

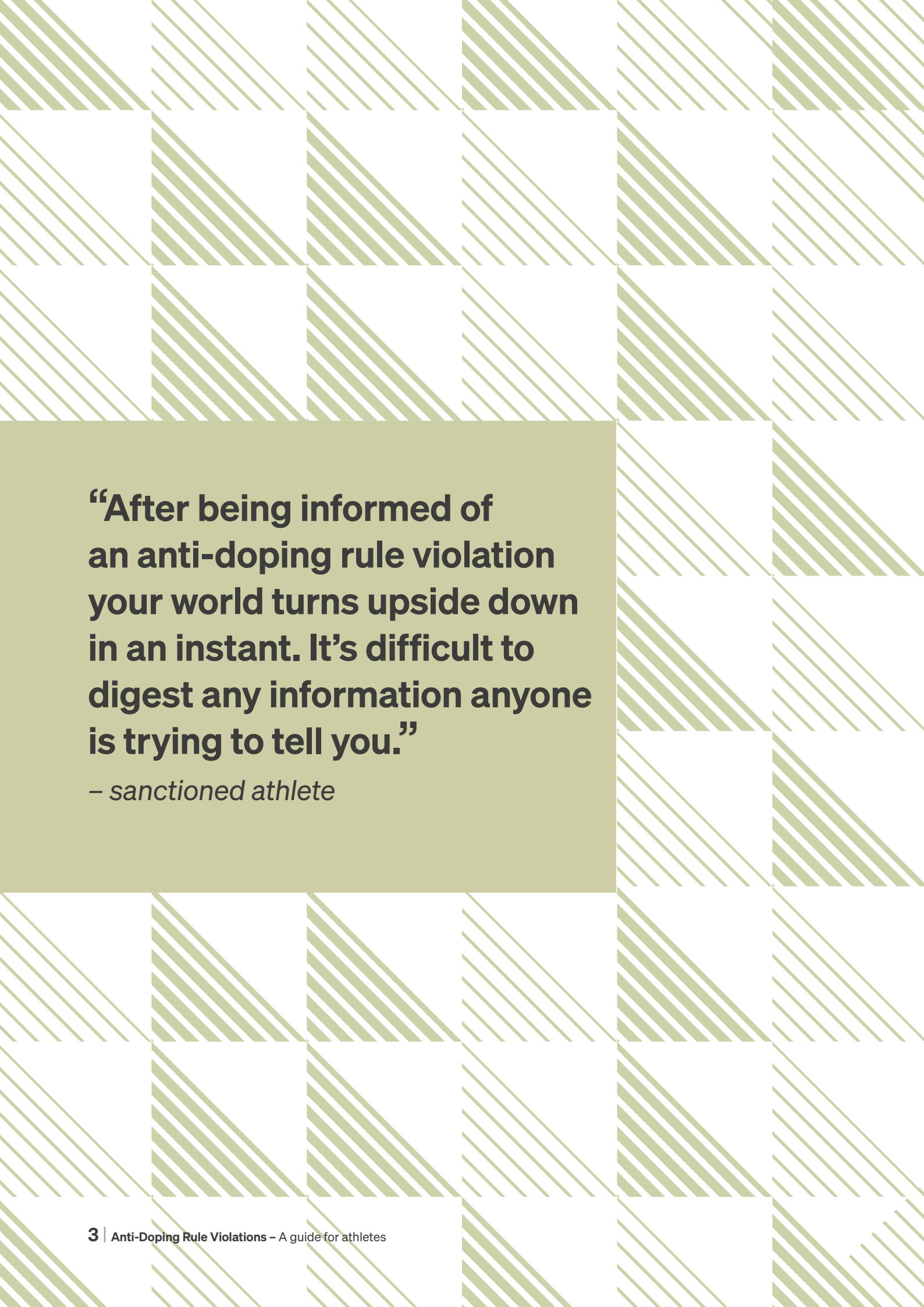
Anti-Doping Rule Violations

A guide for athletes



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**“After being informed of
an anti-doping rule violation
your world turns upside down
in an instant. It’s difficult to
digest any information anyone
is trying to tell you.”**

– sanctioned athlete



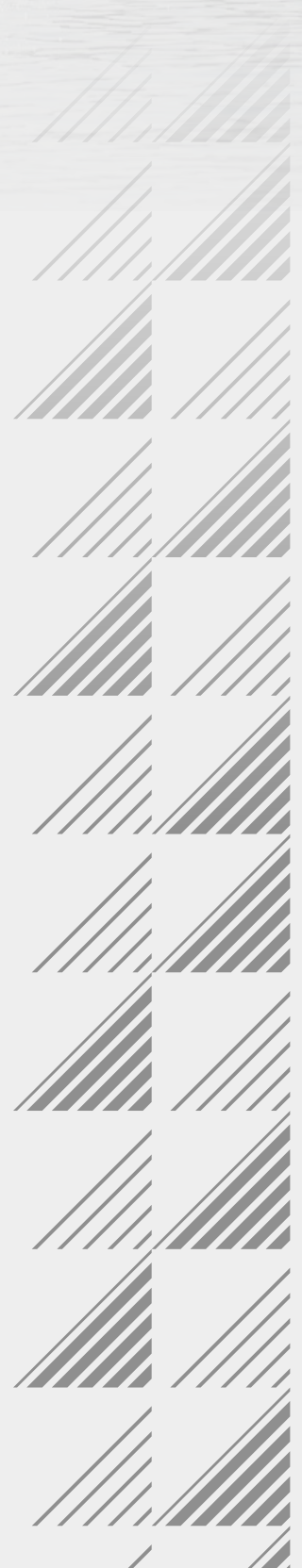
How this guide helps you

The possibility of being banned from sport for doping can be very stressful and confusing. This guide helps you understand what to expect from the anti-doping rule violation process (the process we follow when we believe someone has broken anti-doping rules).

In this guide, you will find information about:

- how to look after yourself
- anti-doping rules and policies
- phases in the anti-doping process, and
- what happens during and after a sanction.

You will also hear from athletes who have been through the same process and their advice for your wellbeing.



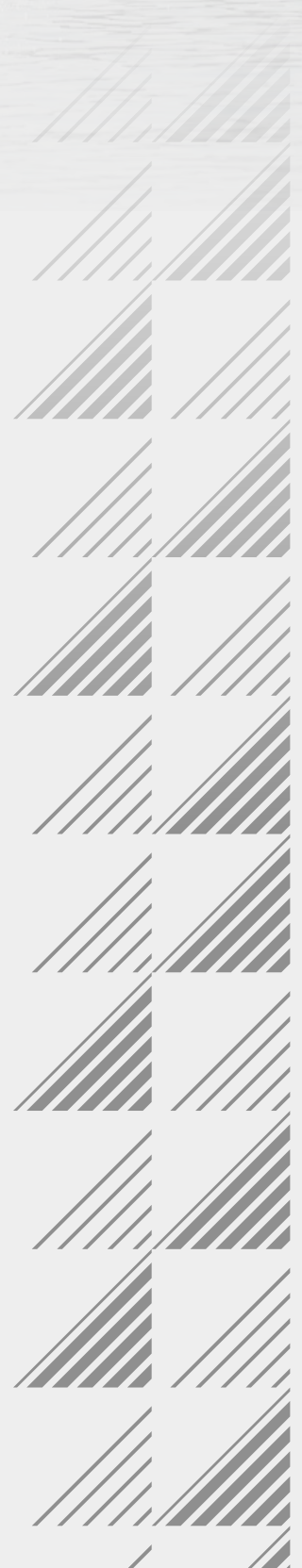


How this guide helps you *cont'd*

The guide translates, as best as possible, complex legislation and rules into plain language. However, it doesn't replace the information contained in the following documents:

- [the World Anti-Doping Code](#)
- [the World Anti-Doping Agency's International Standards](#),
- [the Sports Anti-Doping Rules](#).

The content in this guide is not legal or medical advice and shouldn't be relied upon as such. We recommend you seek your own professional advice if you want to discuss your specific situation, and we detail how to do so on page 11.



Looking after yourself

It's normal to feel overwhelmed, isolated, confused and anxious as you go through the anti-doping rule violation process. It's important to prioritise your mental wellbeing and seek support during this challenging time.

Free and confidential counselling

We offer free and confidential counselling services to any athlete going through the anti-doping rule violation process. We will offer you this support early on, but you can access it at any time throughout the process or during the sanction period.

Counselling is available face-to-face or online. It is provided by a third-party service that protects your anonymity and will not share your name or identifying details with us.

Find out how to access this free and confidential counselling service on your notification letter.

Looking after yourself

Other free support

There are lots of free support services available in Aotearoa New Zealand. We encourage you to use them whenever you need to.

Free services include:

Anxiety NZ

0800 269 4389 | anxiety.org.nz

Depression NZ

0800 111 757 | depression.org.nz

Free text 4202

Samaritans

0800 726 666 | samaritans.org.nz

Lifeline Aotearoa

0800 543 354 | lifeline.org.nz

Free text 4357

Need to Talk?

Text or call 1737 | 1737.org.nz

Need more support?

For further information or support regarding your mental health, please contact your National Sports Organisation. If you feel that you need further wellbeing support, please don't hesitate to let us know.


Keeping Active

You won't be able to take part in organised sports events or training for any sport if you're serving a provisional suspension or a ban. You won't be able to coach athletes, receive coaching or take part in a training programme from your sport or team.

However, you can – and should – continue to keep physically active. There are lots of activities you can still do to stay active, including going to a public gym (not a team or club gym).

You can't join activities organised by any organisation that has adopted the Sports Anti-Doping Rules.

The consequences for breaching a ban or provisional suspension are serious. If you're not sure if you can do something, always contact us to check before you do it.



“Not being able to participate in organised sporting events or even train with fellow athletes and coaches can make you feel lost, alone and hopeless. It is important to surround yourself with loved ones. Going on a gentle walk with my mum along the beach was the first thing that got me up and out of the house.”

– sanctioned athlete

When to get legal support


You should get legal advice early in the process.

Anti-doping rules and processes are complex and the effects of a sanction can be serious. You are likely to get the best outcome if you have a lawyer to guide you through the process.

Legal Support Fund

You can apply for up to NZD\$2,000 towards legal fees for your anti-doping case by applying to our Legal Support Fund. You don't need to repay this funding.

Find out more at sportintegrity.nz/legal-support

The background of the page features a warm, golden-orange sunset. In the foreground, the silhouettes of five athletes are visible, standing in a line and looking towards the horizon. The athletes are wearing athletic gear, and their forms are dark against the bright sky. The overall mood is contemplative and hopeful.

“It is important that if you do seek legal advice or support that they have experience in anti-doping violations. It can be difficult to understand the process and keep up with what is going to happen next. Having someone who understands the legal process and can talk with you step by step is invaluable.”

– sanctioned athlete

Anti-doping rules and policies

There are four key rules and policies that apply to you throughout your case.

The World Anti-Doping Code

The World Anti-Doping Code (Code) lists the anti-doping rules that apply to all sports that are signed up to it. The Code also lists the consequences that apply to those who are sanctioned.

[Read the World Anti-Doping Code](#)

The World Anti-Doping Agency Prohibited List

The Prohibited List details the substances and methods that are banned in sport. The List is updated on 1 January each year.

Not every banned substance is named in the Prohibited List. The list often includes them using words like “and other substances with similar chemical structure or similar biological effect(s).” The Prohibited List can’t list every chemical compound because new ones can be developed in labs every day.

sportintegrity.nz/prohibited

Anti-doping rules and policies *cont'd*

Legislation

We operate under legislation that outlines our role, functions and powers. Our legislation is the [Integrity Sport and Recreation Act 2023](#).

Sports Anti-Doping Rules

The Sports Anti-Doping Rules (the Rules) merge the requirements of the Code and New Zealand legislation. All sports in New Zealand that have adopted the Sports Anti-Doping Rules are bound by those rules. The rules also bind all athletes who are members of those sports.

The Sports Anti-Doping Rules include information on how we manage results, the potential sanctions and confidentiality rules. sportintegrity.nz/rules

Phases in the anti-doping rule violation process

The anti-doping rule violation process starts when we allege that you have breached the Sports Anti-Doping Rules. It ends once a decision on your case is made or published.

The process is confidential. It can be long, complicated and involve many steps. During the process, you will have the chance to explain yourself and have your case heard.

This section of the guide simplifies the phases of the anti-doping rule violation process to help you prepare for the steps ahead. Key phases you may encounter include:

- Positive test or investigation
- Notification to you and your sport
- Analysis of the B-Sample
- Anti-doping proceedings and the Sports Tribunal
- Provisional suspensions
- Prompt resolution of cases
- Substantial assistance
- Sanctions and their consequences
- Public announcement of an anti-doping rule violation

“The interview process can be very intimidating but is an important part in providing you the opportunity to explain your side of the story. The best thing to do is be prepared, wear clothes you would if you were going to a job interview to feel a sense of confidence, write down key points to refer to, consider having a support person and lastly just be honest.”

– sanctioned athlete

Positive test or investigation

There are 11 possible anti-doping rule violations. An anti-doping rule violation can come from:

- a positive test (for example, if your sample contains a substance that is banned in sport), or;
- an investigation (for example, an investigation into possession of a banned substance after a package is stopped at customs).

Positive test

We will notify you in writing, usually by letter or email, if your test is positive for a banned substance. We may also contact you by phone or in person.

Investigation

Investigations help us decide if we believe you have broken anti-doping rules. They also help us understand the circumstances.

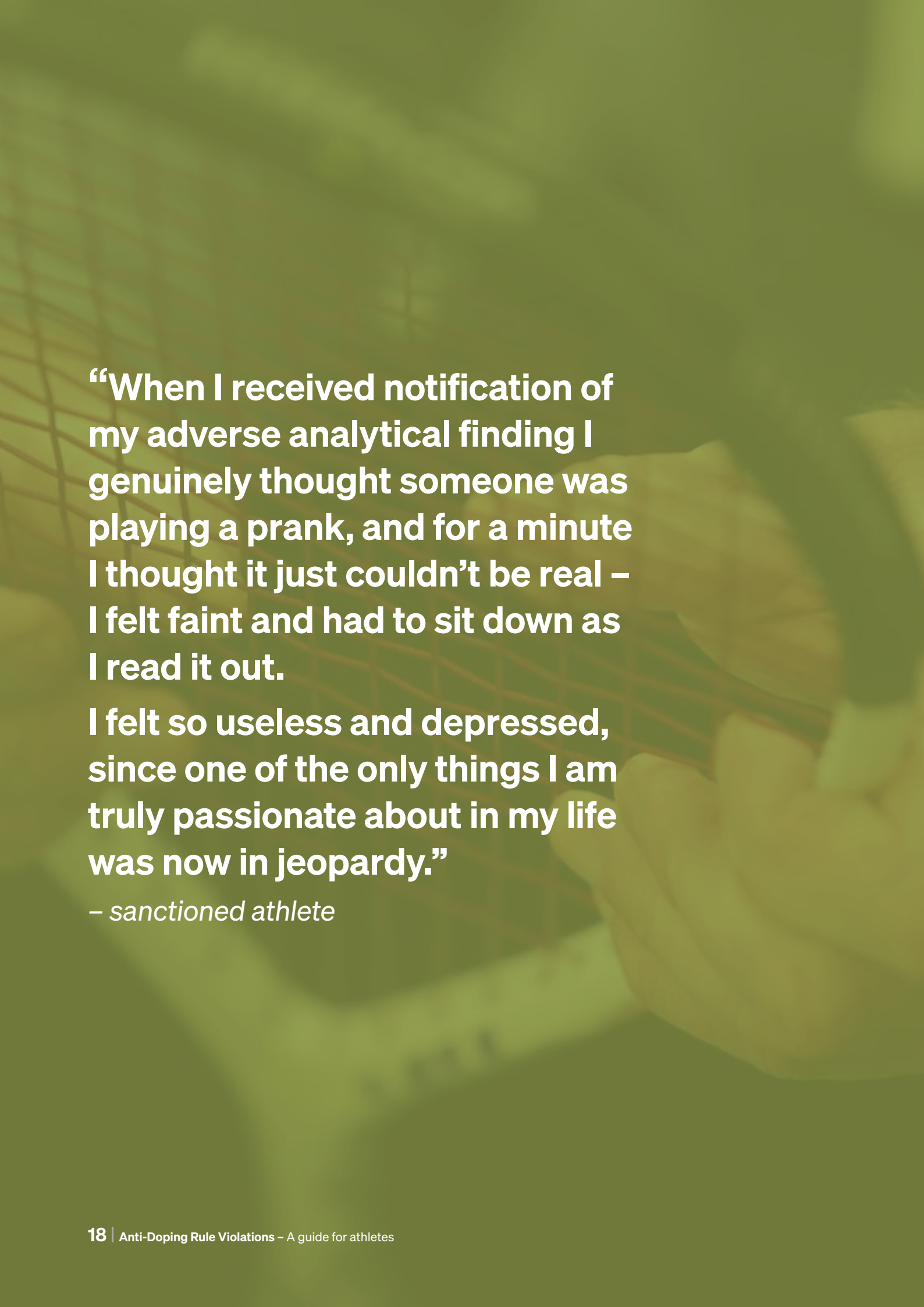
During the investigation, we may:

- ask you to share documents
- ask you to attend one or more interviews
- collect information from other government agencies (like the police or Medsafe) and sporting administration bodies (like High Performance Sport NZ or Football NZ)
- collect scientific information or other evidence.

In these early stages, you can reduce the length of a potential sanction by:

- admitting fault
- providing information that helps us prove a rule violation by another person

If the investigation ends and we believe that you have broken anti-doping rules, we will let you know by sending you a notification letter. We cover this more in the next section.



“When I received notification of my adverse analytical finding I genuinely thought someone was playing a prank, and for a minute I thought it just couldn’t be real – I felt faint and had to sit down as I read it out.

I felt so useless and depressed, since one of the only things I am truly passionate about in my life was now in jeopardy.”

– sanctioned athlete

Notification to you and your sport

We will let you know of an ‘adverse analytical finding’ (positive test) or possible anti-doping rule violation by sending you a letter, either by email or through the post. We will usually also try to contact you by phone or in person.

The notification letter contains information about the rule violation, an outline of the allegations against you, the potential sanction, ways you can reduce the sanction, and the consequences of the potential sanction. It will also include a link to resources for anti-doping education, for example an online course.

At the same time, we will also tell your National Sporting Organisation (NSO), International Federation (IF) and the World Anti-Doping Agency (WADA). All of these organisations are bound by confidentiality rules.

Analysis of the B sample

If your case involves a positive test, you can have the B sample (the second part of the sample you provided) tested at no extra cost. Choosing to have the B sample tested does not indicate guilt – you have the right to B sample testing to make sure the A sample was accurately tested.



Witnessing the opening of the sample

You or a representative can go to the laboratory to see your sample being opened. You must pay for any travel or accommodation costs. We usually use the World Anti-Doping Agency-accredited lab in Sydney, Australia to analyse samples.

Alternatively, the lab can appoint an independent witness to watch your sample being opened on your behalf. The independent witness is usually a Justice of the Peace.

Witnessing the B sample gives you the chance to:

- confirm that the sample being opened is yours
- check that the sample is still sealed
- check that the details on the B sample match the A sample.

As the tests can take hours, or even days, the witness will usually only attend the opening of the sample.

If the results of the B sample confirm the A sample, you will have a chance to explain your positive test to us.

Note: You can give up your right to have the B sample tested in writing. However, we may sometimes still choose to test your B sample.

B samples usually match A samples

In most cases the B sample result matches the A sample result. This doesn't mean you should avoid having the B sample tested.

Anti-doping proceedings and the Sports Tribunal

Anti-doping proceedings are the legal steps taken to address anti-doping rule violations. They involve submitting paperwork including forms and evidence.

Your case may need a full hearing, or you may be able to agree the anti-doping rule violation and sanction (the consequences of a rule violation) based only on paperwork.

Two organisations hear anti-doping cases in Aotearoa New Zealand:

- The Sports Tribunal of New Zealand, and;
- The New Zealand Rugby Judicial Committee (for rugby union)

The Sports Tribunal is an independent body. It makes decisions on anti-doping rule violations and any resulting ban from sport. The NZ Rugby Judicial Committee does the same for those who play rugby union.

sportstribunal.org.nz/anti-doping-proceedings

Provisional suspensions

A provisional suspension means that you are temporarily banned from taking part in sport.

We may ask the Sports Tribunal (or NZ Rugby Judicial Committee) to provisionally suspend you during the anti-doping rule violation process. Being provisionally suspended means that you must immediately stop taking part in sport until the process is finished.

There can be serious consequences if you take part in sport while provisionally suspended. For example, the Sports Tribunal (or NZ Rugby Judicial Committee) may increase the length of your ban when they make their final decision on your case.

If you stop taking part in sport while provisionally suspended, that time can be taken off any final ban.

Provisional suspensions can be mandatory or voluntary.

Mandatory provisional suspension

A mandatory provisional suspension is one that applies automatically. It applies in cases where an athlete tests positive for substances known as “non-specified substances”. Non-specified substances include:

- erythropoietin (EPO)
- steroids
- selective androgen receptor modulators (SARMs)

Avoiding or appealing mandatory provisional suspensions

You can avoid a mandatory provisional suspension if:

- you can prove that the positive result was the result of contamination, or;
- the positive result involved a “substance of abuse” such as cocaine.

You can appeal a mandatory provisional suspension, or request to challenge the suspension quickly through a fast-tracked process known as an expedited hearing.

Voluntary Provisional Suspension

If a suspension isn’t required, you might be able to serve a voluntary provisional suspension. This can speed up the process. The time you spend voluntarily provisionally suspended can be taken off the final sanction period.

If you don’t agree to a voluntary provisional suspension and keep taking part in sport, you could lose results, medals points or prizes if later found guilty of a doping violation.

If you don’t agree to a voluntary provisional suspension, the Sports Tribunal (or NZ Rugby Judicial Committee) might decide to impose one anyway.

Prompt resolution of cases

Admitting a violation early

Admitting to a doping violation early can speed up the process and reduce the length of a potential ban.

If you're facing a 4-year ban, admitting to the violation within 20 days of the official notification and accepting the sanction reduces your ban by one year.

Entering into a case resolution agreement

A case resolution agreement is a formal agreement between you, us and the World Anti-Doping Agency. It settles a doping case quickly without going through a full hearing process.

If you admit to the doping violation and agree to consequences, you might be able to enter a case resolution agreement if we and the World Anti-Doping Agency agree. Your sanction might be reduced based on:

- How serious the violation is,
- Your level of fault,
- How quickly you admit to the violation.

Under a case resolution agreement, you must still serve at least half of your original sanction. You can't appeal the details of the agreement, for example the reduction amount or sanction start date. You also can't appeal a decision from us or the World Anti-Doping Agency not to enter into a case resolution agreement.

Entering into a without prejudice agreement

A without prejudice agreement is a formal agreement between you and us that allows you to discuss information and potential consequences without the risk that these things will be used against you if we don't reach an agreement.

Substantial assistance

You could have the consequences of your sanction amended (such as the length of your ban reduced) if you give us helpful information about other people involved in doping, for example details about doping that has happened and who is involved. This also applies if your information leads to criminal charges or disciplinary actions against others, for example a doctor inappropriately prescribing banned substances.

The earlier you share this information with us, the better the outcome for you. Sharing this kind of information after your sanction decision may still help you, but it's less likely to have an impact.

To be eligible for a 'substantial assistance' reduction in your sanction, you must be honest and truthful about your own rule violation and the rule violations of others that you are aware of.



A photograph of a mountain biker wearing a red jersey, dark shorts, and a white helmet with black spots, riding down a dirt trail. The biker is in a crouched position, leaning forward. The background is a lush green forest. The image is partially obscured by a white diagonal shape on the left side.

Case Study

An athlete under investigation gave investigators information about a coach providing banned substances to athletes. This information led to an anti-doping ban for the coach. The athlete received a reduction to their ban thanks to the information they had provided.

Sanctions and their consequences

The Sports Tribunal (or NZ Rugby Judicial Committee) will issue a decision on your case:

- at the end of a hearing
- if you don't seek a hearing
- if you accept a sanction

The decision will confirm the outcome and any consequences you will face for the anti-doping rule violation.

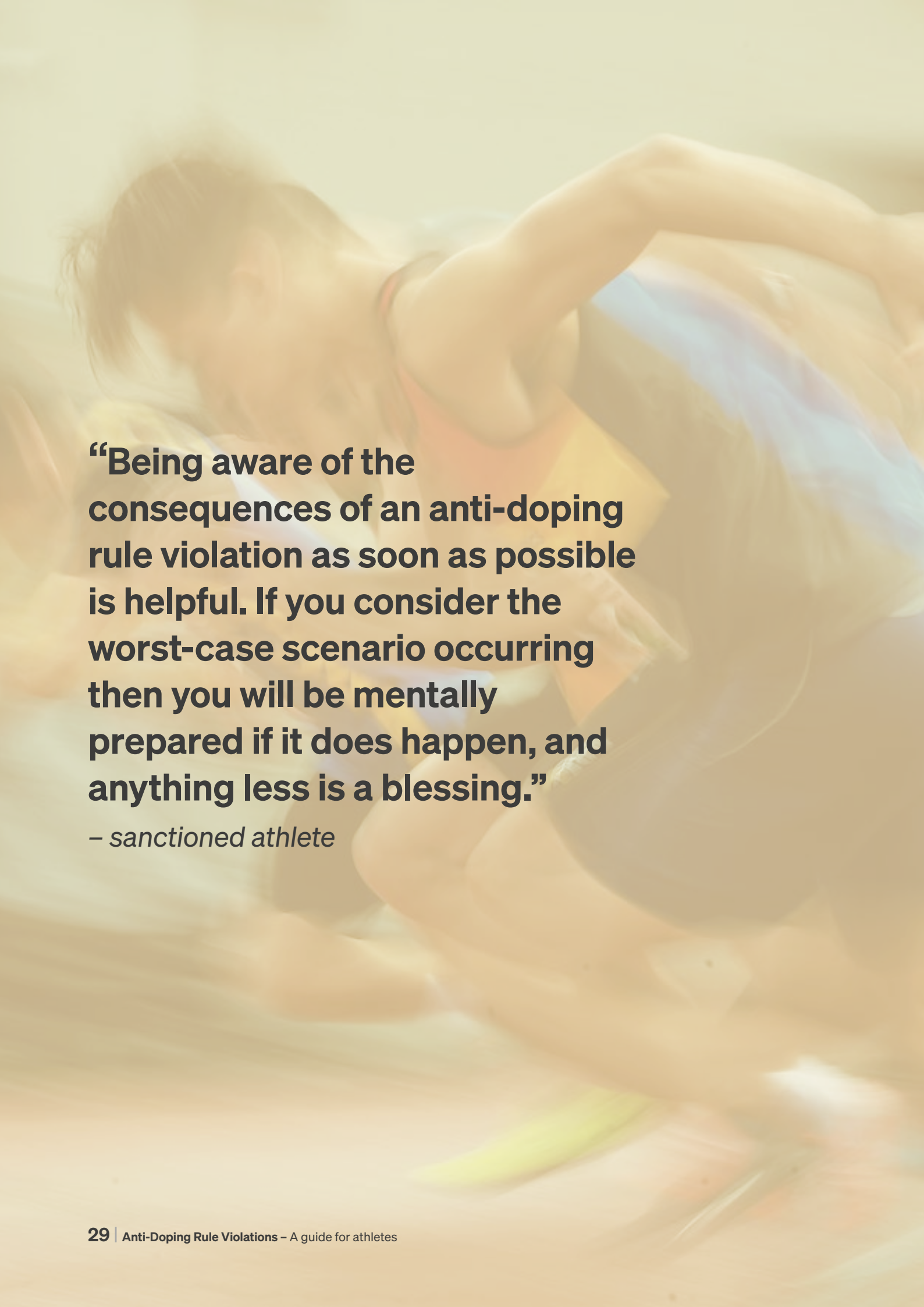
Overview of a sanction

A sanction means the consequences formally issued to you by the Sports Tribunal (or NZ Rugby Judicial Committee) for committing an anti-doping rule violation.

They can include:

- A ban from all sport
- The removal of competition results or prizes
- Publication of your ban

The consequences that apply to you will be made clear to you once your case has been finalised.



“Being aware of the consequences of an anti-doping rule violation as soon as possible is helpful. If you consider the worst-case scenario occurring then you will be mentally prepared if it does happen, and anything less is a blessing.”

– sanctioned athlete

Ban from all sport

Your sanction will generally include a 'Period of Ineligibility' or ban. This prohibits you from taking part in sporting competitions or activities. It includes a ban on taking part in any sport that has an anti-doping policy, in any country, as an athlete, coach, manager or official.

The length of a ban can range anywhere from no ban (for example a reprimand) to a lifetime ban.

The starting point for your ban will usually be two or four years. It depends on the type of violation and substance. The length of your ban may vary depending on:

- the anti-doping rule violation;
- any evidence submitted;
- any early admission;
- any substantial assistance;
- previous anti-doping rule violations.

Disqualification and loss of prizes

You may face disqualification from competitions you entered after the date you committed your anti-doping rule violation (for example, from the date of your positive test to the date of a decision made on your case). This means losing any results, medals, points or prizes.

This can also apply to your team if you play a team sport.

Publication of your violation

Your rule violation is likely to be published and may result in media attention. Read more about this below.

Consequences beyond a sanction

The implications of a sanction are broad and can impact different parts of your life:

Career. A sanction can affect your professional life. You may find that your reputation is damaged. You may struggle to rebuild trust with your employer or to build trust with future employers.

Relationships. The pressure of a sanction can damage your relationships with teammates, peers and close whānau. You may feel isolated because you can no longer train in your sport or take part in sporting events.

Finances. You may lose sponsorship opportunities, scholarships, contracts or other funding, or face financial sanctions.

Wellbeing. You may struggle with anxiety, depression, anger, shame or other difficult feelings. We encourage you to reach out to the support services listed in this guide to help you through any challenging times.

Public announcement of an anti-doping rule violation

Once the anti-doping rule violation process has ended and the sanction has been decided, we are required to make the case public (known as ‘public disclosure’). At a minimum, this means we publish the information on our website with details including your name, sport, the rule violation, the substance (if any), and the sanction. The Sports Tribunal (or NZ Rugby Judicial Committee) will also publish the decision in full on their website.

Publication usually happens within a few days of the decision and is often accompanied by a media statement to give context to the decision and to deter others from doping.

This can be a challenging time for you, and you may wish to seek support. We offer access to free and confidential counselling services (see: page 6 of this guide).

Responding to public statements you make

If, during the rule violation process, you or your lawyer or representative make a public statement (such as on social media, or to a journalist), before your case is finalised, we may respond in public to any comments you make.

Testing positive during major events

If you test positive during a major game event, such as the Olympics or Commonwealth Games, this will usually be announced immediately.

Public Announcement of an Anti-Doping Rule Violation *cont'd*

Exceptions to 'public disclosure'

There are three reasons or exceptions that mean that all the details of your case may not be made public. The exceptions are for:

- minors
- protected persons
- recreational athletes.

A minor is a person under 18 years old.

A protected person is an athlete who, at the time of the violation, is:

- under 16 years old;
- under 18 years old, not in any Registered Testing Pool and has never competed in an open category at an International Event; or
- reasons other than age, otherwise lacks legal capacity under applicable domestic legislation.

A recreational athlete is defined in the Sports Anti-Doping Rules but is generally an athlete playing sport at a recreational level.

During a sanction

Prohibited association

Things like training with, coaching or being coached by someone who is banned from sport under anti-doping rules is an anti-doping rule violation.

This means that, during a ban or provisional suspension, you must not train with or act as athlete support personnel³ for anyone subject to the World Anti-Doping Code. If you do, you put those people at risk of a 'prohibited association' rule violation.

You can spend time with athletes or support personnel for social reasons, such as going out for dinner, but the events cannot be related to sport.

The 'prohibited association' rule stops people who have broken anti-doping rules from influencing others and helps protect the integrity of sport.

If you think that an activity you'd like to take part in during your sanction may break this rule, contact us for advice before doing it.

³ An Athlete Support Person is any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other person working with, treating or assisting an athlete participating in or preparing for sports competition.



Testing during your sanction

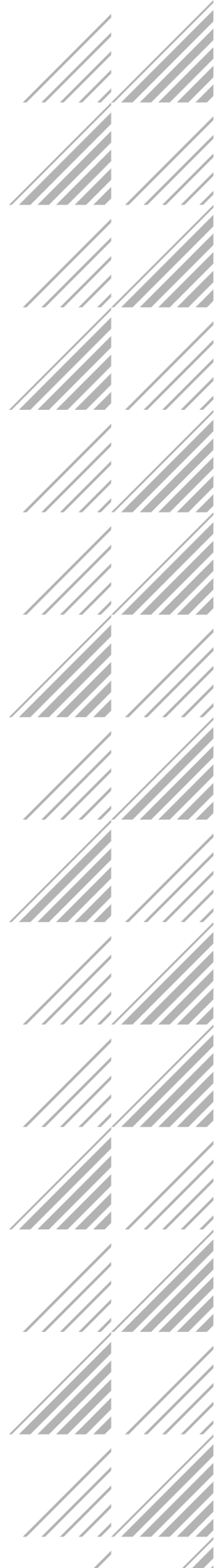
You can be tested at any time during your sanction period. You're still subject to the Sports Anti-Doping Rules even though you're not playing sport. If you needed to update your Whereabouts information before your sanction, you may have to keep doing this during your sanction period. This information means we can find you for no-notice testing at any time and helps us stop people doping while banned.



Retiring while sanctioned

If you want to retire from competing in sport during your ban, you may need to notify us or your sport's International Federation. Check the Sports Anti-Doping Rules (Section 5.6.2) to see if that applies to you.

Your sanction still applies if you retire from sport. It means you cannot be involved in sport, for example as a coach or an athlete support person.



Breaching your sanction, or committing another rule violation while banned

You may double the length of your ban if you:

- breach your sanction (for example by taking part in sport during your ban)
- commit another rule violation during your sanction

If a person subject to the World Anti-Doping Code or Sports Anti-Doping Rules were to help you breach your ban (such as by letting you use their ID to sign up for a competition), they may also face an anti-doping rule violation.

You may also face an additional sanction if you help anyone else commit a rule violation – the World Anti-Doping Code and Sports Anti-Doping Rules still apply to you during your sanction period



Case study

An athlete was serving a four-year ban after a positive test for a banned substance. One year into their ban, the athlete chose to register and play for a new sport. We received an anonymous report, which led to an investigation into whether they were still playing. Once it was confirmed that the athlete was breaching their sanction, a new ban, equal in length to the original ban, was added to the end of the original

This extended the athlete's ban to eight years, instead of four.

Appeals

If you disagree with the sanction or decision of the Sports Tribunal (or NZ Rugby Judicial Committee), you can make an application to have your case heard by the Court of Arbitration for Sport (CAS) (or the New Zealand Rugby Post Hearing Review Body if your sport is rugby union).

CAS is based in Switzerland and is independent from the Commission and your sport. CAS will hear the matter and make a decision. There is a set process and cost associated with an appeal to CAS.

Find out more [about CAS appeals](#).



After a sanction

Returning to training

After your sanction has been imposed, we will write to you and tell you when you can get back into sport. You will be able to resume training in your sport in either:

- the last two months of your ban; or
- the last quarter of your ban.

You must not take part in competitions until your sanction is complete.

Education

At the end of your ban, we'll write to you and share resources for anti-doping education. This could be an online course or an anti-doping workshop with one of our educators.

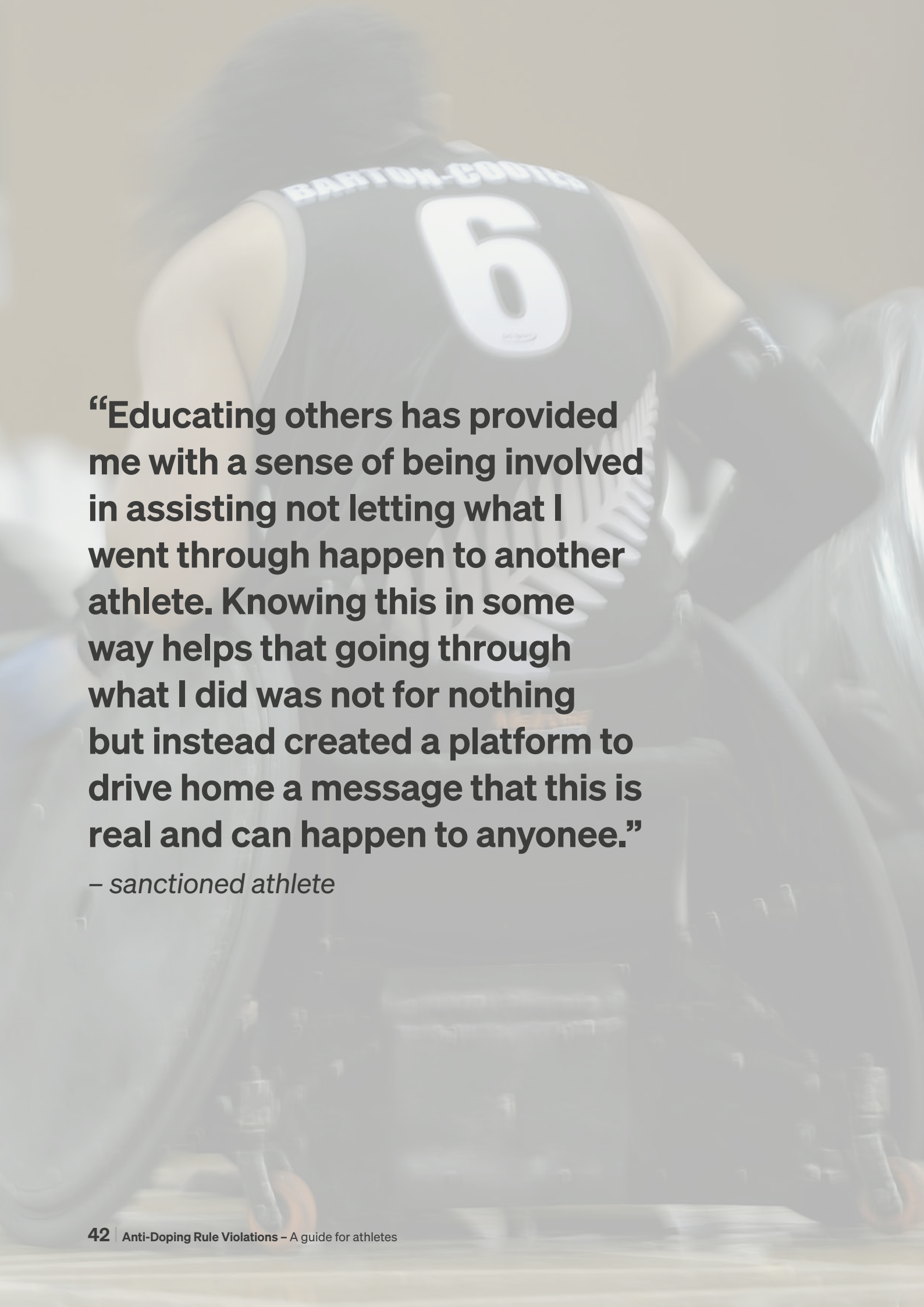
sportintegrity.nz/education

Educating others

Some athletes recognise that their story could be powerful in helping other athletes avoid committing the same violation. We have worked with a number of sanctioned athletes to help share their stories and prevent doping in New Zealand.

If at any stage you would like to support anti-doping education by sharing your story, please contact us.





“Educating others has provided me with a sense of being involved in assisting not letting what I went through happen to another athlete. Knowing this in some way helps that going through what I did was not for nothing but instead created a platform to drive home a message that this is real and can happen to anyonee.”

– sanctioned athlete

Common topics

The duration of anti-doping rule violation processes can vary

The time it takes to complete the rule violation process changes depending on a number of factors, including:

- The type of scientific analysis
- The capacity of the laboratory
- The number of people involved in an investigation
- How quickly parties share information, and how much information they share
- The amount and type of evidence collected
- How many violations you may have committed
- The type of violations
- Whether or not you need a hearing (which means that each party needs time to prepare legal arguments and make submissions)
- The capacity of the Sports Tribunal (or NZ Rugby Judicial Committee).

We work hard to make sure that the process is completed as quickly as possible.

Common topics *cont'd*

Speeding up the rule violation process in the early stages

You may be able to speed up the rule violation process in the early stages. We recommend that you seek legal advice at the start of the process. This can give you the chance to take advantage of a quicker process, for example by:

- admitting to a rule violation early in the process
- not contesting the matter in a tribunal hearing

However, it's important that you get the right advice for your situation.

If you choose to contest the matter, you can speed up the process by making sure that submissions are made on time, whether that's on your own, or by working closely with your legal adviser.

We offer financial support for the process through our Legal Support Fund.

sportintegrity.nz/legal-support

Contact us

If you have any questions, please contact us at:

Sport Integrity Commission Te Kahu Raunui

PO Box 17451, Greenlane, Auckland, 1546

Email us at admin@sportintegrity.nz

Call us at 09 582 0388

Find us online at sportintegrity.nz

