

Horse Sport Ireland

Equine Anti-Doping Rules

And

Equine Controlled Medication Rules

3rd February 2012

INTRODUCTION EQUINE ANTI-DOPING AND EQUINE CONTROLLED MEDICATION RULES

Fundamental Rationale for the EAD and ECM Rules

Horse Sport Ireland (“HSI”) is the governing body for horse sport in Ireland as recognised by the FEI, Irish Sports Council and the Olympic Council of Ireland. It was established in order to devise and implement strategies for the development and promotion of an internationally competitive Irish sport horse industry (breeding, sport and leisure sides) as well as protection of the welfare of the horses. In fulfilling these obligations and governing Irish Horse Sport, HSI has established and implemented an equine anti-doping programme based on the Equine Anti-Doping and Equine Controlled Medication Rules of the FEI. In these ECM and EAD Rules terms with an initial capital are defined terms. For ease of reference, definitions which appear in the National Rules and in these EAD and ECM Rules are included in the definitions at the end of this Appendix.

Anti-Doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport". The spirit of sport is characterized by the following values:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport. The main intention of these EAD and ECM Rules is not to punish but to deter doping in Horse Sport.

These EAD and ECM Rules are adopted and implemented by the Board of HSI and are effective as of 12:01 am Sunday, 1 April 2012, in conformity with the requirements of the FEI Regulations and in the spirit of the World Anti-Doping Code. There are two separate and distinct approaches to Doping, on the one hand, as provided in the EAD Rules, and on the other hand, Controlled Medication, as set out in the ECM Rules. Both the EAD and ECM Rules are necessary to ensure an effective and fair equine anti-doping programme is implemented. While these two categories are provided in separate sets of Rules, both are crucial to ensuring clean Horse Sport and, as such, they are to be read as one equine anti-doping rulebook.

Scope

These EAD and ECM Rules are effective as of 1 April 2012. They must be read in conjunction with the HSI General Rules, FEI Veterinary Regulations and FEI Standard for Laboratories.

These EAD and ECM Rules shall apply to the each Person Responsible and his or her Support Person by virtue of their membership in, accreditation by, or participation in an Affiliate or

Section of HSI which has signed up to these EAD and ECM Rules, or in their activities or Competitions.

These EAD and ECM Rules are sport rules governing the conditions under which sport is performed. Persons Responsible and their Support Person accept these Rules as a condition of participation and involvement in Irish Horse Sport and shall therefore be bound by them. The inclusion of Support Person in these Rules is required to provide for the ability to include an additional Person Responsible in the prosecution of a case where the factual circumstances have warranted that Person's inclusion. This is intended to ensure that all participants in horse sport who violate the EAD and/or ECM Rules will be held accountable. It is fundamental, however, that the inclusion of Support Person is in no way intended to lessen or shift the responsibility of the Person Responsible. The Person Responsible remains ultimately responsible, and thereby ultimately liable, for EAD and/or ECM violations. Where appropriate, and only when the specific factual circumstances so warrant, Support Person(s) will be held additionally responsible.

These EADCM Regulations shall therefore apply to all Doping and Medication Controls over which HSI has jurisdiction as agreed between HSI and its Affiliates and Sections and as indicated in the rules and regulations of the Affiliates and Sections signing up to these EAD and ECM Rules.

The EAD and ECM Rules are modelled on the EADCM Regulations of the FEI. The EAD Rules have intentionally been modelled after the 2009 WADA Model Code for human athletes. Conversely, the ECM Rules have been developed with special consideration for the need to administer responsible controlled medication to Horses to ensure horse welfare and the highest levels of professionalism. Given the clear distinction between Doping and Controlled Medication established by the two separate chapters - the EAD Rules and the ECM Rules - an Equine Therapeutic Use Exemption shall only be available in connection with a Controlled Medication Substance processed under the ECM Rules and not in connection with a Banned Substance processed under the EAD Rules.

The Affiliates and Sections in Ireland have agreed to sign up to these EAD and ECM Rules in order to ensure an effective equine anti-doping programme is in place in Ireland and to ensure that Irish Horse Sport is held up to be an example of a clean Horse Sport.

EQUINE ANTI-DOPING RULES (“EAD Rules”)

1. DEFINITION OF DOPING

- 1.1 Doping is defined as the occurrence of one or more of the EAD Rule violations set forth in Article 2.1 through Article 2.7 of these EAD Rules.

2. EAD RULE VIOLATIONS

Persons Responsible and/or their Support Person(s) shall be responsible for knowing what constitutes an EAD Rule violation and the substances which have been included on the Equine Prohibited Substances List and identified as Banned Substances.

The following constitute EAD Rule violations:

2.1 The presence of a Banned Substance or its Metabolites or Markers in a Horse's Sample

2.1.1 It is each Person Responsible’s personal duty to ensure that no Banned Substance is present in the Horse's body. Persons Responsible are responsible for any Banned Substance found to be present in their Horse's Samples, even though their Support Person(s) will be considered additionally responsible under Articles 2.2 - 2.7 below where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing Use be demonstrated in order to establish an EAD Rule violation under Article 2.1.

2.1.2 Sufficient proof of an EAD Rule violation under Article 2.1 is established by either of the following: (i) presence of a Banned Substance or its Metabolites or Markers in the Horse's “A” Sample where the Person Responsible waives analysis of the “B” Sample and the “B” Sample is not analysed; or, (ii) where the Horse's “B” Sample is analysed and the analysis of the Horse's “B” Sample confirms the presence of the Banned Substance or its Metabolites or Markers found in the Horse's

“A” Sample. An Adverse Analytical Finding may be established by a positive blood or urine Sample, or both.

2.2 Use or Attempted Use of a Banned Substance

2.2.1 It is each Person Responsible’s and Support Person’s personal duty to ensure that no Banned Substance enters into the Horse’s body. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the part of the Person Responsible, or Support Person(s) (where applicable), be demonstrated in order to establish an EAD Rule violation for Use of a Banned Substance.

2.2.2 The success or failure of the Use or Attempted Use of a Banned Substance is not material. It is sufficient that the Banned Substance was Used or Attempted to be Used for an EAD Rule violation to be committed.

2.3 **Refusing or failing without compelling justification to submit to Sample collection after Notification as authorised in the EAD Rules or otherwise evading Sample collection.**

2.4 **Tampering or Attempted Tampering with any part of Doping Control.**

2.5 **Possession of Banned Substances**

This bans the Persons Responsible and Support Person(s) from Possessing Banned Substances, unless he or she demonstrates compelling justification for the Possession.

2.6 **Trafficking or Attempted Trafficking in any Banned Substance**

2.7 **Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an EAD Rule violation or any Attempted EAD Rule violation.**

3. HORSE PASSPORT/IDENTIFICATION DOCUMENTATION

3.1 It is a requirement under Irish legislation that the Horse’s passport or other valid

documentation of identification is kept with, or convenient to, the animal at all times. The Person Responsible shall ensure that the Horse's passport is readily available during the In-Competition period.

- 3.2 Failure to produce such documentation upon request by an Authorised Veterinarian or other person qualified to carry out Testing will not prevent the Sample Collection from being completed.
- 3.3 The Authorised Veterinarian shall have the right to check the Horse's microchip, if applicable, or to obtain a DNA sample or to make a markings chart for purposes of identification.
- 3.4 A Person Responsible shall not be entitled to claim issue in relation to the Horse's identity based upon a failure to produce the necessary documentation.

4. THE EQUINE PROHIBITED SUBSTANCES LIST

4.1 Incorporation of the Equine Prohibited Substances List

These EAD Rules incorporate the Equine Prohibited Substances List (the "List") which is published and revised by the FEI from time to time. The HSI will publish a link to the current List on the FEI website, <http://www.cleansport.org> on its own website www.horsesportireland.ie.

4.2 Review and Publication of Banned Substances Identified on the List

The FEI may revise the List from time to time but at least once annually by posting the new List on the FEI website, or via such other appropriate channel, but such new List shall not go into effect any sooner than ninety (90) days following its publication. It is the responsibility of all Persons Responsible and Support Person(s) to be aware of any changes made by the FEI to the List. Ignorance of the List shall not be a defence to an allegation that a breach of these anti-doping rules has been committed.

4.3 Substances included on the List

The FEI's categorisation of a substance on the List as a Banned Substance (in particular, as opposed to a Controlled Medication Substance) shall be final and binding on all parties and shall not be subject to challenge by a Person

Responsible, Support Person(s) or any other person on any basis.

5. TESTING

5.1 Incorporation of the FEI Veterinary Regulations

These EAD Rules incorporate the FEI Veterinary Regulations for Testing. Testing conducted by or on behalf of HSI shall be in substantial conformity with the Testing procedures set forth in the FEI Veterinary Regulations in effect at the time of Testing, insofar as same are applicable.

5.2 Authority to Test

All Horses registered with HSI or an Affiliate or Section, or otherwise competing at an International Event or National Event, shall be subject to In-Competition Testing (a) by the FEI in the case of International Events and (b) in all other cases, by HSI. All Horses competing in a Competition organised, convened, authorised or recognised by an Affiliate or Section signed up to these EAD Rules may be subject to Testing by HSI.

5.3 Responsibility for Testing

HSI shall be responsible for overseeing all Testing conducted by or on behalf of HSI. Testing may be conducted by Testing Veterinarians appointed by HSI at a given Competition or at such other place as authorised by these EAD Rules, or as authorised in writing by the Secretary General or his or her designee(s). HSI or its assignees or agents shall be exclusively responsible for Testing at National Events, and no other body may conduct Testing at National Events without the express written permission of HSI other than the FEI.

5.4 Selection of Competitions at which Horses are to be Tested

5.4.1 Each Affiliate or Section shall determine, within its jurisdiction, the number of Tests to be performed in agreement with HSI.

5.4.2 HSI will agree with the affiliate the specific fixtures at which Testing will be carried out.

5.4.3 The Testing Veterinarian shall operate in close liaison with the Senior Official as nominated by the relevant Affiliate or Section at the fixture. The decisions as regards which Horses will be Tested and in which Competitions should be agreed between the Testing Veterinarian and the Senior Official. In the absence of agreement the decision of the Senior Official will prevail. Three possible methods for selection of Horses can be distinguished: obligatory Testing (i.e. winners in major competitions), the preferred method of random Testing, (i.e. method of random selection agreed by the Senior Official and the Testing Veterinarian together) and target Testing (i.e. if a specific reason necessitates Testing of a Horse, for example, if an ETUE has been granted).

5.4.4 Nothing in these EAD Rules shall be construed to limit the authority of HSI to conduct In-Competition Testing on Horses.

6. ANALYSIS OF SAMPLES

Samples collected under these EAD Rules and arising from Testing are the property of HSI. They shall be analysed in accordance with the following principles:

6.1 Incorporation of the Standard for Laboratories

These EAD Rules incorporate the FEI Standard for Laboratories. The choice of Laboratory to carry out the “A” and/or “B” Sample analysis shall be determined by HSI. Any Laboratories used by HSI shall carry out its functions under these ECM Rules in accordance with the FEI Standard for Laboratories.

The Person Responsible may elect to have the “B” Sample analysis carried out at a different Laboratory than performed the “A” Sample analysis. If the Person Responsible does elect to have the “B” Sample analysed at a different Laboratory than the one which performed the “A” Sample analysis, HSI shall determine which Laboratory, other than the one which performed the “A” Sample analysis, shall carry out the analysis of the “B” Sample.

6.2 Purpose of Collection and Analysis of Samples

Samples shall be analysed to detect Banned Substances, all as set forth in the List. HSI may also seek to detect other substances for research and monitoring purposes.

6.3 Research on Samples

No Sample may be used for any purpose other than as described in Article 6.2 above, without the Person Responsible's written consent. Those Samples used for purposes other than Article 6.2 following written consent from the Person Responsible shall have all means of identification removed from the Sample so it cannot be traced back to a particular Horse or Person Responsible. All Samples shall be destroyed pursuant to the guidelines set forth in the FEI Standard for Laboratories and in no event later than the lapse of the Statute Of Limitations in Article 14 below.

6.4 Standards for Sample Analysis and Reporting

Laboratories shall analyse Samples and report results in accordance with the FEI Standard for Laboratories.

6.5 Retesting Samples

A Sample may be reanalysed, for the purpose of research only, at any time exclusively at the direction of HSI.

7. RESULTS MANAGEMENT

7.1 Results Management for Tests arising out of Testing or other apparent EAD Rule violations

Results management for Tests arising out of Testing or other apparent EAD Rule violations shall proceed as set forth below:

7.1.1 The results of all Sample analyses must be sent exclusively to HSI, or the person so designated by HSI to receive the analysis, in a report signed by an authorised representative of the Laboratory. All communications must be conducted in such a way that the results of the Sample analyses are confidential.

7.1.2 Upon receipt of an "A" Sample Adverse Analytical Finding,

HSI (or a person acting on its behalf) shall conduct a review to determine whether there is any apparent departure from the Testing procedures of the FEI Veterinary Regulations or from the FEI Standard for Laboratories that caused the Adverse Analytical Finding.

7.1.3

If the initial review under Article 7.1.2 does not reveal an apparent departure from the Testing procedures of the FEI Veterinary Regulations or from the FEI Standard for Laboratories that caused the Adverse Analytical Finding, HSI shall promptly Notify the Person Responsible of:

- (a) the Adverse Analytical Finding;
- (b) the EAD Rule violated;
- (c) the Person Responsible's right to request the analysis of the "B" Sample within seven (7) days, or, failing such request, that the "B" Sample analysis may be deemed waived;
- (d) the opportunity for the Person Responsible to elect to have the "B" Sample analysed at a different laboratory than the one which performed the "A" Sample analysis, such Laboratory to be chosen by HSI and to carry out the Sample analysis in accordance with the FEI Standard for Laboratories; and the opportunity to send a representative (witness) to be present for the "B" Sample analysis unless allowing such representative or witness presents a threat to the integrity of the analysis process; and
- (e) the right of the Person Responsible to request copies of the A and "B" Sample (if applicable) Laboratory documentation package;
- (f) the right of the Person Responsible, within twenty-one (21) days of the date of Notification to admit the alleged violation with the sanction to be determined by the Disciplinary Committee at hearing, or, in the alternative, to deny the alleged violation, stating the basis for such denial;

- (g) that if the Person Responsible fails to either admit to or deny the alleged violation pursuant to Article 7.1.3(f), he or she shall be deemed to have admitted the violation; and
- (h) the right of the Person Responsible to request a hearing on written submissions only upon agreement of all parties and the Disciplinary Committee.

If, upon the initial review, HSI decides not to bring forward the Adverse Analytical Finding as an EAD Rule violation, it may so Notify the Person Responsible.

7.1.4

Pursuant to Article 7.1.3 (d) above, within five (5) days of receipt of the request for the “B” Sample analysis, HSI will propose possible dates for such analysis. Reasonable efforts shall be made to accommodate the Person Responsible in attending the “B” Sample analysis. However, if the sample to be tested is a blood sample, the “B” Sample analysis, if requested, may be carried out within fourteen (14) days of notification of the “A” Sample results, regardless of the inability of the Person Responsible or their representative to attend such analysis. If the sample to be tested is a urine sample, the “B” Sample analysis, if requested, may be carried out within twenty-eight (28) days, regardless of the inability of the Person Responsible or their representative to attend such analysis. The Person Responsible may accept the “A” Sample analytical results by waiving the right to a “B” Sample analysis. HSI may nonetheless elect at its discretion to proceed with the “B” Sample analysis. In such case, the “B” Sample analysis shall only be used to confirm the “A” Sample Adverse Analytical Finding. The Person Responsible is deemed to have waived his or her right to a “B” Sample analysis if he or she does not submit the request within the stipulated time-limit.

- 7.1.5 In addition to the Person Responsible and his or her representative (witness), a representative of HSI shall also be allowed to be present for the “B” Sample Analysis.
- 7.1.6 If the “B” Sample proves negative, then the entire test shall be considered negative. HSI shall be informed of the results confidentially and shall Notify the Person Responsible.
- 7.1.7 If a Banned Substance is identified in the “B” Sample, HSI shall be informed of the results confidentially and shall Notify the Person Responsible.
- 7.1.8 HSI may conduct any follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, HSI shall promptly Notify the Person Responsible’s Affiliate or Section, as applicable, of the results of the follow-up investigation.
- 7.1.9 For the avoidance of doubt, an Adverse Analytical Finding confirmed by the “B” Sample Analysis may result from blood or urine Samples, or any combination thereof (for example, a confirmatory “B” Sample Analysis is valid if performed on a blood sample, even if the “A” Sample Adverse Analytical Finding arose from a urine Test, and vice-versa.)
- 7.1.10 In instances where the Person Responsible is liable for the cost of the B Sample analysis, e.g. where the Person Responsible requests the B Sample analysis, the total cost of the B Sample for the Person Responsible will not exceed the cost of the A Sample.

7.2 **Review of Atypical Findings**

Laboratories shall report the presence of Banned Substances which may also be produced endogenously as Atypical Findings subject to further investigation. Upon receipt of an “A” Sample Atypical Finding, HSI shall conduct a review to determine whether there is any apparent departure from the Testing procedures of

the FEI or from the FEI Standard for Laboratories that caused the Atypical Finding. If that review does not reveal any departure that caused the Atypical Finding, HSI shall conduct the required investigation. After the investigation is completed, the Person Responsible and his or her Affiliate or Section, shall be Notified if the Atypical Finding will be brought forward as an Adverse Analytical Finding.

7.2.1 HSI will not provide Notice of an Atypical Finding until it has completed its investigation and decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding. However, if HSI determines that the “B” Sample should be analysed prior to the conclusion of the investigation under Article 7.2, HSI may conduct the “B” Sample Analysis after supplying the Person Responsible with such Notice including a description of the Atypical Finding and the information described in Article 7.1.3 (d) and (e) above.

7.3 **Review of Other Potential EAD Rules Violations**

For apparent EAD Rule violations that do not involve Adverse Analytical Findings, HSI may conduct any necessary follow-up investigation and at such time as it is satisfied that an EAD Rule violation has occurred, it shall then promptly Notify the Person Responsible and/or the Support Person(s) (where applicable) of the EAD Rule which appears to have been violated and the basis of the violation.

7.4 **Retirement from Sport**

If a Person Responsible and/or the Support Person(s) retires while a Results Management process is underway, HSI retains jurisdiction to complete its Results Management process. If a Person Responsible and/or Support Person(s) retires before any Results Management process has begun, HSI similarly has jurisdiction to conduct Results Management.

8. **RIGHT TO A FAIR HEARING**

8.1 **Burdens and Standards of Proof**

8.1.1 The Disciplinary Officer shall present the case against the Person Responsible and/or Support Person(s) and have the burden of proving the alleged EAD Rule violation on behalf of the relevant Affiliate or Section. The Affiliate or Section, as appropriate, shall provide all requested assistance to HSI, and/or the Disciplinary Committee and/or CAS in the application, policing and enforcement of these Rules including, without limitation, co-operating fully with any investigation or proceedings being conducted pursuant to these Rules in relation to any suspected anti-doping rule violation.

8.1.2 The standard of proof shall be whether HSI has established the EAD Rule violation to the comfortable satisfaction of the Hearing Committee bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these EAD Rules place the burden of proof upon the Persons Responsible and/or Support Person(s) to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except where a different standard of proof is specifically identified.

8.2 **Methods of Establishing Facts and Presumptions**

8.2.1 Facts related to EAD Rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in Doping cases brought under these EAD Rules:

8.2.1.1 The Laboratory used by HSI for Testing is presumed to have conducted Sample analysis and custodial procedures in accordance with the FEI Standard for Laboratories. The Person Responsible and/or the Support Person(s) who is alleged to have committed

the EAD Rule violation may rebut this presumption by establishing that a departure from the FEI Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.

If such presumption is rebutted by showing that a departure from the FEI Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then HSI shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

8.2.1.2 Departures from an HSI rule or policy, or applicable FEI standard, other than the FEI Standard for Laboratories, which did not cause an Adverse Analytical Finding or the factual basis for another EAD Rule violation shall not invalidate such evidence. If the Person Responsible and/or the Support Person(s) (where applicable) establishes that a departure from an HSI rule or policy, or applicable FEI standard, could reasonably have caused the Adverse Analytical Finding or factual basis for another EAD Rule violation, then HSI shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding or the factual basis for the EAD Rule violation.

8.2.1.3 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the Person Responsible and/or Support Person(s) (where applicable) to whom the decision pertained with

regards to the factual findings unless it can be established that the decision violated principles of natural justice.

8.2.1.4 The Hearing Committee presiding over a case alleging an EAD Rule violation may draw an inference adverse to the Person Responsible and/or Support Person(s) (where applicable) who is asserted to have committed an EAD Rule violation based on the refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the Hearing Committee) in order to answer questions from HSI or the Disciplinary Committee.

8.3 **Hearings before the Disciplinary Committee**

8.3.1 The Disciplinary Committee shall decide all cases involving violations of these EAD Rules.

8.3.2 When it appears, following the Results Management Process described in Article 7, that these EAD Rules have been violated, then the case shall be submitted to a Hearing Committee of the Disciplinary Committee for adjudication in accordance with Article 11 of the National Rules.

8.3.3 Hearings pursuant to this Article shall be completed expeditiously following the completion of the Results Management or investigation process described in Article 7 above and the submission of all relevant evidence and pleadings by the parties. The Person Responsible and/or Support Person(s) (where applicable) alleged to have violated the EAD Rules shall co-operate promptly in the submission of such evidence and pleadings and in attendance at a hearing if requested by the Disciplinary Committee.

8.3.4 Hearings before the Disciplinary Committee shall be carried out in accordance with Article 12 of the National Rules.

8.3.5 A Person Responsible and/or Support Person(s) (where applicable) may acknowledge the EAD Rule violation and accept consequences consistent with Articles 9 and 10 below as proposed by HSI.

8.3.6 Decisions of the Hearing Committee may be appealed either to the Disciplinary Committee and/or to the CAS as provided in Article 12 of these EAD Rules.

9. AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A violation of these EAD Rules in connection with an In-Competition Test automatically leads to Disqualification of the result of the Person Responsible and Horse combination obtained in that In-Competition period, with all resulting Consequences, including forfeiture of any related trophies, medals, points and prizes.

10. SANCTIONS

10.1 Ineligibility and fine for first EAD Rule violation

10.1.1 The sanction imposed for a violation of Article 2.1 (presence of a Banned Substance or its Metabolites or Markers), Article 2.2 (Use or Attempted Use of a Banned Substance), Article 2.3 (Refusing or Failing to Submit to Sample Collection), Article 2.4 (Tampering or Attempted Tampering with any part of Doping Control), Article 2.5 (Possession of a Banned Substance) or Article 2.7 (Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an EAD Rule violation or any Attempted EAD Rule violation) shall be as follows unless the conditions for eliminating, reducing, or increasing the sanction provided in 10.2 or 10.3 are met.

First Violation: Up to Two (2) years Ineligibility, a fine of up to €2,500.00 and appropriate legal costs.

Multiple Violations: As set forth in Article 10.4 below.

10.1.2 For violations of Article 2.6 (Trafficking or Attempted Trafficking), the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility unless the conditions provided in Article 10.1.4 or 10.2 are met. A fine of €21,375.00 shall also be imposed, unless fairness dictates otherwise, along with appropriate legal costs.

10.1.3 In addition, significant violations of Articles 2.6 or 2.7 which may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.

10.1.4 Where the Person Responsible is a Minor at the time of the Competition, any period of Ineligibility imposed for a violation of these EAD Rules shall be up to six (6) months.

10.2 **Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances**

10.2.1 **No Fault or Negligence**

If the Person Responsible and/or Support Person(s) (where applicable) establishes in an individual case that he or she bears No Fault or Negligence for the EAD Rule violation, the otherwise applicable period of Ineligibility and other sanctions may be eliminated in regard to such Person. When a Banned Substance or its Metabolites or Markers is detected in a Horse's Sample in violation of Article 2.1 (presence of a Banned Substance), the Person Responsible and/or Support Person(s) (where applicable) must also establish how the Banned Substance entered the Horse's system in order to have the period of Ineligibility and other sanctions eliminated. In the event this Article is applied and the period of Ineligibility otherwise applicable and other sanctions are eliminated, the EAD Rule

violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for multiple violations under Article 10.4 below.

10.2.2 **No Significant Fault or Negligence**

If a Person Responsible and/or Support Person(s) (where applicable) establishes in an individual case that he or she bears No Significant Fault or Negligence, then the otherwise applicable period of Ineligibility and other sanctions may be reduced in regard to such Person. When a Banned Substance or its Metabolites or Markers is detected in a Horse's Sample in violation of Article 2.1 (presence of a Banned Substance or its Metabolites or Markers), the Person alleged to have committed the EAD Rule violation must also establish how the Banned Substance or its Metabolites or Markers entered the Horse's system in order to have the period of Ineligibility and other sanctions reduced.

10.2.3 **Substantial Assistance in Discovering or Establishing EAD Rule Violations**

The Disciplinary Committee may, prior to a final appellate decision under Article 12 below or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case where the Person Responsible and/or Support Person(s) has provided Substantial Assistance to HSI, the FEI, a criminal authority or professional disciplinary body which results in the discovery or establishment of an EAD Rule violation by another Person or which results in a criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another Person. Such Substantial Assistance must be independently corroborated in order to reduce the period of Ineligibility. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the EAD Rule

violation committed and the significance of the Substantial Assistance provided in an effort to promote drug-free equestrian sport. In any event, no more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this section must be no less than eight (8) years. If the Disciplinary Committee subsequently reinstates any part of the suspended period of Ineligibility because the Person Responsible and/or Support Person(s) has failed to provide the Substantial Assistance which was anticipated, the Person Responsible and/or Support Person(s) may appeal the reinstatement pursuant to Article 12.2.

10.2.4 **Admission of an EAD Rule Violation in the Absence of Other Evidence**

Where a Person Responsible and/or Support Person(s) voluntarily admits the commission of an EAD Rule violation before having received Notice of a Sample collection which could establish an EAD Rule violation (or, in the case of an EAD Rule violation other than Article 2.1, before receiving first Notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced.

10.2.5 **Where a Person Responsible and/or Support Person(s) Establishes Entitlement to Reduction in sanction Under More than One Provision of this Article**

If the Person Responsible and/or Support Person(s) establishes entitlement to a reduction or suspension of the period of Ineligibility under two (2) or more of Articles 10.2.2, 10.2.3 and 10.2.4, then the period of Ineligibility may be reduced or suspended.

10.3 **Aggravating Circumstances Which May Increase the Period of Ineligibility**

If HSI establishes in an individual case involving an EAD Rule violation other than violations under Article 2.6 (Trafficking or Attempted Trafficking) and 2.7 (assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an EAD Rule violation or any Attempted EAD Rule violation) that aggravating circumstances are present which justify the imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased up to a maximum of four (4) years unless the Person Responsible and/or Support Person(s), can prove to the comfortable satisfaction of the Hearing Committee that he or she did not knowingly commit the EAD Rule violation. The Person Responsible and/or Support Person(s) can avoid the application of this Article by admitting the EAD Rule violation as asserted promptly after being confronted by HSI with the EAD Rule violation.

10.4 **Multiple Violations**

10.4.1 **Second EAD Rule Violation**

For the Person Responsible's and/or Support Person(s)'s first EAD Rule violation, the period of Ineligibility is set forth in Articles 10.1 (subject to elimination, reduction, or suspension under Articles 10.2 or to an increase under Article 10.3). For a second EAD Rule violation the period of Ineligibility shall be increased by the Hearing Committee, taking into account the respective severity of both EAD Rule violations involved and the circumstances of the particular case.

10.4.2 **Application of Articles 10.2.3 and 10.2.4 to Second EAD Rule Violation**

Where a Person Responsible and/or Support Person(s) who commits a second EAD Rule violation establishes entitlement to suspension or reduction of a portion of the period of Ineligibility under Article 10.2.3 or Article 10.2.4, the Hearing Committee shall first determine the otherwise applicable period of Ineligibility then apply the appropriate suspension or reduction of the period of Ineligibility. The remaining period of

Ineligibility, after applying any suspension or reduction under Articles 10.2.3 and 10.2.4, must be at least one-fourth of the otherwise applicable period of Ineligibility.

10.4.3 **Third EAD Rule Violation**

A third EAD Rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfils the condition for elimination or reduction of the period of Ineligibility under Articles 10.2. In these particular cases, the period of Ineligibility shall be from eight (8) years to a lifetime ban.

10.4.4 **Additional EAD Rules for certain Potential Multiple Violations**

For purposes of imposing sanctions under Article 10.4, an EAD Rule violation will only be considered a second EAD Rule violation if HSI can establish that the Person Responsible and/or Support Person(s) (where applicable) committed the second violation after he or she received Notice of the first violation pursuant to Article 7 (Results Management), or after HSI made reasonable efforts to give Notice of the first EAD Rule violation.

If HSI cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction. However, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances under Article 10.3.

If, after the resolution of a first EAD Rule violation, HSI discovers facts involving an EAD Rule violation by the Person Responsible and/or Support Person(s) which occurred prior to Notification regarding the first violation, then the Disciplinary Committee shall impose an additional sanction based on the

sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all Competitions dating back to the earlier EAD Rule violation will be Disqualified as provided in Article 10.5. To avoid the possibility of a finding of aggravating circumstances (Article 10.3) on account of the earlier-in-time but later-discovered violation, the Person Responsible and/or Support Person(s) must voluntarily admit the earlier EAD Rule violation on a timely basis after Notice of the violation for which he or she is first charged. The same rule shall also apply when HSI discovers facts involving another prior violation after the resolution of a second EAD Rule violation.

10.4.5 **Multiple EAD Rule Violations During an Eight-Year Period**

For purposes of Article 10.4, each EAD Rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

10.4.6 **Violations involving both a Controlled Medication Substance and a Banned Substance**

Where a Person Responsible and/or Support Person(s) based on the same factual circumstances is found to have committed a violation involving both a Controlled Medication Substance under the ECM Rules and a Banned Substance under these EAD Rules, the Person Responsible and/or Support Person(s) shall be considered to have committed one EAD Rule violation and the sanction imposed shall be based on the Banned Substance that carries the most severe sanction. The occurrence of multiple substances may be considered as a factor in determining aggravating circumstances under Article 10.3 above.

10.5 **Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an EAD Rule Violation**

In addition to the automatic Disqualification of the result of the Person Responsible and Horse Combination obtained in the In-Competition period in

which the positive Sample was collected, or other EAD Rule violation occurred, under Article 9 (Automatic Disqualification of Individual Results), all other competitive results obtained by the Person Responsible and Horse combination from the date the positive Sample was collected, or other EAD Rule violation occurred, through the commencement of any Ineligibility period, shall, unless fairness requires otherwise, be Disqualified with all of the resulting consequences including forfeiture of any trophies, medals, points and prizes.

As a condition of regaining eligibility after being found to have committed an EAD Rule violation, the Person Responsible must first repay all prize money forfeited under this Article.

10.6 **Commencement of Ineligibility Period**

Except as provided below, the period of Ineligibility shall start on the date of the decision providing for Ineligibility.

10.6.1 **Delays Not Attributable to the Person Responsible or Support Person(s)**

Where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to the Person Responsible and/or Support Person(s) alleged to have committed the EAD Rule violation, the Hearing Committee may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another EAD Rule violation last occurred.

10.6.2 **Timely Admission**

Where the Person Responsible and/or Support Person(s) (where applicable) promptly (which, for the Person Responsible, in all circumstances, means before the Person Responsible competes again) admits the EAD Rule violation after being confronted with the EAD Rule violation by HSI, the period of Ineligibility may start as early as the date of Sample collection or the date on which another EAD Rule violation last occurred.

10.7 **Status During Ineligibility**

10.7.1

Prohibition Against Participation during Ineligibility

No Horse, Person Responsible and/or Support Person(s) who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a National Event or in a Competition or activity that is authorised or organised by HSI or any Affiliate or Section which has signed up to these EAD Rules, or be present at a Competition (other than as a spectator) that is authorised or organised by HSI or any Affiliate or Section which has signed up to these EAD Rules, or participate in any capacity in an International Event or in any Competition authorised or organised by any international or national-level event organisation. In addition, for any EAD Rule violation, some or all of sport-related financial support or other sport-related benefits received by such Person Responsible and/or Support Person(s) may be withheld by HSI and/or its Affiliates or Sections. A Horse subject to a period of Ineligibility shall remain subject to Testing.

In addition, any Support Person(s) subject to Ineligibility under Article 10 may also be banned from any venues where national-level competitions are taking place.

10.7.2

Violation of the Prohibition of Participation During Ineligibility

Where a Person Responsible and/or Support Person(s) who has been declared Ineligible or whose Horse has been declared Ineligible violates the prohibition against participation or attendance during Ineligibility described in Article 10.7.1 above, the results of such participation shall be Disqualified and the period of Ineligibility which was originally imposed shall start over so that the entire period of Ineligibility must be served again from the beginning with the first date of Ineligibility served fixed as the date of the later violation of the prohibition against participation or attendance. The new period

of Ineligibility may be reduced under Article 10.2.2 if the Person Responsible and/or Support Person(s) establish that he or she bears No Significant Fault or Negligence for violating the prohibition against participation or attendance. The determination of whether any Person has violated the prohibition against participation or attendance, and whether a reduction under Article 10.2.2 is appropriate, shall be made by the Disciplinary Committee.

10.8 Non-Payment of any Fine

10.8.1 If a fine is imposed by the Disciplinary Committee and the Person Responsible and/or Support Person(s), as applicable, fails to pay the fine within the time limit set by the Disciplinary Committee, the Disciplinary Committee shall have the power to impose a further sanction upon the person to include:

10.8.1.1 The non-suspension of a previously suspended period of Ineligibility;

10.8.1.2 A further period of Ineligibility; and/or

10.8.1.3 A further fine.

Such further sanction shall be solely at the discretion of the Disciplinary Committee.

11. CONSEQUENCES TO TEAMS

11.1 If a Person Responsible, as a member of a team, is found to have committed a violation of these EAD Rules during a Competition where a team ranking is based on the addition of individual results, the results of the Person Responsible committing the violation will be subtracted from the team result and replaced with the results of the next applicable team member. If by removing the Person Responsible's results from the team results, the number of Persons counting for

the team is less than the required number, the team shall be eliminated from ranking. If a key member of a team, other than the Person Responsible, such as, but not limited to, the chef d'equipe, team veterinarian, or team coach, admits or is found to have violated these EAD Rules, the entire team may be Disqualified if fairness so requires.

12. APPEALS

12.1 Decisions Subject to Appeal

Decisions made under these EAD Rules may be appealed as set forth below. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

12.2 Appeals from Decisions Regarding EAD Rule Violations and Consequences

The following decisions may be appealed exclusively as provided in this Article 12.2: (a) a decision that an EAD Rule violation was committed; (b) a decision imposing consequences for an EAD Rule violation; (c) a decision that no EAD Rule violation was committed; (d) a decision that an EAD Rule violation proceeding cannot go forward for procedural reasons (including, for example, exceeding the Statute of Limitations); (e) a decision under Article 10.10.2 (Violation of the Prohibition of Participation during Ineligibility); (f) a decision under Article 10.2.3 to reinstate a period of Ineligibility for failure to provide the Substantial Assistance which was anticipated; and (g) a decision that HSI lacks jurisdiction to rule on an alleged EAD Rule violation or its consequences.

12.2.1 The decision may be appealed in the first instance to the Disciplinary Committee in accordance with these EAD Rules and therefrom to the CAS in accordance with the provisions applicable before the CAS.

12.2.2 The following parties shall have the right to appeal to the Disciplinary Committee or the CAS: (a) the Person Responsible and/or Support Person(s) who is the subject of the decision being appealed, or the Horse Owner, where their Horse is subject to Ineligibility; (b) HSI; (c) any other party to the case in which the decision was rendered; (d) the FEI; and (e) the

International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games.

12.3 **Time for Filing Appeals**

The time to file an appeal to the Disciplinary Committee or the CAS, as the case may be, shall be fourteen (14) days from the date of Receipt of the Hearing Committee decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the decision subject to appeal:

- a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the Hearing Committee having issued the decision a copy of the file on which it relied; a failure to make such request shall not however preclude such party from appealing to the Disciplinary Committee or the CAS, as the case may be, within the time period set forth above; and
- b) If such a request is made within the ten (10) day period, then the party making such request shall have thirty (30) days from receipt of the file to file an appeal to the Disciplinary Committee or the CAS, as the case may be.

13. **APPLICATION, REPORTING AND RECOGNITION**

13.1 **Statistical Reporting**

As required by the FEI, HSI shall report to the FEI at the end of every year aggregated and anonymous results of all Doping Controls within their jurisdiction.

13.2 **Public Disclosure**

- 13.2.1 Neither HSI nor its Affiliates or Sections shall publicly identify Horses or Persons Responsible whose Horses' Samples have resulted in Adverse Analytical Findings, or Persons Responsible

and/or Support Person(s) who are alleged to have otherwise violated these Rules, until the case has reached its full and final decision. Once a violation of these EAD Rules has been established, it shall be publicly reported in an expeditious manner via the website of HSI. If the Person Responsible and/or Support Person(s) makes information concerning an EAD Rule violation or alleged EAD Rule violation public prior to release of this information, only HSI may comment on such public information or otherwise publicly report the matter.

13.2.2 In any case where it is determined, after a hearing, that the Person Responsible and/or Support Person(s) did not commit an EAD Rule violation, the decision may be disclosed publicly only with the consent of the Person who is the subject of the decision. HSI shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as such Person and HSI may jointly approve.

13.2.3 Neither HSI, any Affiliate or Section, any Laboratory, or any official of any of the above, shall publicly comment on the specific facts of a pending case (as opposed to a general description of process and science), except that HSI may respond to public comments attributed to the Person Responsible and/or Support Person(s) or their representatives. Only HSI shall have the right to comment. All enquiries received by the Affiliates or Sections must be referred to HSI.

13.3 **Recognition of Decisions by Affiliates and Sections**

Any decision of HSI regarding a violation of these EAD Rules shall be recognised and enforced by all Affiliates and Sections which have signed up to these EAD Rules, and the relevant Affiliate and/or Section, as appropriate, shall take all necessary action to implement any and all ramifications relating to such decisions.

- 13.4 Upon determination that a violation of these EAD Rules has occurred, and after all appeals have been exhausted or the time for lodging such appeals has passed, the Disciplinary Committee shall have the power to refer the matter to the appropriate civil authority in addition to any sanction imposed by the Disciplinary Committee in accordance with these EAD Rules. HSI may, and if directed by the Disciplinary Committee shall, provide all documentation relating to the matter to the relevant civil authority(ies) unless prohibited by law.

14. STATUTE OF LIMITATIONS

- 14.1 No action may be commenced under these EAD Rules against a Person Responsible and/or Support Person(s) for an EAD Rule violation unless such action is commenced within eight (8) years from the date the violation is asserted to have occurred.

15. INTERPRETATION OF EAD RULES

- 15.1 Except as provided in Article 15.4 EAD Rules, these EAD Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes. Nothing herein shall be interpreted to supplant the applicability of national laws to National Events.
- 15.2 The headings used for the various parts and Articles of these EAD Rules are for convenience only and shall not be deemed part of the substance of these EAD Rules or to affect in any way the language of the provisions to which they refer.
- 15.3 The Introduction, Appendix 1 Definitions and the Equine Prohibited Substances List shall all be considered integral parts of these EAD Rules.
- 15.4 These EAD Rules have been adopted pursuant to the HSI Memorandum and Articles of Association and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of the Memorandum and Articles of Association as well as other HSI rules and regulations including but not limited to the General Rules. In the event of conflict with the General Rules, the General Rules shall apply, subject however, to the application by the Disciplinary Committee of the legal principle of *lex specialis derogat legi generali* which provides that a specific provision should govern over a general provision. In the

event of conflict with the EADCM Regulations of the FEI, the EADCM Regulations of the FEI shall apply. In the event of conflict with any other rules or regulations, these EAD Rules shall apply.

- 15.5 The time limits fixed under the EAD Rules shall begin from the day after that on which Notification by HSI is received. Official holidays and nonworking days are included in the calculation of time limits. If the last day of the time limit is an official holiday or a non-business day in the country where the Notification has been made, the time limit shall expire at the end of the first subsequent business day.

16. TRANSITIONAL AND MISCELLANEOUS PROVISIONS

16.1 General Application of the 2012 EAD Rules

The 2012 EAD Rules shall apply in full force and effect as of April 1, 2012 (the “Effective Date”).

16.2 Non-Retroactive Unless Principle of "Lex Mitior" Applies

With respect to any EAD Rule violation case which is pending as of the Effective Date and any EAD Rule violation case brought after the Effective Date based on an EAD Rule violation which occurred prior to the Effective Date, the case shall be governed by the rules in effect by the relevant Affiliate or Section, as applicable, at the time the alleged EAD Rule violation occurred unless the Hearing Committee determines that the principle of “lex mitior” appropriately applies under the circumstances of the case.

16.3 Application to Decisions Rendered Prior to the 2010 EAD Rules

The 2012 EAD Rules shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.

16.4 Minors

16.4.1 Where the Person Responsible (or Support Person) is a Minor at the time of the alleged violation of the EAD Rule all correspondence shall be addressed to the parent or guardian of the Minor.

16.4.2 Where the Person Responsible (or Support Person) is a Minor at the time of the violation of the EAD Rule, as applicable, any fine(s) imposed in accordance with these EAD Rules shall be paid by the parent or guardian of the Minor.

16.5 Validity of Acts Done

All acts done in good faith by any person in the implementation of these EAD Rules, notwithstanding that it be afterwards discovered that there was some defect in the appointment or authority of such person so acting, shall be as valid as if every such person had been duly appointed or authorised.

16.6 Limitation of Liability

Neither HSI nor the Disciplinary Committee nor any of their respective members, directors, officers, employees, agents, representatives and other persons involved in the administration of these EAD Rules shall be liable to any person in any way, in relation to acts done or omitted to be done in good faith in connection with these EAD Rules.

16.7 Severability

If any clause or provision of these EAD Rules is held invalid, unenforceable or illegal for any reason, these EAD Rules shall remain otherwise in full force apart from such clause or provision which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

16.8 Matters Not Otherwise Provided For

Where a matter arises that is not otherwise provided for in these EAD Rules, the person or body called upon to resolve the matter shall have discretion to do so in such manner as he or she or it sees fit, provided that such resolution does not materially undermine the reliability of proceedings under these EAD Rules or

otherwise cause material injustice to the Person Responsible and/or Support Person(s) to whom these EAD Rules are being applied.

EQUINE CONTROLLED MEDICATION RULES (“ECM Rules”)

HSI Medication Code

All treatments must be given in the best health and welfare interests of the Horse.

Therefore:

- Every treatment must be fully justifiable by the medical condition of the Horse receiving the treatment.
- Horses that cannot compete as a result of injury or disease must be given appropriate veterinary treatment. Persons Responsible and their Support Person(s) must obtain advice from their treating veterinarian or team veterinarian prescribing a treatment and the necessary duration of treatment.
- No Controlled Medication Substance shall be given to any Horse during or close to a Competition unless the appropriate FEI guidelines for medication authorisation have been followed.

1. DEFINITION OF A CONTROLLED MEDICATION VIOLATION

- 1.1 A Controlled Medication violation is defined as the occurrence of one or more of the ECM Rule violations set forth in Article 2.1 through Article 2.5 of these ECM Rules.

2. CONTROLLED MEDICATION RULE VIOLATIONS

Persons Responsible and their Support Person(s) shall be responsible for knowing what constitutes an ECM Rule violation and the substances which have been included on the Equine Prohibited Substances List and identified as Controlled Medication Substances.

The following shall constitute ECM Rule violations:

2.1 The presence of a Controlled Medication Substance or its Metabolites or Markers in a Horse's Sample taken In-Competition

2.1.1 It is each Person Responsible's personal duty to ensure that no Controlled Medication Substance is present in the Horse's body In-Competition. Persons Responsible are responsible for any Controlled Medication Substance found to be present in their Horse's Samples, even though their Support Person(s) will be considered additionally responsible under Articles 2.2 - 2.5 ECM Rules where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing Use be demonstrated in order to establish a Rule violation under Article 2.1.

2.1.2 Sufficient proof of a Rule violation under Article 2.1 is established by either of the following: (i) presence of a Controlled Medication Substance or its Metabolites or Markers in the Horse's "A" Sample where the Person Responsible waives analysis of the "B" Sample and the "B" Sample is not analysed; (ii) or, where the Horse's "B" Sample is analysed and the analysis of the Horse's "B" Sample confirms the presence of

the Controlled Medication Substance or its Metabolites or Markers found in the Horse's "A" Sample In-Competition. An Adverse Analytical Finding may be established by a positive blood or urine Sample, or both.

2.1.3 Excepting those substances for which a quantitative threshold or permitted limit is specifically identified in the Equine Prohibited Substances List or where a valid ETUE has been submitted, the presence of any quantity of a Controlled Medication Substance or its Metabolites or Markers in a Horse's Sample during an In-Competition period shall constitute an ECM Rule violation.

2.1.4 As an exception to the general rule of Article 2.1, the Equine Prohibited Substances List or the FEI Standard for Laboratories may establish special criteria for the evaluation of Controlled Medication Substances that can also be produced endogenously or be ingested from the environment or as a result of contamination.

2.2 **Use or Attempted Use of a Controlled Medication Substance In-Competition**

2.2.1 It is each Person Responsible's and Support Person's personal duty to ensure that no Controlled Medication Substance enters into the Horse's body In-Competition without an ETUE. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the part of the Person Responsible, or his or her Support Person(s) (where applicable), be demonstrated in order to establish a Rule violation for Use of a Controlled Medication Substance.

2.2.2 The success or failure of the Use or Attempted Use of a Controlled Medication Substance is not material. It is sufficient that the Controlled Medication Substance was Used or Attempted to be Used for an ECM Rule violation to be committed.

- 2.3 **Refusing or failing without compelling justification to submit to Sample collection after Notification or otherwise evading Sample collection.**
- 2.4 **Tampering or Attempted Tampering with any part of Medication Control.**
- 2.5 **Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an ECM Rule violation or any Attempted ECM Rule violation.**

3. HORSE PASSPORT/IDENTIFICATION DOCUMENTATION

- 3.1 It is a requirement under Irish legislation that the Horse's passport or other valid documentation of identification is kept with, or convenient to, the animal at all times. The Person Responsible shall ensure that the Horse's passport is readily available during the In-Competition period.
- 3.2 Failure to produce such documentation upon request by an Authorised Veterinarian or other person qualified to carry out Testing will not prevent the Sample Collection from being completed.
- 3.3 The Authorised Veterinarian shall have the right to check the Horse's microchip, if applicable, or to obtain a DNA sample or to make a markings chart for purposes of identification.
- 3.4 A Person Responsible shall not be entitled to claim issue in relation to the Horse's identity based upon a failure to produce the necessary documentation.

4. THE EQUINE PROHIBITED SUBSTANCES LIST

4.1 Incorporation of the Equine Prohibited Substances List

These ECM Rules incorporate the Equine Prohibited Substances List (the "List") which is published and revised by the FEI from time to time. The HSI will publish a link to the current List on the FEI website, <http://www.cleansport.org> on its own website www.horsesportireland.ie.

4.2 Review and Publication of Controlled Medication Substances Identified on the List

The FEI may revise the List from time to time but at least once annually by

posting the new List on the FEI website, or via such other appropriate channel, but such new List shall not go into effect any sooner than ninety (90) days following its publication. It is the responsibility of all Persons Responsible and Support Person(s) to be aware of any changes made by the FEI to the List. Ignorance of the List shall not be a defence to an allegation that a breach of these anti-doping rules has been committed.

4.3 **Substances included on the List**

The FEI's categorisation of a substance on the List as a Controlled Medication Substance shall be final and binding on all parties and shall not be subject to challenge by a Person Responsible, Support Person(s), and/or any other person on any basis.

4.4 **Equine Therapeutic Use Exemption**

In cases where Horses require emergency veterinary treatment with a controlled medication prior to a competition, an Equine Therapeutic Use Exemption (ETUE) may be applied for in accordance with the following procedures:

4.4.1 The treating veterinarian must complete an ETUE application form and submit this by fax or email to Horse Sport Ireland before 10am on the last working day prior to the start of the In Competition Period.

4.4.2 The returned ETUE application form must include a signed, stamped statement by the treating veterinarian describing the reason for treatment, the active substance given, the dose and the exact time of administration.

4.4.3 The Horse Sport Ireland Adjudicating Veterinarian will consider the application and determine whether or not the Horse is permitted to compete based on guidelines set down by Horse Sport Ireland.

4.4.4 If an ETUE is granted by the Adjudicating Veterinarian, the Testing Veterinarian in respect of the relevant In-Competition

Period will be informed and the Horse may be targeted for Testing.

- 4.4.5 It is the responsibility of the Rider to establish with certainty that an ETUE application has been granted prior to the Horse competing.

5. TESTING

5.1 Incorporation of the FEI Veterinary Regulations

These ECM Rules incorporate the FEI Veterinary Regulations for Testing. Testing conducted by or on behalf of HSI shall be in substantial conformity with the Testing procedures set forth in the FEI Veterinary Regulations in effect at the time of Testing, insofar as same are applicable.

5.2 Authority to Test

All Horses competing in a Competition organised or authorised by an Affiliate or Section signed up to these ECM Rules may be subject to In-Competition Testing by HSI.

5.3 Responsibility for Testing

HSI shall be responsible for overseeing all Testing conducted by or on behalf of HSI. Testing shall be conducted by Testing Veterinarians appointed by HSI. HSI or its assignees or agents, shall be exclusively responsible for Testing at National Events and no other body may conduct Testing at National Events without the express written permission of HSI.

5.4 Selection of Competitions at which Horses are to be Tested

- 5.4.1 Each Affiliate or Section shall determine, within its jurisdiction, the number of Tests to be performed in agreement with HSI.
- 5.4.2 HSI will agree with the affiliate the specific fixtures at which Testing will be carried out.
- 5.4.3 The Testing Veterinarian shall operate in close liaison with the Senior Official as nominated by the relevant Affiliate or Section

at the fixture. The decisions as regards which Horses will be Tested and in which Competitions should be agreed between the Testing Veterinarian and the Senior Official. In the absence of agreement the decision of the Senior Official will prevail. Three possible methods for selection of Horses can be distinguished: obligatory Testing (i.e. winners in major competitions), the preferred method of random Testing, (i.e. method of random selection agreed by the Senior Official and the Testing Veterinarian together) and target Testing (i.e. if a specific reason necessitates Testing of a Horse, for example, if an ETUE has been granted).

5.4.4 Nothing in these ECM Rules shall be construed to limit the authority of HSI to conduct In-Competition Testing on Horses.

6. ANALYSIS OF SAMPLES

Samples collected under these Rules and arising from Testing are the property of HSI. They shall be analyzed in accordance with the following principles:

6.1 Incorporation of the FEI Standard for Laboratories

These ECM Rules incorporate the FEI Standard for Laboratories. The choice of Laboratory to carry out the “A” and/or “B” Sample analysis shall be determined by HSI. Any Laboratories used by HSI shall carry out its functions under these ECM Rules in accordance with the FEI Standard for Laboratories.

The Person Responsible may elect to have the “B” Sample analysis carried out at a different Laboratory than performed the “A” Sample analysis. If the Person Responsible does elect to have the “B” Sample analysed at a different Laboratory than the one which performed the “A” Sample analysis, HSI shall determine which Laboratory, other than the one which performed the “A” Sample analysis, shall carry out the analysis of the “B” Sample.

6.2 Purpose of Collection and Analysis of Samples

Samples shall be analysed to detect Controlled Medication Substances, all as set forth in the List. HSI may also seek to detect other substances for research and monitoring purposes.

6.3 **Research on Samples**

No Sample may be used for any purpose other than as described in Article 6.2, without the Person Responsible's written consent. Those Samples used for purposes other than Article 6.2 following written consent from the Person Responsible shall have all means of identification removed from the Sample so it cannot be traced back to a particular Horse or Person Responsible. All Samples shall be destroyed pursuant to the guidelines set forth in the FEI Standard for Laboratories and in no event later than the lapse of the Statute Of Limitations in Article 14 below.

6.4 **Standards for Sample Analysis and Reporting**

Laboratories shall analyze Samples and report results in accordance with the FEI Standard for Laboratories.

6.5 **Retesting Samples**

A Sample may be reanalysed for the purposes of research pursuant to Article 6.3 at any time exclusively at the direction of HSI. Nothing herein, however, shall prevent HSI from conducting subsequent tests on a Sample pursuant to an alleged violation under Article 2.1.

7. RESULTS MANAGEMENT

7.1 **Results Management for Tests arising out of Testing or other apparent ECM Rule violations**

Results management for Tests arising out of Testing or other apparent ECM Rule violations shall proceed as set forth below:

7.1.1 The results of all Sample analyses must be sent exclusively to HSI, or the person so designated by HSI to receive such analysis, in a report signed by an authorised representative of the Laboratory. All communications must be conducted in such a way that the results of the Sample analyses are confidential.

7.1.2 Upon receipt of an "A" Sample Adverse Analytical Finding, HSI (or a person acting on its behalf) shall conduct a review to determine if a) the Adverse Analytical Finding is consistent

with an applicable ETUE that has been granted, or b) there is any apparent departure from the FEI Testing procedures of the FEI Veterinary Regulations or from the FEI Standard for Laboratories that caused the Adverse Analytical Finding.

7.1.3

If the initial review under Article 7.1.2 does not reveal an applicable ETUE or departure from the Testing procedures of the FEI Veterinary Regulations or from the FEI Standard for Laboratories that caused the Adverse Analytical Finding, HSI shall promptly Notify the Person Responsible of:

- (a) the Adverse Analytical Finding;
- (b) the ECM Rule violated;
- (c) the Person Responsible's right to request the analysis of the "B" Sample within seven (7) days, or, failing such request, that the "B" Sample analysis may be deemed waived;
- (d) the opportunity for the Person Responsible to elect to have the "B" Sample analysed at a different laboratory than the one which performed the "A" Sample analysis, such Laboratory to be chosen by HSI and to carry out the Sample analysis in accordance with the FEI Standard for Laboratories; and the opportunity to send a representative (witness) to be present for the "B" Sample analysis unless allowing such representative or witness presents a threat to the integrity of the analysis process; and
- (e) the right of the Person Responsible to request copies of the A and "B" Sample (if applicable) Laboratory documentation package which includes information as specified in the FEI Standard for Laboratories.
- (f) the right of the Person Responsible to have their case processed under the Administrative Procedure in accordance with Article 8.4 below;
- (g) the right of the Person Responsible, within twenty-one (21) days of the date of Notification to admit the alleged

- violation with the sanction to be determined by the Disciplinary Committee at hearing, or, in the alternative, to deny the alleged violation, stating the basis for such denial;
- (h) that if the Person Responsible fails to either admit to or deny the alleged violation pursuant to Article 7.1.3(g), he or she shall be deemed to have admitted the violation; and
 - (i) the right of the Person Responsible to request a hearing on written submissions only upon agreement of all parties and the Disciplinary Committee.

If, upon the initial review, HSI decides not to bring forward the Adverse Analytical Finding as an ECM Rule violation, it may so Notify the Person Responsible.

7.1.4

Pursuant to Article 7.1.3 (d) above, within five (5) days of receipt of the request for the “B” Sample analysis, HSI will propose possible dates for such analysis. Reasonable efforts shall be made to accommodate the Person Responsible in attending the “B” Sample analysis. However, if the sample to be tested is a blood sample, the “B” Sample analysis, if requested, may be carried out within fourteen (14) days of notification of the “A” Sample results, regardless of the inability of the Person Responsible or their representative to attend such analysis. If the sample to be tested is a urine sample, the “B” Sample analysis, if requested, may be carried out within twenty-eight (28) days, regardless of the inability of the Person Responsible or their representative to attend such analysis. The Person Responsible may accept the “A” Sample analytical results by waiving the right to a “B” Sample analysis. HSI may nonetheless elect at its discretion to proceed with the “B” Sample analysis. In such case, the “B” Sample analysis shall only be used to confirm the “A” Sample Adverse Analytical Finding. The Person Responsible is deemed to have waived his or her right to a “B” Sample analysis if he or she does not

submit the request within the stipulated time-limit.

- 7.1.5 In addition to the Person Responsible and his or her representative (witness), a representative of HSI shall also be allowed to be present for the “B” Sample analysis.
- 7.1.6 If the “B” Sample proves negative, then the entire test shall be considered negative. HSI shall be informed of the results confidentially and shall notify the Person Responsible.
- 7.1.7 If a Controlled Medication Substance is identified in the “B” Sample, HSI shall be informed of the results confidentially and shall Notify the Person Responsible.
- 7.1.8 HSI may conduct any follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, HSI shall promptly notify the Person Responsible's Affiliate or Section, as applicable, of the results of the follow-up investigation.
- 7.1.9 For the avoidance of doubt, an Adverse Analytical Finding confirmed by the “B” Sample analysis may result from blood or urine Samples, or any combination thereof (for example, a confirmatory “B” Sample Analysis is valid if performed on a blood sample, even if the “A” Sample Adverse Analytical Finding arose from a urine Test, and vice-versa).
- 7.1.10 In instances where the Person Responsible is liable for the cost of the B Sample analysis, e.g. where the Person Responsible requests the B Sample analysis, the total cost of the B Sample for the Person Responsible will not exceed the cost of the A Sample

7.2 **Review of Atypical Findings**

Laboratories shall report the presence of Controlled Medication Substances which may also be produced endogenously as Atypical Findings subject to further investigation. Upon receipt of an “A” Sample Atypical Finding, HSI shall conduct

a review to determine whether there is any apparent departure from the Testing procedures of the FEI or from the FEI Standard for Laboratories that caused the Atypical Finding. If that review does not reveal any departure that caused the Atypical Finding, HSI shall conduct the required investigation. After the investigation is completed, the Person Responsible and his or her Affiliate or Section shall be notified if the Atypical Finding will be brought forward as an Adverse Analytical Finding.

7.2.1 HSI will not provide Notice of an Atypical Finding until it has completed its investigation and decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding. However, if HSI determines that the “B” Sample should be analysed prior to the conclusion of the investigation under Article 7.2, HSI may conduct the “B” Sample analysis after supplying the Person Responsible with such Notice including a description of the Atypical Finding and the information described in Article 7.1.3.

7.3 **Review of Other Potential ECM Rules Violations**

For apparent ECM Rule violations that do not involve Adverse Analytical Findings, HSI may conduct any necessary follow-up investigation and at such time as it is satisfied that an ECM Rule violation has occurred, it shall then promptly Notify the Person Responsible and/or Support Person(s) (where applicable) of the ECM Rule which appears to have been violated and the basis of the violation.

7.4 **Retirement from Sport**

If a Person Responsible and/or Support Person(s) retires while a Results Management process is underway, HSI retains jurisdiction to complete its Results Management process. If a Person Responsible and/or Support Person(s) retires before any Results Management process has begun, HSI similarly has jurisdiction to conduct Results Management.

8. **RIGHT TO A FAIR HEARING**

8.1 **Burdens and Standards of Proof**

8.1.1 The Disciplinary Officer shall present the case against the Person Responsible and/or Support Person(s) and have the burden of proving the alleged ECM Rule violation on behalf of the relevant Affiliate or Section. The Affiliate or Section, as appropriate, shall provide all requested assistance to HSI, and/or the Disciplinary Committee and/or CAS in the application, policing and enforcement of these Rules including, without limitation, co-operating fully with any investigation or proceedings being conducted pursuant to these Rules in relation to any suspected anti-doping rule violation.

8.1.2 The standard of proof shall be whether HSI has established the ECM Rule violation to the comfortable satisfaction of the Hearing Committee bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these ECM Rules place the burden of proof upon the Persons Responsible and/or Support Person(s) to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except where a different standard of proof is specifically identified.

8.2 **Methods of Establishing Facts and Presumptions**

8.2.1 Facts related to ECM Rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in Controlled Medication cases brought under these ECM Rules:

8.2.1.1 The Laboratory used by HSI for Testing is presumed to have conducted Sample analysis and custodial procedures in accordance with the FEI Standard for

Laboratories. The Person Responsible and/or Support Person(s) who is alleged to have committed the ECM Rule violation may rebut this presumption by establishing that a departure from the FEI Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.

If such presumption is rebutted by showing that a departure from the FEI Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then HSI shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

8.2.1.2 Departures from an HSI rule or policy, or applicable FEI standard, other than the FEI Standard for Laboratories, which did not cause an Adverse Analytical Finding or the factual basis for another ECM Rule violation shall not invalidate such evidence. If the Person Responsible and/or Support Person(s) (where applicable) establishes that a departure from an HSI rule or policy, or applicable FEI standard, could reasonably have caused the Adverse Analytical Finding or factual basis for another ECM Rule violation, then HSI shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding or the factual basis for the ECM Rule violation.

8.2.2 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the Person Responsible and/or Support Person(s) (where applicable) to whom the decision pertained with regards to the

factual findings unless it can be established that the decision violated principles of natural justice.

8.2.3 The Hearing Committee presiding over a case alleging an ECM Rule violation may draw an inference adverse to the Person Responsible and/or Support Person(s) (where applicable) who is asserted to have committed an ECM Rule violation based on the refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the Hearing Committee) in order to answer questions from HSI or the Disciplinary Committee.

8.3 **Hearings before the Disciplinary Committee**

8.3.1 The Disciplinary Committee shall decide all cases involving violations of these ECM Rules.

8.3.2 When it appears, following the Results Management process described in Article 7, that these ECM Rules have been violated, the case shall be submitted to a Hearing Committee of the Disciplinary Committee for adjudication in accordance with Article 11 of the National Rules.

8.3.3 Hearings pursuant to this Article shall be completed expeditiously following the completion of the Results Management or investigation process described in Article 7 and the submission of all relevant evidence and pleadings by the parties. The Person Responsible and/or Support Person(s) (where applicable) alleged to have violated the ECM Rules shall co-operate promptly in the submission of such evidence and pleadings and in attendance at a hearing if requested by the Disciplinary Committee.

8.3.4 Hearings before the Disciplinary Committee shall be carried out in accordance with Article 12 of the National Rules unless ECM Rule 8.4 applies.

8.3.5 A Person Responsible and/or Support Person(s) (where applicable) may acknowledge the ECM Rule violation and accept consequences consistent with Articles 8.4.5 and 8.4.6 of the ECM Rules (if the Administrative Procedure is elected) or Articles 9 and 10 ECM Rules as proposed by HSI.

8.3.6 Decisions of the Hearing Committee may be appealed to either the Disciplinary Committee and/or the Court of Arbitration for Sport as provided in Article 12 of these ECM Rules.

8.4 **Administrative Procedure**

8.4.1 For Adverse Analytical Findings involving Controlled Medication Substances, the Person Responsible and/or Support Person(s) (where applicable) may elect to have their case processed under the "Administrative Procedure" provided that: the Person Responsible and/or Support Person(s) (where applicable) and the Horse are first-time offenders (namely, no record of any EAD or ECM Rule violations) without any pending or concluded cases within the last four (4) years preceding the Sample which caused the Adverse Analytical Finding.

8.4.2 If the Person Responsible requests a hearing before the Disciplinary Committee, Article 10 below shall apply at the discretion of the Hearing Committee.

8.4.3 Where the Administrative Procedure is applied by HSI, the Person Responsible and/or Support Person(s) (where applicable) the Person Responsible and/or Support Person(s) shall admit the alleged breach of the ECM Rules and shall waive the right to a hearing before the Disciplinary Committee. The consequences set out at Article 8.4.5 below shall be applied.

8.4.4 Where the Administrative Procedure is applied by HSI, the

Person Responsible and/or Support Person(s) (where applicable) shall not be subject to a period of ineligibility.

8.4.5 Where the Administrative Procedure is applied by HSI, the following consequences shall be imposed and no other consequences, including those set forth in Article 10 below or elsewhere in these ECM Rules, shall be applicable to any Person who has elected this Administrative Procedure:

- a. Disqualification of all results obtained by the Person Responsible (and/or Support Person(s) where applicable) and Horse combination during the In-Competition period and forfeiture of all prizes and prize money won at the Competition; and
- b. A fine of €500.

8.4.6 Where the Person Responsible is a Minor at the time of the Competition, the consequences shall be limited to Disqualification from the Competition and forfeiture of all prizes and prize money won at the Competition.

8.4.7 In order to apply this Administrative Procedure, the Person Responsible and/or Support Person(s) (where applicable) must execute an acceptance form within seven (7) calendar days following the date of the Notice in which HSI offers this Administrative Procedure to the Person alleged to have committed the ECM Rule violation. HSI may reasonably extend such deadline provided the file has not yet been circulated to the Disciplinary Committee or any of its members.

8.4.8 If the Person Responsible and/or Support Person(s) (where applicable) does not elect the Administrative Procedure within the fixed time limit, the administrative sanctions shall be considered declined and the case shall be submitted to the Disciplinary Committee for final decision. The Disciplinary Committee may impose sanctions and costs which may be more

or less severe than the ones provided for in the Administrative Procedure.

9. AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

A violation of these ECM Rules in connection with an In-Competition Test automatically leads to Disqualification of the result of the Person Responsible and Horse combination obtained in that In-Competition period, with all resulting consequences, including forfeiture of any related trophies, medals, points and prizes.

10. SANCTIONS

10.1 Ineligibility and fine for Presence, Use or Attempted Use of Controlled Medication Substances

10.1.1 For Controlled Medication Substances, the sanctions imposed for a violation of Article 2.1 (presence of a Controlled Medication Substance or its Metabolites or Markers) or Article 2.2 (Use or Attempted Use of a Controlled Medication Substance) shall be:

First violation: Up to six (6) months of Ineligibility

Multiple Violations: As provided in Article 10.5 below.

A Fine of up to €500 and appropriate legal costs may also be imposed for any Controlled Medication violation.

10.1.2 The Person Responsible and/or Support Person(s) (where applicable) shall have the opportunity in each case, before a period of Ineligibility is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.3.

10.1.3 Where the Person Responsible is a Minor at the time of the Competition, the consequences shall be limited to Disqualification from the Competition, forfeiture of all prizes and prize money won at the Competition and a fine of up to €500.00 unless Article 10.4 applies.

10.2 **Ineligibility for Other Rule Violations**

10.2.1 The period of Ineligibility for violation of Article 2.3 (Refusing or Failing to Submit to Sample collection), Article 2.4 (Tampering or Attempted Tampering with Controlled Medication) or Article 2.5 (Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an ECM Rule violation or any Attempted ECM Rule violation), the sanctions imposed shall be:

First violation: Up to two years of Ineligibility

Multiple Violations: As provided in Article 10.5 below.

A Fine of up to €1,000.00 and appropriate legal costs may also be imposed.

10.2.2 The Person Responsible and/or Support Person(s) (where applicable) shall have the opportunity in each case, before a period of Ineligibility is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.3.

10.2.3 Where the Person Responsible is a Minor at the time of the Competition, any period of Ineligibility imposed shall be up to six (6) months.

10.3 **Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances**

10.3.1 **No Fault or Negligence**

If the Person Responsible and/or Support Person(s) (where applicable) establishes in an individual case that he or she bears No Fault or Negligence for the ECM Rule violation, the otherwise applicable period of Ineligibility and other sanctions may be eliminated in regard to such Person. When a Controlled Medication Substance or its Metabolites or Markers is detected in a Horse's Sample in violation of Article 2.1 (presence of a Controlled Medication Substance), the Person Responsible

and/or Support Person(s) (where applicable) must also establish how the Controlled Medication Substance entered the Horse's system in order to have the period of Ineligibility and other sanctions eliminated. In the event this Article is applied and the period of Ineligibility otherwise applicable and other sanctions are eliminated, the ECM Rule violation shall not be considered a violation for the limited purpose of determining the period of Ineligibility for Multiple Violations under Article 10.5 below.

10.3.2 **No Significant Fault or Negligence**

If a Person Responsible and/or Support Person(s) (where applicable) establishes in an individual case that he or she bears No Significant Fault or Negligence, then the otherwise applicable period of Ineligibility and other sanctions may be reduced in regard to such Person. When a Controlled Medication Substance or its Metabolites or Markers is detected in a Horse's Sample in violation of Article 2.1 (presence of a Controlled Medication Substance or its Metabolites or Markers), the Person alleged to have committed the ECM Rule violation must also establish how the Controlled Medication Substance or its Metabolites or Markers entered the Horse's system in order to have the period of Ineligibility and other sanctions reduced.

10.3.3 **Substantial Assistance in Discovering or Establishing ECM Rule Violations**

The Disciplinary Committee may, prior to a final appellate decision under Article 12 below or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case where the Person Responsible and/or Support Person(s) has provided Substantial Assistance to HSI, the FEI, a criminal authority or professional disciplinary body which results in the discovery or establishment of an ECM Rule violation by another Person or which results in a criminal or disciplinary body discovering or establishing a criminal offence

or the breach of professional rules by another Person. Such Substantial Assistance must be independently corroborated in order to reduce the period of Ineligibility. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the ECM Rule violation committed and the significance of the Substantial Assistance provided in an effort to promote medication-free Competition. If the Disciplinary Committee subsequently reinstates any part of the suspended period of Ineligibility because the Person Responsible and/or Support Person(s) has failed to provide the Substantial Assistance which was anticipated, the Person Responsible and/or Support Person(s) may appeal the reinstatement pursuant to Article 12.2 below.

10.3.4 **Admission of an ECM Rule Violation in the Absence of Other Evidence**

Where a Person Responsible and/or Support Person(s) voluntarily admits the commission of an ECM Rule violation before having received Notice of a Sample collection which could establish an ECM Rule violation (or, in the case of a ECM Rule violation other than Article 2.1, before receiving first Notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced subject to the discretion of the Hearing Committee.

10.3.5 **Where a Person Responsible and/or Support Person(s) Establishes Entitlement to Reduction in sanction Under More than One Provision of this Article**

If the Person Responsible and/or Support Person(s) establishes entitlement to a reduction or suspension of the period of Ineligibility under two (2) or more of Articles 10.3.2, 10.3.3 and 10.3.4, then the period of Ineligibility may be reduced or suspended further subject to the discretion of the Hearing

Committee.

10.4 **Aggravating Circumstances Which May Increase the Period of Ineligibility**

If HSI establishes in an individual case involving an ECM Rule violation other than violations under Article 2.5 above (Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an ECM Rule violation or any Attempted Rule violation) that aggravating circumstances are present which justify the Imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased up to a maximum of two (2) years unless the Person Responsible and/or Support Person(s) (where applicable) can prove to the comfortable satisfaction of the Hearing Committee that he or she did not knowingly commit the ECM Rule violation. The Person Responsible and/or Support Person(s) can avoid the application of this article by admitting the ECM Rule violation as asserted promptly after being confronted with the Rule violation by HSI.

10.5 **Multiple Violations**

10.5.1 **Second ECM Rule Violation**

For the Person Responsible's and/or Support Person(s)'s first ECM Rule violation, the period of Ineligibility is set forth in Articles 10.1 and 10.2 (subject to elimination, reduction, or suspension under Article 10.3 or to an increase under Article 10.4). For a second ECM Rule violation, the period of Ineligibility shall be at the discretion of the Hearing Committee, who shall in every case render increased penalties for multiple violations up to and including two (2) years Ineligibility, if so warranted. For a third ECM Rule violation, the Hearing Committee shall have the discretion to increase the Sanction to up to three (3) years Ineligibility and a fine of up to €12,000. For a fourth or more violations, the Hearing Committee shall have the discretion to impose a lifetime ban and shall in no circumstances render a Sanction of less than four (4) years Ineligibility.

The same shall apply in cases where one or more of the rule violations previously committed were EAD Rule violations.

10.5.2 **Additional ECM Rules for certain Potential Multiple Violations**

For purposes of imposing Sanctions under Article 10.5, an ECM Rule violation will only be considered a second Rule violation if HSI can establish that the Person Responsible and/or Support Person(s) (where applicable) committed the second violation after he or she received Notice pursuant to Article 7 (Results Management), or after HSI made reasonable efforts to give Notice of the first Rule violation. If HSI cannot establish this, the violations shall be considered together as one single first violation, and the Sanction imposed shall be based on the violation that carries the more severe Sanction. However, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances under Article 10.4 above.

10.5.3 If, after the resolution of a first ECM Rule violation, HSI discovers facts involving a Rule violation by the Person Responsible and/or Support Person(s) which occurred prior to Notification regarding the first violation, then the Disciplinary Committee shall impose an additional Sanction based on the Sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all Competitions dating back to the earlier ECM Rule violation will be Disqualified as provided in Article 10.6. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.4) on account of the earlier-in-time but later-discovered violation, the Person Responsible and/or Support Person(s), must voluntarily admit the earlier ECM Rule violation on a timely basis after Notice of the violation for which he or she is

first charged. The same rule shall also apply when HSI discovers facts involving another prior violation after the resolution of a second ECM Rule violation.

10.5.4 **Multiple ECM Rule Violations during a Four-Year Period**

For purposes of Article 10.5, each ECM Rule violation must take place within the same four (4) year period in order to be considered multiple violations.

10.5.5 **Violations Involving Both a Controlled Medication Substance and a Banned Substance**

Where a Person Responsible and/or Support Person(s) based on the same factual circumstances is found to have committed an ECM Rule violation involving both a Controlled Medication Substance under these ECM Rules and a Banned Substance under the EAD Rules, the Person Responsible and/or Support Person(s) shall be considered to have committed one rule violation, but the sanction imposed shall be based on the Banned Substance that carries the most severe sanction. The occurrence of multiple substances may be considered as a factor in determining aggravating circumstances under Article 10.4 above.

10.6 **Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an ECM Rule Violation**

In addition to the automatic Disqualification of the results in the Competition which produced the positive Sample under Article 9 (Automatic Disqualification of Individual Results), all other competitive results of the Person Responsible and Horse Combination obtained in the In-Competition period in which the positive Sample was collected, or other ECM Rule violation occurred, under Article 9 (Automatic Disqualification of Individual Results), through the commencement of any Ineligibility period, shall, unless fairness requires otherwise, be Disqualified with all of the resulting consequences including forfeiture of any trophies, medals, points and prizes.

As a condition of regaining eligibility after being found to have committed an ECM Rule violation, the Person Responsible must first repay all prize money forfeited under this Article.

10.7 **Commencement of Ineligibility Period**

Except as provided below, the period of Ineligibility shall start on the date of the decision providing for Ineligibility.

10.7.1 **Delays Not Attributable to the Person Responsible and/or Support Person(s)**

Where there have been substantial delays in the hearing process or other aspects of Medication Control not attributable to the Person Responsible and/or Support Person(s) alleged to have committed the Rule violation, the Hearing Committee may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another ECM Rule violation last occurred.

10.7.2 **Timely Admission**

Where the Person Responsible and/or Support Person(s) (where applicable) promptly (which, for the Person Responsible, in all circumstances, means before the Person Responsible competes again) admits the ECM Rule violation after being confronted with the Rule violation by HSI, the period of Ineligibility may start as early as the date of Sample collection or the date on which another ECM Rule violation last occurred.

10.8 **Status During Ineligibility**

10.8.1 **Prohibition against Participation during Ineligibility**

No Horse, Person Responsible and/or Support Person(s) who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a National Event or in a Competition or activity that is authorised or organised by HSI or any Affiliate or Section which has signed up to these ECM Rules, or be present at a Competition (other than as a spectator)

that is authorised or organised by HSI or any Affiliate or Section which has signed up to these ECM Rules, or participate in any capacity in an International Event or in any Competition authorised or organised by any international or national-level event organisation. In addition, for any ECM Rule violation, some or all of sport-related financial support or other sport-related benefits received by such Person Responsible or Support Person(s) may be withheld by HSI and/or the relevant Affiliate or Section. A Horse subject to a period of Ineligibility shall remain subject to Testing.

In addition, any Support Person(s) subject to Ineligibility under Article 10 may also be banned from any venues where a National Event is taking place.

10.8.2

Violation of the Prohibition of Participation During Ineligibility

Where a Person Responsible or Support Person(s) who has been declared Ineligible or whose Horse has been declared Ineligible violates the prohibition against participation or attendance during Ineligibility described in Article 10.8.1, the results of such participation shall be Disqualified and the period of Ineligibility which was originally imposed shall start over so that the entire period of Ineligibility must be served again from the beginning with the first date of Ineligibility served fixed as the date of the later violation of the prohibition against participation or attendance. The new period of Ineligibility may be reduced under Article 10.3.2 if the Person Responsible and/or Support Person(s) establish that he or she bears No Significant Fault or Negligence for violating the prohibition against participation or attendance. The determination of whether any Person has violated the prohibition against participation or attendance, and whether a reduction under Article 10.3.2 is

appropriate, shall be made by the Disciplinary Committee.

10.9 Non-Payment of any Fine

10.9.1 If a fine is imposed by the Disciplinary Committee and the Person Responsible and/or Support Person(s), as applicable, fails to pay the fine within the time limit set by the Disciplinary Committee, the Disciplinary Committee shall have the power to impose a further sanction upon the person to include:

10.9.1.1 The non-suspension of a previously suspended period of Ineligibility;

10.9.1.2 A further period of Ineligibility; and/or

10.9.1.3 A further fine.

Such further sanction shall be solely at the discretion of the Disciplinary Committee.

11. CONSEQUENCES TO TEAMS

11.1 If a Person Responsible, as a member of a team, is found to have committed a violation of these ECM Rules during a Competition where a team ranking is based on the addition of individual results, the results of the Person Responsible committing the violation will be subtracted from the team result and replaced with the results of the next applicable team member. If by removing the Person Responsible's results from the team results, the number of Persons counting for the team is less than the required number, the team shall be eliminated from ranking. If a key member of a team, other than the Person Responsible, such as, but not limited to, the chef d'equipe, team veterinarian, or team coach, admits or is found to have violated these ECM Rules, the entire team may be Disqualified if fairness so requires.

12. APPEALS

12.1 **Decisions Subject to Appeal**

Decisions made under these ECM Rules may be appealed as set forth below. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

12.2 **Appeals from Decisions Regarding ECM Rule Violations Consequences**

The following decisions may be appealed exclusively as provided in this Article 12.2: (a) a decision that an ECM Rule violation was committed; (b) a decision imposing consequences for an ECM Rule violation; (c) a decision that no ECM Rule violation was committed; (d) a decision that an ECM Rule violation proceeding cannot go forward for procedural reasons (including, for example, exceeding the Statute of Limitations); (e) a decision under Article 10.8.2 (Violation of the Prohibition of Participation during Ineligibility); (f) a decision under Article 10.3.3 to reinstate a period of Ineligibility for failure to provide the Substantial Assistance which was anticipated; and (g) a decision that HSI lacks jurisdiction to rule on an alleged ECM Rule violation or its consequences.

12.2.1 In cases arising from the Administrative Procedure, the decision may be appealed exclusively to the Disciplinary Committee. The decision of the Disciplinary Committee on appeal shall be final and binding on all parties.

12.2.2 In all cases other than those falling within Article 12.2.1, the decision may be appealed in the first instance to the Disciplinary Committee in accordance with these ECM Rules and therefrom to the CAS in accordance with the provisions applicable before the CAS.

12.2.3 In cases under Article 12.2.2, the following parties shall have the right to appeal to the Disciplinary Committee or the CAS: (a) the Person Responsible and/or Support Person(s) who is the subject of the decision being appealed, or the Horse Owner, where their Horse is subject to Ineligibility; (b) HSI; (c) any other party to the case in which the decision was rendered; (d) the FEI; and (e) the International Olympic Committee or

International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games.

12.3 Time for Filing Appeals

The time to file an appeal to the Disciplinary Committee or the CAS, as the case may be shall be fourteen (14) days from the date of Receipt of the Hearing Committee decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the decision subject to appeal:

- a) Within ten (10) days from Notice of the decision, such party(ies) shall have the right to request from the Hearing Committee having issued the decision a copy of the file on which it relied; a failure to make such request shall not however preclude such party from appealing to the Disciplinary Committee or the CAS, as the case may be within the time period set forth above; and
- b) If such a request is made within the ten (10) days period, then the party making such request shall have thirty (30) days from receipt of the file to file an appeal to the Disciplinary Committee or the CAS, as the case may be.

13. APPLICATION, REPORTING AND RECOGNITION

13.1 Statistical Reporting

As required by the FEI, HSI shall report to the FEI at the end of every year aggregated and anonymous results of all Medication Control within their jurisdiction.

13.2 Public Disclosure

- 13.2.1 Neither HSI nor its Affiliates or Sections shall publicly identify Horses or Persons Responsible whose Horses' Samples have resulted in Adverse Analytical Findings, or Persons Responsible

and/or members of the Support Person(s) who are alleged to have otherwise violated these Rules, until the case has reached its full and final decision. Once a violation of these ECM Rules has been established, it shall be publicly reported in an expeditious manner via the website of HSI. With regards to the Administrative Procedure set forth in Article 8.4 above, publication shall occur on the acceptance of the administrative sanction. If the Person Responsible and/or Support Person(s) makes information concerning a Rule violation or alleged ECM Rule violation public prior to release of this information, HSI may comment on such public information or otherwise publicly report the matter.

13.2.2 In any case where it is determined, after a hearing, that the Person Responsible and/or Support Person(s) did not commit an ECM Rule violation, the decision may be disclosed publicly only with the consent of the Person who is the subject of the decision. HSI shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as such Person and HSI may jointly approve.

13.2.3 Neither HSI, any Affiliate or Section, any Laboratory, or any official of any of the above, shall publicly comment on the specific facts of a pending case (as opposed to a general description of process and science), except that HSI may respond to public comments attributed to the Person Responsible and/or Support Person(s) or their representatives. Only HSI shall have the right to comment. All enquiries received by the Affiliates or Sections must be referred to HSI.

13.3 **Recognition of Decisions by Affiliates and Sections**

Any decision of HSI regarding a violation of these ECM Rules shall be recognised and enforced by all Affiliates and Sections which have signed up to these ECM

Rules, and the relevant Affiliate or Section shall take all necessary action to implement any and all ramifications relating to such decisions.

14. STATUTE OF LIMITATIONS

- 14.1 No action may be commenced under these ECM Rules against a Person Responsible and/or member of the Support Personnel for an ECM Rule violation unless such action is commenced within four (4) years from the date the violation is asserted to have occurred.

15. INTERPRETATION OF ECM RULES

- 15.1 Except as provided in Article 15.4, these ECM Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes. Nothing herein shall be interpreted to supplant the applicability of national laws to National Events.
- 15.2 The headings used for the various parts and articles of these ECM Rules are for convenience only and shall not be deemed part of the substance of these Rules or to affect in any way the language of the provisions to which they refer.
- 15.3 The Introduction, Appendix 1 Definitions and the Equine Prohibited Substances List shall be considered integral parts of these ECM Rules.
- 15.4 These ECM Rules have been adopted pursuant to the HSI Memorandum and Articles of Association and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of the Memorandum and Articles of Association as well as other HSI rules and regulations including but not limited to the General Rules. In the event of conflict with the General Rules, General Rules shall apply, subject however, to the application by the Disciplinary Committee of the legal principle of *lex specialis derogat legi generali* which provides that a specific provision should govern over a general provision. In the event of conflict with the EADCM Regulations of the FEI, the EADCM Regulations of the FEI shall apply. In the event of conflict with any other rules or regulations, these ECM Rules shall apply.
- 15.5 The time limits fixed under the ECM Rules shall begin from the day after that on

which Notification by HSI is received. Official holidays and non-working days are included in the calculation of time limits. If the last day of the time limit is an official holiday or a non-business day in the country where the Notification has been made, the time limit shall expire at the end of the first subsequent business day.

16. TRANSITIONAL AND MISCELLANEOUS PROVISIONS

16.1 General Application of the 2012 ECM Rules

The 2012 ECM Rules shall apply in full force and effect as of April 1, 2012 (the “Effective Date”).

16.2 Non-Retroactive Unless Principle of "Lex Mitior" Applies

With respect to any ECM Rule violation case which is pending as of the Effective Date and any ECM Rule violation case brought after the Effective Date based on an ECM Rule violation which occurred prior to the Effective Date, the case shall be governed by the rules in effect by the relevant Affiliate or Section, as applicable, at the time the alleged ECM Rule violation occurred unless the Hearing Committee hearing the case determines that the principle of “lex mitior” appropriately applies under the circumstances of the case.

16.3 Application to Decisions Rendered Prior to the 2010 ECM Rules

The 2012 ECM Rules shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.

16.4 **Minors**

16.4.1 Where the Person Responsible (or Support Person) is a Minor at the time of the alleged violation of the ECM Rule all correspondence shall be addressed to the parent or guardian of the Minor.

16.4.2 Where the Person Responsible (or Support Person) is a Minor at the time of the violation of the ECM Rule, as applicable, any fine(s) imposed in accordance with these ECM Rules shall be paid by the parent or guardian of the Minor.

16.5 **Validity of Acts Done**

All acts done in good faith by any person in the implementation of these ECM Rules, notwithstanding that it be afterwards discovered that there was some defect in the appointment or authority of such person so acting, shall be as valid as if every such person had been duly appointed or authorised.

16.6 **Limitation of Liability**

Neither HSI nor the Disciplinary Committee nor any of their respective members, directors, officers, employees, agents, representatives and other persons involved in the administration of these ECM Rules shall be liable to any person in any way, in relation to acts done or omitted to be done in good faith in connection with these ECM Rules.

16.7 **Severability**

If any clause or provision of these ECM Rules is held invalid, unenforceable or illegal for any reason, these ECM Rules shall remain otherwise in full force apart from such clause or provision which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

16.8 **Matters Not Otherwise Provided For**

Where a matter arises that is not otherwise provided for in these ECM Rules, the person or body called upon to resolve the matter shall have discretion to do so in such manner as he or she or it sees fit, provided that such resolution does not

materially undermine the reliability of proceedings under these ECM Rules or otherwise cause material injustice to the Person Responsible and/or Support Person(s) to whom these ECM Rules are being applied.

APPENDIX 1 – DEFINITIONS

Adjudicating Veterinarian. The veterinarian who is appointed by Horse Sport Ireland to review applications for ETUEs and to determine whether an ETUE will be granted.

Administrative Procedure. The procedural mechanism available to an Athlete alleged to have committed an ECM Rule violation as set forth in Article 8.4 of the ECM Rules.

Adverse Analytical Finding. A report from a Laboratory or other approved entity that identifies in a Horse's Sample the presence of one or more Prohibited Substances or its Metabolites or Markers (including elevated quantities of endogenous substances).

Affiliate. A separate legal entity affiliated to Horse Sport Ireland which controls the national aspects of a particular Horse Sport.

Anti-Doping/ Organisation. An organisation that is responsible for initiating, implementing or enforcing any part of the Doping or Medication Control process, including, for example, HSI, the Irish Sports Council or the FEI.

Athlete. Any person taking part in a Horse Sport. Such person shall include a rider, driver, lungier or vaulter.

Attempt. Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an EAD and/or ECM Rule violation. Provided, however, there shall be no Rule violation based solely on an Attempt to commit a violation if the Attempt is renounced prior to it being discovered by a third party not involved in the Attempt.

Atypical Finding. A report from a Laboratory or other approved entity which requires further investigation prior to the determination of an Adverse Analytical Finding.

Authorised Veterinarian: A veterinarian utilised by HSI to carry out doping control and identification checks on horses as well as any other functions so delegated to him/her by HSI.

Banned Substance. Any substance so described on the Equine Prohibited Substances List including its Metabolites and Markers.

CAS. The Court of Arbitration for Sport .

Competition. Refers to each individual class in which Athletes are placed in an order of merit and for which prizes may be awarded.

Controlled Medication Substance. Any substance, or its Metabolites or Markers, so described in the Equine Prohibited Substances List.

Disciplinary Committee. The committee appointed pursuant to Article 10 of the General Rules.

Disciplinary Officer. Person appointed by the Secretary General to carry out the functions as designated in these General Rules.

Disqualification. Disqualify. or Disqualified. A consequence of an EAD and/or ECM Rule violation whereby results in a particular Competition invalidated, with all resulting consequences including forfeiture of any trophies, medals, points and prizes.

Doping Control. All steps and processes from test distribution planning through to ultimate disposition under the EAD Rules of any appeal including all steps and processes in between such as Sample collection and handling, Laboratory analysis, Results Management, hearings and appeals.

EADCM Regulations. The regulation system of the FEI, involving Doping Control and Medication Control at the International level.

EAD Rules. HSI Equine Anti-Doping Rules.

ECM Rules. HSI Equine Controlled Medication Rules.

Equine Prohibited Substances List. The list identifying the Banned Substances/Controlled Medication Substances and as published from time to time under the direction of the FEI.

Equine Therapeutic Use Exemption (ETUE). The authorization to compete when a Controlled Medication Substance and/or a Controlled Medication Method has been administered or used for legitimate therapeutic purposes in a Horse, as provided for in ECM Rule 4.4. For the avoidance of doubt, ETUEs are not available for Banned Substances.

FEI. Fédération Equestre Internationale.

FEI Standard for Laboratories. A standard setting out the criteria for Laboratories to apply in respect of analyses, custodial procedures and reports thereon adopted by the FEI Tribunal from time to time.

Fine. A consequence of an EAD and/or ECM Rule violation whereby a Person Responsible and/or Support Person(s) receives a financial penalty.

Hearing Committee: A panel consisting of three persons selected from the Disciplinary Committee by the Chair of the Disciplinary Committee to hear and determine each case arising out of alleged breaches of these EAD and/or ECM Rules.

Horse. A member of the genus Equus, born from a mare, including a pony, unless the context requires otherwise.

Horse Sport. All equestrian disciplines governed and approved by the FEI to include dressage, jumping, eventing, driving, endurance, vaulting, reining and para-equestrian.

In-Competition. The period commencing at midnight on the day of the Competition and

terminating an hour after the announcement of the final results.

Ineligibility. A consequence of an EAD and/or ECM Rule violation whereby the Person Responsible, Horse and/or Support Person(s) is barred for a specified period of time from participating in any activities as set out in Article 10.7.1 of the EAD Rules or Article 10.8.1 of the ECM Rules, as applicable.

International Event. An event organised under FEI Statutes, General Regulations and sport rules which is open to Athletes of more than four national federations.

Laboratory: A laboratory appointed by HSI to analyse Samples under the EAD and ECM Rules.

Marker. A compound, group of compounds or biological parameter (s) that indicates the Use of a Prohibited Substance.

Medication Control. All steps and processes from test distribution planning through to ultimate disposition of any appeal involving an ECM Rule violation, including all steps and processes in between such as, Sample collection and handling, laboratory analysis, Equine Therapeutic Use Exemption, Results Management, hearings and appeals.

Metabolite. Any substance produced by a biotransformation process.

Minor. A natural Person who has not reached the age of majority.

National Event. A sport event involving international- or national-level Persons Responsible that is not an International Event.

No Fault or Negligence. The Person Responsible and/or Support Person(s) establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had administered to the Horse, or the Horse's system otherwise contained, a Banned or Controlled Medication Substance.

No Significant Fault or Negligence. The Person Responsible and/or Support Person(s) establishing 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 relationship to the violation of the EAD and/or ECM Rule.

Notice (or "Notify" or "Notification"). Notice to a Person Responsible and/or Support Person(s) who was a member of an Affiliate or Section which has signed up to the EAD and/or ECM Rules, at the time the alleged Rule violation was committed may be accomplished by delivery of the Notice to the Affiliate or Section, as applicable, but, where possible, will also be sent to the Person Responsible and/or Support Person(s) (where applicable) directly. In a case where a Horse is Ineligible or subject to any type of Ineligibility, Notice shall be to the Horse Owner, so long as such Owner has properly registered with HSI or the relevant Affiliate or Section. Notice

of anything of relevance to the EAD and/or ECM Rules will be deemed to have occurred upon Receipt by the relevant Person.

Owner. A person having a property interest in whole or in part of one or more Horses.

Participant. Any Horse, Person Responsible, and/or Support Person(s).

Person. A natural Person or an organisation or other entity.

Person Responsible. The Person Responsible for a EAD and/or ECM Rule violation arising in connection with an In-Competition Test or otherwise alleged to have occurred In-Competition, shall be the Athlete who rides, vaults or drives the Horse In-Competition, but the Owner and other Support Person(s) may be regarded as additional Persons Responsible if they are present at the Competition or have made a relevant decision about the Horse. In vaulting the lunger shall be an additional Person Responsible. For all other EAD and/or ECM Rule violations, the Person Responsible shall be the Horse's Owner.

Possession or Possessing. The actual, physical possession, or the constructive possession (which shall be found only if the Person Responsible has exclusive control over the Banned Substance or the premises in which a Banned Substance exists); provided, however, that if the Person Responsible does not have exclusive control over the Banned Substance or the premises in which a Banned Substance exists, constructive possession shall only be found if the Person Responsible knew about the presence of the Banned Substance and intended to exercise control over it. Provided, however, that there shall be no EAD Rule violation based solely on possession if, prior to receiving Notification of any kind that the Person Responsible has committed an EAD Rule violation, the Person Responsible has taken concrete action demonstrating that the Person Responsible never intended to have possession and has renounced possession by explicitly declaring it to an Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Banned Substance constitutes possession by the Person Responsible who makes the purchase.

Publicly Disclose or Publicly Report. To disseminate or distribute information to the general public or Persons beyond those Persons entitled to earlier Notification in accordance with Article 13 of both the EAD and ECM Rules.

Receipt. When a Person receives something of relevance to the EAD and/or ECM Rules. For the avoidance of doubt, in the event there is no specific confirmation of receipt, receipt shall be assumed to have occurred two (2) business days from dispatch.

Sample. Any biological or other material collected for the purposes of Doping or Controlled Medication.

Secretary General. The CEO of Horse Sport Ireland.

Section. The personnel in Horse Sport Ireland responsible for, and the sub-committee of the Board which controls, the national aspects of a particular Horse Sport.

Substantial Assistance. For purposes of Article 10.2.3 of the EAD Rules and Article 10.3.3 of the ECM Rules, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to EAD and/or ECM Rule violation(s); and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an Anti-Doping Organisation or hearing committee. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Support Person(s). Any coach, trainer, athlete, Horse Owner, groom, steward, chef d'equipe, team staff, official, veterinarian, medical, or paramedical personnel assisting, in any fashion, a Person Responsible participating in or preparing for equine sports Competition.

Tampering. 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; or providing fraudulent information to HSI, the FEI or another Anti-Doping Organisation.

Testing or Test. The parts of the Doping Control and Controlled Medication process involving test distribution planning, Sample collection, Sample handling, and Sample transport to the Laboratory.

Testing Veterinarian. The veterinarian appointed by Horse Sport Ireland at a given Competition or at such other place as authorised by the EAD and/or ECM Rules or as authorised in writing by the Secretary General or his/her designee to liaise with the Senior Official in selecting the Horses to be Tested and to conduct Sample collection.

Trafficking. Selling, giving, transporting, sending, delivering or distributing a Banned Substance (either physically or by any electronic or other means) by a Person Responsible and/or his Support Person(s) subject to the jurisdiction of an Anti-Doping Organisation to any third party.

Use. The utilization, application, ingestion, injection or consumption by any means whatsoever of any Banned or Controlled Medication Substance.