

Comparison of Sanctions for Violations - 2009 Code and 2015 Code

Violation (Code Article)	Current Sanction (First Violation)	Revised Code - 2015 (First Violation)
Presence (2.1), Use or Attempted Use (2.2) or Possession (2.6)	2 years	4 years 1. For a non-specified substance unless athlete can establish that the violation was not intentional. 2. For a specified substance where the anti-doping organisation can establish the violation was intentional.
Presence (2.1), Use or Attempted Use (2.2) or Possession (2.6)	2 years	2 years 1. For a non-specified substance, if athlete can show that the violation was not intentional. 2. For a specified substance, where the anti-doping organisation cannot establish the violation was intentional.
Refusing or Failing to Submit to Sample Collection (2.3)	2 years	4 years Unless, in the case of failing to submit to sample collection, the athlete can demonstrate that the violation was not intentional, in which case the sanction will be 2 years.
Whereabouts Filing Failures and/or Missed Tests (2.4)	1-2 years	2 years Subject to athlete's degree of fault the sanction can be reduced to one year.
Tampering or Attempted Tampering with Doping Control (2.5)	2 years	4 years

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Trafficking or Attempted Trafficking (2.7)	4 years-life (depending on seriousness of violation).	4 years-life Depending on seriousness of violation.
Administration or Attempted Administration (including aiding, abetting or assisting in covering up an anti-doping rule violation (2.8)	4 years-life (depending on seriousness of violation).	4 years-life Depending on seriousness of violation.
Complicity (2.9)	N/A – this is a new violation	2-4 years Depending on seriousness of violation.
Prohibited Association (2.10)	N/A – this is a new violation	2 years Subject to reduction to 1 year depending on athlete or other person’s degree of fault.

¹ Under the WADA List of Prohibited Substances and Methods, all prohibited substances are classified as either “specified substances” or “non-specified substances”. Specified substances are more likely to be consumed by an athlete for a purpose other than performance enhancement.

² The Code has separate provisions for multiple violations (second-third violations)

Scope for Reduced Sanctions

The following situations may impact on that length of the sanction. They do not however, extinguish an anti-doping rule violation

No Fault or Negligence (Article 10.4)

Where an athlete establishes that he or she bears no fault or negligence, **then the period of ineligibility is eliminated.**

No Significant Fault or Negligence (Article 10.5.2)

The athlete establishes that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relation to the anti-doping rule violation.

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Where the substance is a specified substance or where the athlete can show that a product came from a contaminated product, **the sanctions ranges from a reprimand to 2 years depending on the person's degree of fault.**

In other cases, the penalty is can be reduced by up to one-half of the original sanction.

Substantial Assistance (Article 10.6.1)

An anti-doping organisation may, prior to the finalisation of a matter suspend a part of the period of Ineligibility when an athlete or other person has provided substantial assistance to an Anti-Doping Organisation, criminal authority or professional disciplinary body which results in the Anti-Doping Organisation discovering or establishing an anti-doping rule violation by another Person or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another person.

The extent to which a period of ineligibility may be reduced shall be based on the seriousness of the violation committed and the significance of the substantial assistance provided to the effort to eliminate doping in sport.

Admission in the Absence of Other Evidence (Article 10.6.2)

Where an Athlete or other Person voluntarily admits the commission of an anti-doping rule violation before having received first notice of an anti-doping rule violation and that admission is the only reliable evidence of the violation at the time of admission, **the period of ineligibility may be reduced but not below one-half of the period of eligibility that is applicable.**

Prompt Admission of an ADRV after Being Confronted (Article 10.6.3)

New Provision

Only available for someone potentially subject to a four-year sanction for presence, use or possession or for those evading or refusing sample collection or tampering with sample collection.

By promptly admitting the asserted anti-doping rule violation after being confronted by an Anti-Doping Organization, and also upon the approval of WADA, **the person may receive a reduction in the period of Ineligibility down to a minimum of two years, depending on the seriousness of the violation and the Athlete or other Person's degree of Fault.**

** Please note, provisions around sanctions do not form part of the ASADA legislation. They are specified in the sport's anti-doping policy.