30 (d) engages in sports has in one’s possession, any prohibited substance or prohibited method with the intention of committing an offence under this Act ;

- (e) trafficks in any prohibited substance or uses on an athlete any prohibited substance or any prohibited method in sport,

shall be guilty of an offence under this Act.

5 ‘trafficking’ means—

(i) to sell, give, procure, transport, send, deliver or distribute ; or

(ii) to offer to do anything mentioned in paragraph (i),

10 (2) Any person who—

(a) attempts to commit ;

(b) aids and abets the commission of ; or

(c) conspires with another person or a group of persons in the commission of ,

15 an offence within the meaning of subsection (1), shall be guilty of an offence under this Act.

In this subsection—

“aid or abet” has the same meaning as in section 100 of the Penal Code.

20 “conspires” has the same meaning as in section 113A of the Penal Code.

(3) A person guilty of an offence under subsection (1) or subsection (2) of this section, shall on conviction on indictment by the High Court, be punished with imprisonment for a term not exceeding two years, and also be liable to a fine not less than rupees five hundred thousand and not more

25

than rupees one million and may impose a prohibition for a certain number of years on his activities where the person convicted is a member of the athlete's entourage.

5 **4.** (1) The High Court of Sri Lanka holden in Colombo or the High Court of the Province established under Article 154p of the Constitution for the Western Province, holden in Colombo, shall, notwithstanding anything to the contrary in any other law, have exclusive jurisdiction to try offences under this Act.

High Court
to try
offences
under this
Act.

10 (2) Where an act constituting an offence under this Act is committed outside Sri Lanka, the High Court referred to in subsection (1) shall have jurisdiction to try such offence as if it were committed within Sri Lanka, if—

15 (a) the person who committed such act is present in Sri Lanka ;

 (b) such act is committed by a citizen of Sri Lanka ;

 (c) such act is committed on board an aircraft which is operated by the Government of Sri Lanka ; and

20 (d) the person in relation to whom the offence is alleged to have been committed is a citizen of Sri Lanka.

PART II

THERAPEUTIC USE EXEMPTIONS

25 **5.** (1) A Therapeutic Use Exception (hereinafter referred to as a "TUE") may be granted to an athlete, permitting the use of a prohibited substance or prohibited method by the athlete when participating at any sports event by the Sri Lanka Anti-Doping Agency established under section 10.

Therapeutic
use
Exemptions.

(2) An athlete who requires to avail himself of the said TUE shall make an application not less than thirty days

prior to the date on which the approval is required in the form prescribed by regulations to the Sri Lanka Anti-Doping Agency requesting the grant of a TUE. The athlete should forward all supporting medical evidence and documents to the Agency along with such application.

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

6. (1) The Sri Lanka Anti Doping Agency shall on receipt of an application for the grant of a TUE made by an athlete in terms of section 5, submit such application for review by the “Therapeutic Use Exemption Committee” (hereinafter referred to as “the TUE Committee”), which shall be established and appointed by such Agency for such purpose.

Procedure
for the grant
of a TUE.

(2) The TUE Committee should comprise of not less than three members who shall be persons, having experience in clinical, sports and exercise medicine. The members should at the point of being appointed, disclose any conflict of interest which may exist. The Sri Lanka Anti-Doping Agency shall thereupon take steps to appoint another person in place of such member.

(3) The TUE Committee shall recommend the grant of a TUE to the Sri Lanka Anti-Doping Agency, only if,—

- (a) the athlete making the application would experience a severe impairment to health, if the prohibited substance or prohibited method were to be withheld in the process of treatment of an acute or chronic medical condition ;
- (b) it is established to the satisfaction of the Committee, by the athlete, that the use of the prohibited substance or prohibited method would produce no additional enhancement of performance other than

that which might be expected by the return of by the athlete to a state of normal health following the treatment for a legitimate medical condition :

5 Provided that the use of any prohibited substance or prohibited method to increase “low normal” levels of any endogenous hormone is not considered an acceptable therapeutic intervention ;

10 (c) there is no reasonable therapeutic alternative for the athlete in the circumstances, other than the use of the prohibited substance or prohibited method ; and

15 (d) the necessity for the use of the otherwise prohibited substance or prohibited method, should in no event be a consequence, wholly or in part, of the prior use, without having obtained a TUE, of a substance or method which was at the time of use prohibited.

20 (4) In arriving at its decision, the Committee shall be guided by the provisions in the International Standard for Therapeutic Use Exemptions of the World Anti Doping Agency (hereinafter referred to as “WADA”) as are embodied in the document titled “Medical information to Support the Decisions of Therapeutic Use Exemption Committees” and the arguments related to the diagnosis and treatment as well as the duration of the validity of TUE’s.

25 (5) Having considered the evidence and documents in support of the TUE, the TUE Committee shall forward to the Sri Lanka Anti-Doping Agency its recommendation, either recommending the grant of, or refusing the grant of, the requested TUE. The TUE Committee shall set out in such
30 recommendation, the reasons for its decision.

7. (1) The Sri Lanka Anti-Doping Agency shall on receipt of the recommendation forwarded to it by the Committee, grant approval and issue TUE or reject the application with reasons assigned. Issue of TUE.

(2) The TUE shall set out clearly the prohibited substance or prohibited method in respect of which the TUE is granted and the period for which such exemption is so granted, along with any other conditions.

5 8. A TUE granted in accordance with the provisions of this Part of the Act, shall be cancelled if.—

10 (a) the athlete to whom the TUE is granted, does not promptly comply with any requirements or conditions subject to which the TUE has been granted by the Sri Lanka Anti-Doping Agency ;

(b) the period for which the TUE was granted has expired ; and

(c) the decision of the Sri Lanka Anti Doping Agency is reversed by the World Anti-Doping Agency.

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| 15 | <p>9. If at the end of the period for which the TUE has been granted, an athlete is still required to use the prohibited substance or method for which the TUE was granted, then a further application may be made in the manner set out above.</p> | <p>Extension of period of applicability of TUE.</p> |
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20 PART III

ESTABLISHMENT OF THE SRI LANKA ANTI DOPING AGENCY

10. (1) There shall be established, in accordance with the provisions of this Act, an Agency which shall be called the Sri Lanka Anti Doping Agency (hereinafter referred to as “the Agency”).

(2) The Agency shall, by the name assigned to it by subsection (1), be a body corporate with perpetual succession and a common seal and may sue and be sued in such name.

- 11.** The objectives of the Agency shall be to— Objectives
of the
Agency.
- (a) take such measures as are required for eradicating doping in sport ;
 - (b) promote research into the area of doping in relation to sports and reciprocal testing between the Agency and other International Organizations carrying out similar functions.
- 12.** The Agency shall have such powers as may be necessary for the implementation of its objectives and the discharge of the duties and functions assigned to it, and in particular shall have the power to do all or any of the following :— Powers,
duties and
functions of
the Agency.
- (a) to plan, co-ordinate, implement and monitor anti-doping activities ;
 - (b) to take measures against anti-doping violations ;
 - (c) to acquire (whether by sale, gift or otherwise), hold, take or give on lease or hire, mortgage, pledge and sell or otherwise dispose of, any movable or immovable property ;
 - (d) to open and maintain current and savings accounts in any bank ;
 - (e) to accept grants or donations from persons or bodies of persons, whether in or outside Sri Lanka ;
 - (f) to enter into or perform, all such contracts as may be necessary for the exercise of its powers or the discharge of its functions ;
 - (g) to invest any money belonging to the Agency ;

- (h) to borrow such sums of money as may be necessary for the purpose of discharging its functions ;
- (i) to appoint, employ, remunerate and exercise disciplinary control over, and dismiss such officers and servants as are necessary for the discharge of the functions of the Agency under this Act ;
- (j) to charge fees for the services and assistance provided by the Agency ; and
- (k) to do all such other things which in the opinion of the Agency are necessary to facilitate the discharge of its functions.

13. (1) The administration, management and control of the affairs of the Agency shall be vested in a Board of Governors (hereinafter referred to as the “Board”).

Administration of the Agency to be vested in the Board.

- (2) The Board shall, for the purpose of administering the affairs of the Agency exercise, perform and discharge the powers, duties and functions conferred or imposed on or assigned to the Agency by this Act.

14. (1) The Board shall consist of the following :—

Constitution of the Board.

- (a) ex-officio members, namely—
 - (i) an officer not below the rank of Senior Assistant Secretary nominated by the Secretary to the Ministry of the Minister to whom the subject of Sports is assigned ;
 - (ii) the Director-General of Sports Development ;
 - (iii) the Director-General of the National Institute of Sports Medicine ;
 - (iv) the Director of the National Institute of Sports Science ; and

- (b) six members appointed by the Minister (hereinafter referred to as the “appointed members”) distinguished in the field of law, sports medicine and sports science.

5 (2) The Minister shall appoint one of the appointed members of the Board to be the Chairman of the Board. The Chairman so appointed shall hold office for a term of three years and shall be eligible for reappointment.

(3) A person shall be disqualified from being appointed
10 or from continuing as a member of the Board, if he—

- (a) is, or becomes, a member of Parliament or a member of a Provincial Council or a member of a Local Authority as the case may be ; or
- 15 (b) directly or indirectly, holds or enjoys any right or benefit under any contract made by or on behalf of the Agency ; or
- (c) has any financial or other interest as is likely to affect prejudicially the discharge by him of his functions as a member of the Board.

20 **15.** It shall be the duty of the Board to advise the Minister on any or all of the matters related to the objects of the Agency and for any such matter referred to the Board for advice by the Minister.

Duties of the Board.

25 **16.** The Minister may from time to time issue special or general directions in writing relating to the exercise of the powers and the performance of the duties of the Board, and the Board shall give effect to such directions.

Power of the Minister to give special or general directions to the Board.

17. (1) An appointed member of the Board shall hold office for a period of three years from the date of the
30 appointment.

Term of office of appointed members.

(2) The Minister may if he considers it expedient to do so, remove, with reasons assigned therefor, any appointed member of the Board from office.

5 (3) An appointed member of the Board may at any time resign his office by a letter addressed to the Minister.

(4) In the event of a vacancy occurring in the membership of the Board as a result of any appointed member vacating office by death, resignation, removal from office or otherwise, another person shall, having regard to the provisions of
10 section 14, be appointed to fill such vacancy.

(5) Where another person is appointed to fill a vacancy caused by the death, resignation, removal from office or otherwise of an appointed member, the person so appointed shall hold such office for the unexpired part of the term of
15 office of the member of the Board whom he succeeds.

(6) Where any appointed member is by reason of illness, infirmity or absence from Sri Lanka for a period of not less than three months, temporarily unable to perform his duties, another person, may, having regard to the provisions of
20 section 14, be appointed to act in his place.

(7) Any appointed member of the Board, who is absent without leave from three consecutive meetings of the Board shall be deemed to have vacated his office.

18. (1) The Chairman or in absence of the Chairman, the
25 Vice Chairman shall preside at all meetings of the Board. In the absence of the Chairman and the Vice Chairman from any meeting of the Board, the members present at such meeting shall nominate one member from amongst those present, to preside at such meeting.

Meetings of
the Board.

30 (2) In the event of an equality of votes at any meeting of the Board, the Chairman, or the member presiding at such meeting shall in addition to his vote, have a casting vote.

(3) The meetings of the Board shall be convened by the Chairman and shall be held as frequently as is necessary for the purpose of discharging the functions of the Agency under this Act.

5 (4) The quorum for meeting of the Board shall be four members.

(5) The Board may pay any member with the approval of the Minister, such remuneration or allowance, as may be decided by the Board with the concurrence of the Minister
10 of Finance.

(6) Subject to the provisions of this Act, regulations may be made, regulating the procedure to be followed with regard to conduct of its meetings and the transaction of business at such meetings. The Board may make rules in this regard.

15 **19.** The Agency shall be deemed to be a Scheduled Institution, within the meaning of the Bribery Act, and the provisions of that Act shall be construed accordingly.

The Agency deemed to be a scheduled Institution within the meaning of the Bribery Act.

20. All members, officers and servants of the Agency shall be deemed to be public servants within the meaning, and for
20 the purposes, of the Penal Code.

Officers and servants of the Agency to be public servants.

21. Subject to the provisions of subsection (4) of section 17, the Board shall have the power to act notwithstanding any vacancy in its membership, and no act or proceeding of the Board shall be invalid by reason only of the existence of
25 any such vacancy or any defect in the appointment of a member thereof.

Proceedings of the Board not to be invalid by reason of any vacancy or defect in the appointment of a member.

22. (1) The Board shall appoint a fit and proper person distinguished in the field of medicine or sports medicine as Director-General of the Agency who shall be the Chief Executive Officer of the Agency for a period of three years and shall be eligible for reappointment.

Appointment
of the
Director-
General.

(2) The Director-General shall execute or perform such powers, functions and duties as may be delegated to him by the Board. The Director-General may delegate to any member of the Board any of his powers and duties.

23. (1) (a) The Board may establish Committees and Panels to assist it in the performance of its functions under this Act and may appoint such persons as it may deem fit to be members of any such Committee or Panel.

Establishment
of
Committees
and Panels.

(b) A Committee or Panel shall carry out its functions and fulfill its obligations as stipulated in the terms of reference given to such Committee or Panel by the Board.

(c) The Board may where it considers necessary, co-opt as a member to a Committee or Panel any person who possesses the required knowledge and expertise in the relevant field for the purpose of finalizing the particular matter under consideration. Such person shall not be a permanent member and shall not have the right to vote in respect of any issue which may arise in the course of its business.

(d) The term of office of the members of any Committee or panel shall be four years.

(e) Where a member of Committee or Panel dies or resigns, the Board may, appoint another person to succeed the member who dies or resigns:

Provided that the member so appointed in place of such member shall hold office only for the unexpired portion of the term of office of the member whom he succeeds.

(f) A member of a Committee or Panel may be re-appointed for another four year period only.

(g) A medical practitioner and a sports administrator shall be included in every such Committee or Panel. Each such
5 member shall also make a disclosure of any involvement of such member which may affect the impartiality of the decision of the committee or Panel.

(h) The Committee or Panel may appoint an expert to assist and advise the Committee or Panel on any hearing, on
10 a case by case basis.

(i) The Athlete or a member of his entourage, Agency, the International Federation, the National Sports Association and WADA shall have the right to appear as observers and attend the hearings of the Disciplinary Panel.

(j) The Athlete or a member of his entourage may forego a hearing by waiving in writing, the right to a hearing. The Athlete or related person shall also in such letter acknowledge the violation of the anti-doping rules and state that such athlete or person accepts the consequences of such violation
20 as are prescribed in relation thereto.

(k) Every hearing in terms of this section should be completed as expeditiously as possible and in any event, prior to the expiry of three months of the date on which the Committee or Panel commenced its hearing.

(l) The decision of a Committee or Panel on the conclusion of a hearing shall be given in writing and shall be signed by three members of each Committee or Panel and be dated. In the event of a dissent, the member dissenting shall state his reasons for such dissent as part of the decision
30 of the Committee or Panel.

(m) Every decision of the Committee or Panel shall set out the consequences applicable to the Athlete or Person concerned.

(n) Every decision of the Committee or Panel shall be notified to the Athlete or a member of his entourage, Agency, the International Federation, the National Association of Sports and WADA as soon as practicable.

- 5 (o) Rules may be made setting out the procedure to be followed by a Committee or Panel in relation to the hearings under this section.

(2) The Board shall constitute a Panel to be called the “Sri Lanka Anti-Doping Disciplinary Panel” (hereinafter referred to as the “Disciplinary Panel”) which shall consist of-

- 15 (a) an officer not below the rank of Senior Assistant Secretary nominated by the Secretary to the Ministry of the Minister to whom the subject of Sports is assigned, who shall be the Chairman;
- (b) two persons from among lawyers who have more than five years experience in court appearances, who shall both be Vice Chairman;
- 20 (c) three persons from among medical practitioners who have more than five years experience in the field of sports medicine;
- (d) three persons who shall be persons who have had previous experience in sports administration.

PART IV

25 DISCIPLINARY PROCEDURE AND APPEALS PRECEDURE IN RELATION TO ANTI-DOPING VIOLATIONS

24. The Board may, on the basis of the finding of any investigation regarding anti-doping rule violation carried out by a Disciplinary Panel appointed under section 23, assert that there has been an anti-doping rule violation if-

Situation of an anti-doping rule violation.

- 30 (a) there has been an adverse analytical finding in respect of an athlete based on an allegation of doping

along with a provisional suspension and a provisional hearing;

- (b) the test of the sample has not been declared void due to an irregularity;
- 5 (c) the prohibited substance present is not consistent with the TUE granted to the athlete in terms of this Act;
- (d) the Sample B analysis conforms the Sample A finding or the athlete has not requested a sample B analysis;
- 10 (e) all follow-up investigations lead clearly to the conclusion that an Anti Doping Rule Violation has been committed by the Athlete or any other person; and
- 15 (f) the athlete has not provided any information or evidence on the validity of the anti-doping test, which requires further investigation.

20 **25.** (1) Where the Board asserts an anti-doping rule violation in terms of section 24, the Board shall in writing, notify its assertion to the Athlete or Person against whom the adverse analytical finding was made, the national anti-doping body, the International Federation, the National Association of Sports and WADA.

Steps to be taken if the Board asserts an anti-doping rule violation.

25 (2) The Board shall also in the event that it makes such an assertion, notify the Sri Lanka Anti-doping Disciplinary Panel established in terms of section 23 of such assertion and request that a hearing be conducted by the Sri Lanka Anti-Doping Disciplinary Panel in accordance with such guidelines as shall be specified by rules.

(3) The Board shall thereupon forward to the Sri Lanka Anti-Doping Disciplinary Panel all documentation which is relevant to the violation and which is available with them.

5 **26.** (1) Any Athlete or person aggrieved by a decision Appeal.
of-

(a) a Disciplinary Panel in terms of section 23; or

(b) a decision of the Agency refusing to grant to an athlete a TUE which is requested in terms of section 5,

10 may appeal to the Appeal Panel appointed by the Minister, within two weeks of the decision being communicated to him.

(2) The decision of the Appeal Panel shall be final and conclusive.

15 (3) The Minister shall appoint an Anti-Doping Appeal Panel (hereinafter referred to as the “Appeal Panel”) which shall consist of six members who have distinguished in the field of law and sports medicine to hear appeals in respect of matters arising from the violation of Anti-Doping Rules as
20 may be prescribed.

27. (1) Every decision of a Panel upon a hearing in terms of this Act may be appealed against by a party aggrieved by such decision. Every such appeal shall be made to CAS and the provisions of the Code shall be applicable thereto.

Consequences
of an
adverse
decision by
the Appeal
Panel.

25 (2) Where any athlete has been found to have acted in contravention of the Anti Doping Rules applicable in Sri Lanka, such athlete may be punished in terms of the applicable provisions of the WADA Code. Rules may be made setting out the punishments which are contained in
30 the WADA Code as being applicable to anti doping contravention.

PART V

FINANCE

28. (1) The Agency shall have its own fund. Fund.

(2) There shall be credited to the fund of the Agency-

5 (a) all such sums of money as may be voted from
time to time by Parliament for the use of the
Agency;

(b) all such sums of money as may be received by
the Agency in the exercise, performance and
10 discharge of its powers, duties and functions;
and

(c) all such sums of money as may be received by
the Agency by way of loans, donations, gifts or
15 grants from any source whatsoever, whether in
or outside Sri Lanka.

(3) There shall be paid out of the fund of the Agency-

(a) all such sums of money as are required to defray
any expenditure incurred by the Agency in the
exercise, performance and discharge of its
20 powers, duties and functions under this Act; and

(b) all such sums of money as are required to be
paid out of such fund, by or under this Act.

29. The financial year of the Agency shall be the Financial
calendar year. year of the
Agency.

25 **30.** (1) The provisions of Article 154 of the Constitution
relating to the audit of accounts of public corporations shall
apply to, and in relation to, the audit of the accounts of the
Agency. Audit of
Accounts.

(2) The provisions of Part II of the Finance Act, No. 38 of 1991 shall, *mutatis mutandis* apply to the financial control and accounts of the Corporation.

PART VI

5

GENERAL

31. Where an offence is committed by a body of persons, then- Offences committed by body of persons.

10 (a) if such body is a body corporate, then every person who, at the time of the commission of the offence, was a director, manager, officer or servant of such body corporate; and

 (b) if such body is a firm, then every person who at the time of the commission of the offence was a partner of that firm,

15 Shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence.

20 **32.** (1) Any expense incurred by the Board in any suit or prosecution brought by or against the Board before any court, shall be paid out of the Fund of the Agency and any costs paid to or recovered by the Board in any such suit or prosecution shall be credited to the Fund of the Agency. Expenses to be paid out of the Fund.

25 (2) Any expense incurred by any member, officer or any servant of the Board in any suit or prosecution brought by or against such person before any court in respect of any act or omission which is done or purported to be done by such person in good faith for the purpose of carrying out the provisions of this Act shall, if the court holds that such act or omission was done in good faith, be paid out of the Fund of the Agency, unless such expenses are recovered by such member, officer or servant in such suit or prosecution.

30

33. (1) The Agency may make rules for following Rules.
purposes:—

- 5 (a) 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;
- 10 (b) procedure to be followed in the analysis of samples;
- (c) procedure for results management in relation to samples;
- (d) specifying anti-doping rules applicable and the consequences of anti-doping rule violation;
- (e) specifying anti-doping control activities;
- 15 (f) specifying the procedures applicable in relation to Negative Analytical findings and Adverse Analytical findings and principles governing provisional suspension of an athlete, suspension of an athlete;
- 20 (g) specifying matters connected with the granting of TUES;
- (h) specifying the Sri Lanka Code of Standards for the testing of samples based on the Code of International Standards for testing of samples;
- 25 (i) procedure for re-entry of a banned athlete;
- (j) procedure for the providing access to Independent Observers;
- (k) the procedure to be followed by Agency in relation to in competition testing of athletes; and

(l) the procedure to be followed by Agency in relation to out of competition testing of athletes.

(2) A rule made by the Agency under subsection (1) shall not have effect until it is approved by the Minister and is
5 published in the *Gazette*.

34. (1) The Minister may make regulations in respect of Regulations.
all matters required by this Act to be prescribed or in respect of which regulations are required or authorized to be made under this Act.

10 (2) Every regulation made by the Minister shall be published in the *Gazette* and shall come into operation from the date of such publication.

(3) Every regulation made by the Minister shall, as soon as convenient after its publication in the *Gazette* but not
15 later than sixty days from the making thereof, be brought before the Parliament for approval. Any regulation which is not so approved shall be deemed to be rescinded as from the date of its disapproval but without prejudice to anything previously done thereunder.

20 (4) Notification of the date on which any regulation made by the Minister is so deemed to be rescinded shall be published in the *Gazette*.

35. All actions, things or matters done, decisions taken Validation.
and implemented by the Sri Lanka Anti Doping Agency
25 appointed in terms of the Sports Law, No. 25 of 1973 and in terms of the Sri Lanka Anti Doping Code compiled by the Agency and effective from April 2009, and in force on the day immediately prior to the coming into operation of this Act, shall be deemed to be actions, things and decisions
30 taken, done and implemented by the Sri Lanka Anti Doping Agency appointed by section 10 of this Act and shall be deemed to have been, and to be, validly done and all persons concerned are hereby indemnified against all actions civil or criminal, in respect thereof.

36. In this Act, unless the context otherwise requires- Interpretation.

“athlete” means any person who participates in any sport at the international or national level or any sports event;

5 “CAS” means Court of Arbitration of Sports;

“Code” means the World Anti-Doping Code adopted by the World Anti-Doping Agency (WADA) on March 5, 2003 at Copenhagen, as amended from time to time;

10 “competition” means a single race, match, game or singular athletic contest;

15 “in-competition testing” means for purposes of differentiating between in-competition and out-of-competition testing, unless provided otherwise in the rules of an international federation or other relevant anti-doping organization, a test where an athlete is selected for testing in connection with a specific competition;

20 “person connected with the training of an athlete” includes every person who is a Curator, Match Adjudicator, Umpire, Referee, Sports Manager, Coach, Trainer, Sports Associate, Masseur, Physio, Medico, or Paramedic;

25 “sports organization” means any organization that serves as the ruling body for an event for one or several sports;

30 “testing” means the parts of the doping control process involving test distribution planning, sample collection, sample handling and transport of sample to the laboratory;

“Therapeutic Use Exemption (TUE)” means an exemption granted in accordance with standards for granting Therapeutic Use Exemptions;

5 “use” means the application, injection or consumption by any means whatsoever of any prohibited substance or prohibited method;

10 “World Anti-doping Agency (WADA)” means the entity established for the purposes of the International Convention against Doping in Sport in Switzerland, on November 10, 1999.

37. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text
to prevail in
case of
inconsistency.

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