

GYMSPORTS NEW ZEALAND ANTI-DOPING RULES

1. Title

1.1 This Regulation:

- (a) Is made by Board resolution pursuant to clause 20.1(a)(iv) of the GSNZ Constitution;
- (b) May be cited as the GSNZ Anti-Doping Rules (the "Rules").

2. Definitions

2.1 These Rules adopt the definitions set out in the Sports Anti-Doping Rules.

2.2 In addition to the definitions set out in the Sports Anti-Doping Rules, the following words shall have the following meanings where prefixed by a capital letter:

- (a) **Board means** the Board of GSNZ;
- (b) **Constitution means** the constitution of GSNZ as amended from time to time;
- (c) **GSNZ means** New Zealand Gymnastics Incorporated trading as Gymsports New Zealand;
- (d) **Member means** any person who is a member of GSNZ under the Constitution;
- (e) **FIG means** the Federation Internationale de Gymnastique;
- (f) **FIG Anti-Doping Rules means** the Anti-Doping Rules promulgated by FIG as amended from time to time;
- (g) **FIG Registered Testing Pool means** the Registered Testing Pool established by FIG in accordance with the FIG Anti-Doping Rules;
- (h) **Sports Anti-Doping Rules means** the Sports Anti-Doping Rules 2007 (made under the Act) as amended from time to time.

3. Objectives

3.1 GSNZ as the recognised governing body of Gymsports in New Zealand:

- (a) Condemns the use of Prohibited Substances and Prohibited Methods in Gymsports;
 - (b) Seeks to protect the health and welfare of gymnasts by removing the use of potentially dangerous Prohibited Substances and Prohibited Methods from Gymsports;
 - (c) Seeks to ensure that gymnasts are able to compete in fair and equitable sporting events; and
 - (d) Recognises that doping is fundamentally contrary to the spirit of sport.
- 3.2 The purpose of the GSNZ Rules is to eliminate the use of Prohibited Substances and Prohibited Methods from Gymsports, respond appropriately to any Anti-Doping Rule Violations, and to give effect to:
- (a) The Code;
 - (b) The FIG Anti-Doping Rules;
 - (c) The Act and the Sports Anti-Doping Rules.

4. Incorporation of other anti-doping rules

- 4.1 These Rules incorporate by reference:
- (a) The FIG Anti-Doping Rules;
 - (b) The Sports Anti-Doping Rules.
- 4.2 Where there is a conflict or inconsistency between these Rules, the FIG Anti-Doping Rules and the Sports Anti-Doping Rules, the following order of preference shall apply:
- (i) The FIG Anti-Doping Rules;
 - (ii) The Sports Anti-Doping Rules;
 - (iii) The GSNZ Rules.
- 4.3 The FIG Anti-Doping Rules may be obtained from <http://www.fedintgym.com/rules/>.
- 4.4 The Sports Anti-Doping Rules may be obtained from <http://www.drugfreesport.org.nz>.

5. Roles and responsibilities of GSNZ

- 5.1 To achieve the objectives of the GSNZ Rules, GSNZ will:

- (a) Comply with its obligations under the FIG Anti-Doping Rules and Sports Anti-Doping Rules;
- (b) Educate and inform Members about issues concerning doping in sport;
- (c) Assist DFS, FIG, and other relevant anti-doping organisations to develop and undertake testing programmes and assist with any Anti-Doping Rule Violation investigations;
- (d) Enforce the sanctions imposed by the Sports Tribunal, FIG or other national or international sporting bodies, or national doping organisations, on any Member, or other person over whom GSNZ has jurisdiction, who is found by a competent authority to have committed an Anti-Doping Rule Violation.

6. Application

6.1 These Rules apply to:

- (a) All Members of GSNZ;
- (b) All other persons who have acknowledged in writing that they are bound by these Rules or who are otherwise deemed to be bound by reason of the FIG Anti-Doping Rules or the Sports Anti-Doping Rules.

7. Anti-Doping Education

7.1 GSNZ will educate and inform Members about issues concerning doping in sport by:

- (a) Circulating or providing Members with information, materials and resources on doping in sport; and
- (b) Cooperating with DFS, FIG, WADA and other relevant Anti-Doping Organisations to implement drug education and information programmes for Members.

8. Application for a TUE

- 8.1 Athletes who form part of the FIG Registered Testing Pool or who intend to participate in an International Event who wish to apply for a TUE must apply to FIG in accordance with the procedures prescribed by FIG.
- 8.2 All other Athletes may apply to the TUE Committee established by DFS under the Sports Anti-Doping Rules.

9. Whereabouts information

- 9.1 Athletes who form part of the FIG Registered Testing Pool must comply with the gymnast whereabouts requirements as set out in the FIG Anti-Doping Rules and must provide a copy of such information to DFS at the same time.
- 9.2 Athletes who form part of the DFS Registered Testing Pool must comply with the whereabouts information requirements as set out in the Sports Anti-Doping Rules.

10. Testing, investigation and prosecution

- 10.1 GSNZ's obligations to test for, investigate and prosecute Anti-Doping Rule Violations shall be delegated to DFS in accordance with the Sports Anti-Doping Rules.

11. Hearing of Anti-Doping Rule Violations

- 11.1 With the exception of Anti-Doping Rule Violations arising from testing or investigations carried out by FIG (which shall be dealt with in accordance with the FIG Anti-Doping Rules), all Anti-Doping Rule Violations shall be heard before the Sports Tribunal in accordance with the Sports Anti-Doping Rules.
- 11.2 Any appeal from a decision of the Sports Tribunal shall be in accordance with any appeal rights conferred by the Sports Anti-Doping Rules.

12. Sanctions

- 12.1 In addition to the sanctions prescribed by the FIG Anti-Doping Rules and the Sports Anti-Doping Rules, where a Member or other person bound by these Rules is found to have committed an Anti-Doping Rule Violation, the Board may direct that the person be ineligible:
 - (a) To receive direct or indirect funding or assistance from GSNZ and SPARC for the complete period of ineligibility; and / or
 - (b) From holding any position within GSNZ or being involved in any other way within GSNZ for the complete period of ineligibility; and
 - (c) From utilising any facilities, premises, grounds or resources of GSNZ and/or Regional or Affiliated member organisations of GSNZ for a sporting purpose for the complete period of ineligibility, except:
 - (i) as a spectator or supporter; or
 - (ii) for participating in a doping education programme or counselling;

(iii) to participate in out of competition testing to facilitate a reinstatement after the period of ineligibility expires.

12.2 Before making any decision under clause 12.1, the Board shall give 14 days notice of its intention to the person so affected. The person so affected may provide written submissions to the Board in mitigation prior to the Board's decision. The decision of the Board under this clause shall be final and not subject to appeal save to the extent that the person is successfully able to appeal the Anti-Doping Rule Violation in accordance with the FIG Anti-Doping Rules or Sports Anti-Doping Rules.

12.3 Where a Member has jurisdiction over another Member who is found to be in breach of an Anti-Doping Rule Violation, that Member with jurisdiction shall enforce any sanctions imposed by FIG, the Sports Tribunal, or GSNZ upon the Member in breach. Any failure by a Member to enforce a sanction in accordance with this clause shall be considered misconduct and shall be dealt with in accordance with the GSNZ Code of Conduct.

BY ORDER of the Board

Chairman

DATE: