



# **HORSE SPORT**

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# **IRELAND**

**Equine Anti-Doping  
Rules  
And  
Equine Controlled  
Medication Rules**

**Effective 27<sup>th</sup> June  
2023**

## 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, Sport Ireland and the Olympic Federation 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 (in relation to breeding, high performance, sport and recreation, coaching and education) as well as protection of the welfare of 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
- Athletes’ rights
- Excellence in performance; character; 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.

These EAD and ECM Rules are adopted and implemented by the Board of HSI and are effective as **27<sup>th</sup> June 2023** 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 that 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 **27<sup>th</sup> June 2023**. They must be read in conjunction with the HSI General Rules, FEI Veterinary Regulations and FEI Standard for Laboratories and other specified rules.

These EAD and ECM Rules shall apply to each Person Responsible and his or her Support Personnel/ Support Persons(s) 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 Persons accept these Rules as a condition of participation and involvement in an Affiliate or Section of HSI which has signed up to these EAD and ECM Rules, or in their activities or Competitions and shall therefore be bound by them. The inclusion of Support Persons in these Rules is required to provide for the ability to include an

additional Person or persons 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 Persons does not 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 Persons will be held additionally responsible. Notwithstanding the foregoing, in the discipline of Endurance, the registered Trainer shall be considered as an additional Person Responsible and held additionally responsible for any violation(s) under Articles 2.1 of the EAD Rules and the ECM Rules.

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 WADA Model Code for human athletes. 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.

Note: The masculine gender used in relation to any physical person (for example, names such as Person Responsible, Athlete, Owner, Judge, Technical Delegate, Official, Chef d'Equipe, or pronouns such as he, they or them) shall, unless there is a specific provision to the contrary, be understood as including the feminine gender.

## **EQUINE ANTI-DOPING RULES ("EAD Rules")**

## Article 1

### 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 2.10 of these EAD Rules.

## Article 2

### 2. EAD RULE VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute EAD rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

Persons Responsible and/or their Support Personnel 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 and Banned Methods.

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 Personnel will be considered additionally responsible under Articles 2.2 - 2.8 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 any 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; or, (iii) where the A or B Sample is split into two (2) parts and the analysis of the confirmation part of the split Sample confirms the presence of the Banned Substance or its Metabolites or Markers found in the first part of the split Sample or the Person Responsible waives analysis of the confirmation part of the split Sample. An Adverse Analytical Finding may be established by a positive blood or urine Sample, or both.
- 2.1.3 Excepting those Banned Substances for which a quantitative threshold is specifically identified in the Equine Prohibited Substances List, the presence of any reported quantity of a Banned Substance and/or its Metabolites or Markers in a Horse's Sample shall constitute an EAD 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 reporting the evaluation of Banned Substances.
- 2.2 Use or Attempted Use of a Banned Substance

- 2.2.1 It is each Person Responsible and Support Personnel'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 Personnel (where applicable), be demonstrated in order to establish an EAD Rule violation for Use of a Banned Substance. However, in accordance with the definition of Attempt, it is necessary to show intent in order to establish an EAD Rule violation for Attempted 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.
- 2.3.1 Evading Sample collection, or refusing or failing to submit to Sample collection without compelling justification after Notification (in accordance with these Rules) or to comply with all Sampling procedure requirements including signing the Sampling form or otherwise evading Sample collection.
- 2.3.2 It is each Person Responsible's personal duty to ensure that if the Horse with/on which they competed or will compete is selected for Sampling and a notification of Sampling in accordance with these Rules has taken place, such Horse is submitted to Sample collection and that all Sampling procedure requirements are met.
- 2.3.3 Accordingly, although it is permissible for the Person Responsible to delegate the submission and supervision of the Horse to a third party, the Person Responsible remains responsible for the Horse throughout the Sample collection process and for:
- (i) any evasion of Sample collection; and/or
  - (ii) any refusal or failure, without compelling justification, to submit the Horse to Sample collection; and/or
  - (iii) any failure to comply with any or all of the Sampling procedure requirements, including signing the Sampling form.
- 2.3.4 It is not necessary to demonstrate intent, fault, negligence or knowledge in relation to any delegation relating to the Sampling process or to the acts of a relevant third party in order to establish an EAD Rule violation under this Article 2.3.
- 2.4 Tampering or Attempted Tampering with any part of Doping Control by a Person Responsible; Member of the Support Person(s) or Other Person.
- 2.5 Administration or Attempted Administration of a Banned Substance.
- 2.6 Possession of a Banned Substance(s) by a Person Responsible; Support Person(s). This bans the Person Responsible and their Support Person(s) from Possessing Banned Substances, unless he demonstrates compelling justification for the Possession (This section should be read in conjunction with the definition of Possession set forth in Appendix 1).
- 2.77 Trafficking or Attempted Trafficking in any Banned Substance by a Person Responsible; Support Person(s) or Other Person.
- 2.88 Complicity or Attempted Complicity by a by a Person Responsible; Support Person(s) or Other Person  
Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an EAD Rule violation or any Attempted EAD Rule violation or violation of Article 11.13.1 by another Person.
- 2.7 9 Prohibited Association by a Person Responsible

- 2.9.1 Association by a Person Responsible, Support Person(s) or other Person subject to the authority of Horse Sport Ireland and the FEI in a professional or sport-related capacity with any Support Person who:
- 2.9.1.1 If subject to the authority of Horse Sport Ireland and the FEI, is serving a period of Ineligibility; or
  - 2.9.1.2 If not subject to the authority of Horse Sport Ireland and where Ineligibility has not been addressed in a results management process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or
  - 2.9.1.3 Is serving as a front or intermediary for an individual described in Article 2.9.1.1 or 2.9.1.2.
- 2.9.2 To establish a violation of Article 2.9, Horse Sport Ireland must establish that the Person Responsible, member of the Support Person(s) or other Person knew of the Support Person(s)' disqualifying status.

In any proceedings for breach of this Article, the burden shall be on the Person Responsible, Support Person(s) or other Person to establish that any association with the Support Persons described in Article 2.9.1 and 2.9.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

## 2.810 Acts by a Person Responsible, Support Person(s) or Other Person to Discourage or Retaliate Against Reporting to Authorities

Where such conduct does not otherwise constitute a violation of Article 2.4:

- 2.10.1 Any act which threatens or seeks to intimidate another Person with the intent of discouraging the Person from the good-faith reporting of information that relates to an alleged anti-doping rule violation or alleged non-compliance with these EADCMRs to Horse Sport Ireland, an Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for Horse Sport Ireland or an Anti-Doping Organization.
- 2.10.2 Retaliation against a Person who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation or alleged non-compliance with these EADCMRs to Horse Sport Ireland, an Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for Horse Sport Ireland or an Anti-Doping Organization.

For the purposes of Article 2.10, retaliation, threatening and intimidation include an act taken against such Person either because the act lacks a good faith basis or is a disproportionate response.

## **PROOF of EAD Rule Violation Article 3**

### 3.1 Burdens and Standards of Proof

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 has occurred, 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.

The standard of proof shall be whether HSI has established the EAD Rule violation to the comfortable satisfaction of the Hearing Panel 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) or other Person 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.

### 3.2 Methods of Establishing Facts and Presumptions

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:

- 3.2.1 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) or other Person 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.

- 3.2.2 Departures from any provision of these EAD Rules or applicable FEI standard shall not invalidate analytical results or other evidence of an EAD Rules violation and shall not constitute a defence to an EAD Rules violation; provided however, if the person responsible and/or Support Person or other Person (where applicable) establishes that a departure from a 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.
- 3.2.3 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) or other Person (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.
- 3.2.4 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) or other Person (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.

## **ARTICLE 4 HORSE PASSPORT/IDENTIFICATION DOCUMENTATION**

- 4.1 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.
- 4.2 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.
- 4.3 The Authorised Veterinarian has 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.
- 4.4 A Person Responsible is not be entitled to dispute the Horse's identity based upon a failure to produce the necessary documentation.

## **ARTICLE 5 THE EQUINE PROHIBITED SUBSTANCES LIST**

### **5.1 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 FEI publishes the current list, including publication on its website.

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. All Persons Responsible and Support Person(s) shall be bound by the Prohibited List, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all Persons Responsible and Support Person(s) to be aware of the most up-to-date version of 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.

### **5.2 Substances and Methods included on the List**

The FEI's categorization of a substance or method on the List as a Banned Substance or Banned Method (in particular, as opposed to a Controlled Medication Substance or Method) including any establishment of a threshold for a Banned Substance and/or the quantitative amount of such threshold and the classification of certain Prohibited Substances as Specified Substances 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.

### **5.3 Specified Substances**

For purposes of the application of Article 10. Specified Substances shall be taken as meaning only those Prohibited Substances identified as Specified Substances on the Prohibited List.

## **ARTICLE 6 TESTING**

### **6.1 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.



## 6.2 Authority to Test

All Horses registered with the FEI, HSI or an Affiliate or Section, or otherwise competing at an Event or Competition, shall be subject to In-Competition Testing (a) by the FEI or by any other anti-doping organization responsible for testing at a competition or event in the case of International Events and FEI pony measurements and (b) in all other cases, by HSI or by any other anti-doping organization responsible for testing at a competition or event. 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.

## 6.3 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.

## 6.4 Selection of Competitions at which Horses are to be Tested

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

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

6.4.3 The Testing Veterinarian shall operate in close liaison with the Senior Official or his/her Designate 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).

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

## ARTICLE 7 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:

### 7.1 Incorporation of the Standard for Laboratories

These EAD Rules incorporate the FEI Standard for Laboratories, published and revised by the FEI from time to time. 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 to the one that 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.

As provided for in Article 3.2, facts related to EAD Rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside the HSI-FEI selected laboratories.

## 7.2 Purpose of Collection and Analysis of Samples

Samples and related analytical data or Doping Control information shall be analysed to detect Banned Substances and Banned Methods, all as set forth in the List. HSI may also seek to detect other substances for research and monitoring purposes. Samples may be collected and stored for future analysis.

## 7.3 Research on Samples

Samples, related analytical data and Doping Control information may be used for anti-doping research purposes, although no Sample may be used for research without the Person Responsible’s written consent. Samples and related analytical data or Doping Control information used for research purposes shall first be processed in such a manner as to prevent Samples and related analytical data or Doping Control information being 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 16.

## 7.4 Standards for Sample Analysis and Reporting

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

## 7.5 Retesting Samples

A Sample may be reanalysed, for the purpose of Article 7.2 above at any time exclusively at the direction of HSI. The retesting of samples may lead to an EAD Rule violation only if the Banned Substance or Banned Method was prohibited at the time the Sample was taken, subject to Article 16.

## 7.6 Further Analysis of a Sample Prior to or During Results Management

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a Sample prior to the time HSI notifies a Person Responsible that the Sample is the basis for an Article 2.1 EAD Rule violation charge. If after such notification HSI wishes to conduct additional analysis on that Sample, it may do so with the consent of the Person Responsible or approval from a hearing body.

## 7.7 Further Analysis of a Sample After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge

After a laboratory has reported a Sample as negative, or the Sample has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 7.2 at any time exclusively at the direction of either the Anti-Doping Organization that initiated and directed Sample collection or HSI or the FEI. Any other Anti-Doping Organization with authority to test the Horse that wishes to conduct further analysis on a stored Sample may do so with the permission of the Anti-Doping Organization that initiated and directed Sample collection or HSI or the FEI, and shall be responsible for any follow-up Results Management. Any Sample storage or further analysis

initiated by HSI or the FEI or another Anti-Doping Organization shall be at HSI's or the FEI's or that organization's expense. Further analysis of Samples shall conform with the requirements of the FEI Standard for Laboratories.

#### 7.8 Split of A or B Sample

Where HSI, the FEI, an Anti-Doping Organization with Results Management authority, and/or a FEI Approved Laboratory (with approval from the FEI, HSI or the Anti-Doping Organization with Results Management authority) wishes to split an A or B Sample for the purpose of using the first part of the split Sample for an A Sample analysis and the second part of the split Sample for confirmation, then the procedures set forth in the FEI Standard for Laboratories and/or relevant processes from the FEI approved Laboratories shall be followed.

#### 7.9 Horse Sport Ireland Right to Take Possession of Samples and Data

The HSI may, in its sole discretion at any time, with or without prior notice, take physical possession of any HSI Sample and related analytical data or information in the possession of an approved Laboratory or Anti-Doping Organization. Upon request by Horse Sport Ireland, the approved Laboratory or Anti-Doping Organization in possession of the Sample or data shall immediately grant access to and enable the HSI to take physical possession of the Sample or data as soon as possible. If the FEI has not provided prior notice to the approved Laboratory or Anti-Doping Organization before taking possession of a FEI Sample or data, it shall provide such notice to the FEI Approved Laboratory and each Anti-Doping Organization whose Samples or data have been taken by the within a reasonable time after taking possession. After analysis and any investigation of a seized Sample or data, HSI may direct another Anti-Doping Organization with authority to test the Horse to assume Results Management responsibility for the Sample or data if a potential EAD Rule violation is discovered.

### **ARTICLE 8 RESULTS MANAGEMENT , RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS**

Results Management under these EAD Rules establishes a process designed to resolve EAD Rule violation matters in a fair, expeditious and efficient manner.

#### 8.1 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:

8.1.1 The results of all Sample analyses must be sent 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.

8.1.2 Upon receipt of an Adverse Analytical Finding, HSI (or a person acting on its behalf) shall conduct a review to determine whether there is any apparent departure from any provision of these EAD Rules that caused the Adverse Analytical Finding. This may include a review of the documentation produced by the laboratory to support the Adverse Analytical Finding (if available at the time of the review) and the relevant doping control form(s) and testing documents.

8.1.3 If, upon the initial review, there is an apparent departure from any provision of these EAD Rules that caused the Adverse Analytical Finding, the entire test shall be considered negative, and/or if the HSI decides not to bring forward the Adverse

Analytical Finding as an EAD Rule violation, it may so Notify the Person Responsible

- 8.1.4 If the initial review under Article 8.1.2 does not reveal an apparent departure from any provision of these EAD Rules that caused the Adverse Analytical Finding, HSI shall promptly Notify the Person Responsible of:
- (a) the Adverse Analytical Finding;
  - (b) the fact that the Adverse Analytical Finding may result in an EAD Rule violation;
  - (c) the right of the Person Responsible and the Owner of the Horse (if applicable) to request the analysis of the “B” Sample within seven (7) days, or, failing such request, that the “B” Sample analysis may be deemed irrevocably waived;
  - (d) the opportunity for the Person Responsible and the Owner of the Horse (if applicable) 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. Where both the Person Responsible and the Owner have elected to have the B Sample analysed but one of them has elected to have the B sample analysed at a different laboratory than the one which performed the A Sample analysis and the other one has elected to have the B sample analysed at the same laboratory as the one which performed the A Sample analysis, it shall be for HSI to decide the question taking in to account all relevant circumstances;
  - (e) the right of the Person Responsible and the Owner of the Horse (if applicable) 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 opportunity to provide an explanation within a short deadline;
  - (g) the opportunity to provide Substantial Assistance as set out under Article 11.7.1 to admit the EAD Rule violation and potentially benefit from a one-year reduction in the period of Ineligibility under Article 11.8.1 (if applicable) or to seek to enter into a case resolution agreement under Article 11.8.2;
  - (h) any matters relating to Provisional Suspension (including the possibility to accept a voluntary Provisional Suspension) as per Article 8.4; and
  - (i) the right of the Person Responsible and/or HSI to request to the Tribunal that Article 10.1 (Automatic Disqualification) be promptly applied where the B Sample Analysis confirms the A Sample Analysis or where the right to request the B Sample Analysis is waived.
  - (j) the right of the Person Responsible, within twenty-one (21) days of the date of Notification to admit the alleged violation with automatic disqualification under Art. 10 and further 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;

1. that if the Person Responsible fails to either admit to or deny the alleged violation pursuant to Article 8.1.4(j), they shall be deemed to have admitted the violation; and
  2. the right of the Person Responsible to request or agree to a hearing on written submissions only upon agreement of all parties and the Disciplinary Committee;
- 8.1.5 Pursuant to Article 8.1.4 (d) above, following receipt of the request for the “B” Sample analysis, HSI will propose possible dates for such analysis. If the Person Responsible and the Owner of the Horse requests the “B” Sample analysis but claim(s) that they and/or their representative are not available on the scheduled date indicated by HSI, HSI shall liaise with the Laboratory and propose (at least) two (2) alternative dates. If the Person Responsible and the Owner of the Horse and their representative claim not to be available on the alternative dates proposed, HSI shall instruct the Laboratory to proceed regardless and appoint an Independent Witness to verify that the “B” Sample container shows no signs of Tampering and that the identifying numbers match that on the collection documentation. 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.
- 8.1.6 In addition to the Person Responsible and the Owner of the Horse (if applicable) and his or her representative (witness), a representative of HSI shall also be allowed to be present for the “B” Sample Analysis.
- 8.1.7 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.
- 8.1.8 If the “B” Sample analysis confirms the A Sample analysis, HSI shall be informed of the results confidentially and shall Notify the Person Responsible and the Owner of the Horse (if applicable).
- 8.1.9 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 Affiliate or Section, as applicable, of the Person Responsible and the Owner of the Horse (if applicable) of the results of the follow- up investigation.
- 8.1.10 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.) In addition, and also for the avoidance of doubt, where the A Sample is positive for a Threshold Banned Substance, as it is quantitatively above the threshold level set for the Banned Substance, the B Sample shall be deemed to confirm the A Sample so long as the level of the B Sample is also quantitatively above the threshold, even if the B Sample level varies quantitatively from the A Sample level.
- 8.1.11 In instances where the Person Responsible or the Owner of the Horse (if applicable) 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 or the Owner of the Horse (if applicable) will not exceed the cost of the A Sample.

8.1.12 Where appropriate, the members of the Support Person(s) or other Person, including the Owner, shall receive Notification of the EAD Rule violation and all relevant corresponding documents.

8.1.13 If at any point during Results Management up until the charge under Article 8.5, and Horse Sport Ireland decides not to move forward with a matter, it must notify the Person Responsible, and/or member of the Support Person(s) or other Person (provided that Person Responsible, and/or member of the Support Person(s) or other Person had been already informed of the ongoing Results Management) and give notice (with reasons) to the bodies with a right of appeal under Article 13.2.2.

## 8.2 Review of Atypical Findings

8.2.1 Laboratories may report the presence of Banned Substances which require further investigation as provided by the FEI Atypical Findings Policy and such reports shall be treated by HSI 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 any provision of the EAD Rules that caused the Atypical Finding. If that review does not reveal any departure that caused the Atypical Finding, HSI shall conduct the required investigation.

8.2.2 HSI need 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, in the following circumstances, HSI will bring forward an Adverse Analytical Finding:

- (a) 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 8.1.4 (d) and (e) and 8.1.5 above.
- (b) If HSI receives a request, either from a Major Event Organization shortly before one of its International Events or from a sport organization responsible for meeting an imminent deadline for selecting team members (or Horses) for an International Event, to disclose whether any Person Responsible or Horse identified on a list provided by the Major Event Organization or sport organization has a pending Atypical Finding, HSI shall identify any Person Responsible or Horse after first providing notice of the Atypical Finding to the Person Responsible or and the Owner of the Horse (if applicable);
- (c) If the Atypical Finding is likely to be connected to a serious pathology that requires urgent veterinary attention.

If after the investigation is completed, Horse Sport Ireland decides to pursue the Atypical Finding as an Adverse Analytical Finding, then the procedure shall follow the provisions of Clause 8.1.4 mutatis mutandi. The decision of HSI to pursue or not pursue an Atypical Finding as an Adverse Analytical Finding is final and is not subject to appeal.

## 8.3 Notification for specific cases and other EAD Rules Violations

At such time as HSI considers that the Person Responsible or other person may have committed an EAD Rule violation or violations, HSI shall promptly Notify the Person Responsible, the Owner of the Horse (if applicable) and/or the Support Person(s) and/or other person (where applicable) of the EAD Rule which appears to have been violated and the basis of:

- (a) the relevant EAD Rules violation or violations and the applicable consequences;
- (b) the relevant factual circumstances upon which the allegations are based;
- (c) The relevant evidence in support of those facts that HSI considers demonstrates that the Person Responsible or other Person may have committed EAD Rule violation or violations;
- (d) The Person Responsible or other Person's right to provide an explanation within a reasonable deadline;
- (e) the opportunity to provide Substantial Assistance as set out under Article 11.7.1, to admit the EAD Rule violation and potentially benefit from a one-year reduction in the period of Ineligibility under Article 11.8.1 (if applicable) or to seek to enter into a case resolution agreement under Article 11.8.2; and
- (f) any matters relating to Provisional Suspension (including the possibility to accept a voluntary Provisional Suspension) as per Article 8.4.

#### 8.4 Provisional Suspensions

8.4.1 Horse Sport Ireland shall provisionally suspend a Person Responsible, member of the Support Person(s), other person, and/or the Person Responsible's Horse prior to the opportunity for a full hearing based on:

- (a) an admission that an EAD Rule violation has taken place (for the avoidance of doubt, an admission by any Person can only be used to provisionally suspend that Person); or
- (b) all of the following elements:
  - (i) an Adverse Analytical Finding for a Banned Substance that is not a Specified Substance from the A Sample or A and B Samples;
  - (ii) the review described in Article 8.1.2 above; and
  - (iii) the Notification described in Article 8.1.4 above.

Notwithstanding the foregoing, Horse Sport Ireland shall not provisionally suspend a Person Responsible who is a Minor and to whom Article 9.3 below (Special Procedure for Minors) applies but Horse Sport Ireland shall provisionally suspend the relevant Horse.

8.4.2 Horse Sport Ireland may provisionally suspend a Person Responsible, member of the Support Person(s), other person and/or the Person Responsible's Horse prior to the opportunity for a full hearing based on

- (a) evidence that a violation of these EAD Rules is highly likely to have been committed by the respective Person or
- (b) all of the following elements:
  - (i) an Adverse Analytical Finding for a Banned Substance that is a Specified Substance from the A Sample or A and B Samples;
  - (ii) the review described in Article 8.1.2 above; and
  - (iii) the Notification described in Article 8.1.4 above.

8.4.3 Notwithstanding Articles 8.4.1 and 8.4.2, a Provisional Suspension may not be imposed unless the Person and in the case of the Provisional Suspension of a Horse, the Owner, is given

- (a) an opportunity for a Preliminary Hearing, either before or on a timely basis after the imposition of the Provisional Suspension; or
- (b) an opportunity for an expedited hearing in accordance with Article 9 on a timely basis after the imposition.

The imposition of a Provisional Suspension or the decision not to impose a Provisional Suspension may be appealed in an expedited process in accordance with Article 13.2

8.4.4 The Provisional Suspension shall be maintained unless the Person requesting the lifting of the Provisional Suspension establishes to the comfortable satisfaction of the Hearing Panel that:

- (i) the allegation that an EAD Rule violation has been committed has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the allegation is based; or
- (ii) the Person can demonstrate that the evidence will show that he bears No Fault or No Negligence for the EAD Rule violation that is alleged to have been committed, so that any period of Ineligibility that might otherwise be imposed for such offence is likely to be completely eliminated by application of Article 11.5 below or that 11.6 applies and the Person can demonstrate that the evidence will show that he bears No Significant Fault or Negligence and that he has already been provisionally suspended for a period of time that warrants the lifting of the Provisional Suspension pending a final Decision of the Hearing Panel; or
- (iii) exceptional circumstances exist that make it clearly unfair, taking into account all of the circumstances of the case, to impose a Provisional Suspension prior to the final hearing of the Hearing Panel. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the Provisional Suspension would prevent the Person or Horse competing in a particular Competition or Event shall not qualify as exceptional circumstances for these purposes.

HSI may also request the lifting of the Provisional Suspension.

8.4.5 If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis (if requested) does not confirm the A Sample analysis, then the Person(s) alleged to have committed the EAD Rule violation and his member of the Support Person(s) and/or other person, and/or Horse shall not be subject to any further Provisional Suspension on account of a violation of Article 2.1 above (Presence of a Banned Substance and/or its Metabolites or Markers). In circumstances where the Person Responsible and/or his Horse has been removed from a Competition and/or Event based on a violation of Article 2.1 and the subsequent B Sample analysis does not confirm the A Sample finding, if it is still possible for the Person Responsible and his Horse to be re-entered without otherwise affecting the Competition and/or Event, the Person Responsible and his Horse may continue to take part in the Competition and/or Event.



8.4.6 After the imposition of a Provisional Suspension and prior to a final hearing, the Person Responsible and/or member of the Support Person(s) and/or other person can petition the Hearing Panel for another Preliminary Hearing provided that new evidence exists that, if known at the time of the earlier Preliminary Hearing, may have satisfied the requirements of Article 8.4.4 above and may have led to the lifting of the Provisional Suspension. Such petition must be made in writing to the Hearing Panel and copied to the HSI Disciplinary Officer and HSI Legal Department and must clearly establish the existence of such new evidence meeting this criterion. If the request for another Preliminary Hearing is granted by the Hearing Panel, and provided that a Preliminary Hearing had already taken place at an earlier stage, the same Hearing Panel members who presided over the prior Preliminary Hearing will Decide the new Preliminary Hearing request, unless exceptional circumstances prevent it from doing so, in which case another Hearing Panel will be appointed to conduct the new Preliminary Hearing. If another Preliminary Hearing is granted after the Hearing Panel has been constituted, any member of the Hearing Panel may conduct the Preliminary Hearing. Preliminary Hearing Decisions may be issued by the Hearing Panel without reasons.

8.4.7 During a period of Provisional Suspension, no Person Responsible and/or member of the Support Person(s) and/or other person who themselves are provisionally suspended, or a Horse that is provisionally suspended, may participate in any capacity at an Event, or in a Competition or activity, or be present at an Event (other than as a spectator) that is authorised or organised by the FEI or any National Federation or in Competitions authorised or organised by any international or national level Event organization, by Horse Sport Ireland or any recognized Affiliate.

#### 8.4.8 Voluntary Acceptance of Provisional Suspension

The Person Responsible on their own initiative may voluntarily accept a Provisional Suspension if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B Sample (or waiver of the B Sample) or ten (10) days from the notice of any other EAD Rule violation, or (ii) the date on which the Person Responsible first competes after such report or notice.

Other Persons on their own initiative may voluntarily accept a Provisional Suspension if done so within ten (10) days from the notice of the EAD Rule violation.

The deadlines set out in this Article may be extended subject to the agreement of Horse Sport Ireland.

Upon such voluntary acceptance, the Provisional Suspension shall have the full effect and be treated in the same manner as if the Provisional Suspension had been imposed under Article 8.4.1 or 8.4.2; provided, however, at any time after voluntarily accepting a Provisional Suspension, the Person Responsible or other Person may withdraw such acceptance, in which event the Person Responsible or other Person shall not receive any credit for time previously served during the Provisional Suspension.

## 8.5 Charge

8.5.1 If, after receipt of the Person Responsible, or other Person's explanation or expiry of the deadline to provide such explanation, HSI is (still) satisfied that the Person Responsible, member of the Support Person(s) or other Persons has committed (an) EAD Rule violation(s), HSI shall promptly charge the Person Responsible,

member of the Support Person(s) or other Persons with the EAD Rule violation(s) they are asserted to have breached. In this letter of charge, HSI:

- (a) Shall set out the provision(s) of EAD Rules asserted to have been violated by the Person Responsible, member of the Support Person(s) or other Person;
- (b) Shall provide a detailed summary of the relevant facts upon which the assertion is based, enclosing any additional underlying evidence not already provided in the notification under Article 8.1.4;
- (c) Shall indicate the specific Consequences being sought in the event that the asserted EAD Rule violation(s) is/are upheld and that such Consequences shall have binding effect as per Article 15;
- (d) Shall grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended subject to the prior written agreement of HSI) to the Person Responsible, member of the Support Person(s) or other Person to admit the EAD Rule violation asserted and to accept the proposed Consequences by signing, dating and returning an acceptance of Consequences form, which shall be enclosed to the letter;
- (e) In the event that the Person Responsible, member of the Support Person(s) or other Person does not accept the proposed Consequences, shall give the Person Responsible, member of the Support Person(s) or other Person a deadline (which shall not be more than twenty (20) days from receipt of the letter of charge unless extended subject to the prior written agreement of the FEI Legal Department) to challenge in writing HSI's assertion of an EAD Rule violation and/or proposed Consequences, and/or make a written request for a hearing before the relevant hearing panel;
- (f) Shall indicate that if the Person Responsible, member of the Support Person(s) or other Person does not challenge HSI's assertion of an EAD Rule violation or proposed Consequences nor request a hearing within the prescribed deadline, HSI shall be entitled to deem that the Person Responsible, member of the Support Person(s) or other Person has waived their right to a hearing and admitted the EAD Rule violation as well as accepted the Consequences set out by HSI in the letter of charge;
- (g) Shall indicate that the Person Responsible, member of the Support Person(s) or other Person may be able to obtain a suspension of Consequences if they provide Substantial Assistance under Article 11.7.1, may admit the EAD Rule violation(s) within twenty (20) days from receipt of the letter of charge (unless extended subject to the prior written agreement of HSI) and potentially benefit from a one-year reduction in the period of Ineligibility under Article 11.8.1 (if applicable) and/or seek to enter into a case resolution

agreement by admitting the anti-doping rule violation(s) under Article 11.8.2; and

- (h) Shall set out any matters relating to Provisional Suspension as per Article 8.4 (if applicable).

8.5.3 In the event that the Person Responsible, member of the Support Person(s) or other Person either (i) admits the EAD Rule violation and accepts the proposed Consequences or (ii) is deemed to have admitted the violation and accepted the Consequences as per Article 8.5.1(f), HSI shall promptly issue the decision and notify it.

8.5.4 If, after the Person Responsible, member of the Support Person(s) or other Person has been charged, HSI decides to withdraw the charge, it must notify the Person Responsible, member of the Support Person(s) or other Person and give notice (with reasons) to the bodies with a right of appeal under Article 13.2.2.

8.5.5 In the event that the Person Responsible, member of the Support Person(s) or other Person requests a hearing, the matter shall be referred to the HSI Hearing Panel and be dealt with pursuant to Article 8.

## 8.6 Retirement from Sport

If a Person Responsible and/or the Support Person(s) retires while a Results Management process is underway, HSI retains authority to complete its Results Management process. If a Person Responsible and/or Support Person(s) retires before any Results Management process has begun, and HSI would have had Results Management authority over the Person Responsible or member of the Support Person(s) or other Person at the time the Person Responsible or member of the Support Person(s) committed an EAD Rule violation, HSI similarly has jurisdiction to conduct Results Management.

## 8.7 Waiver of Hearing

8.7.1 A Person Responsible and/or member of the Support Person(s) and/or Owner and/or other person may waive a hearing expressly and agree with the consequences proposed by HSI.

8.7.2 However, if the Person Responsible and/or member of the Support Person(s) and/or Owner and/or other person against whom an EAD Rule violation is asserted fails to dispute that assertion within twenty (20) or the deadline specified in the notice sent by HSI, then they shall be deemed to have waived a hearing, to have admitted the violation, and to have accepted the proposed Consequences.

8.7.3 In cases where Article 8.7.1 or 8.7.2 applies, a hearing before a hearing panel shall not be required. Instead the HSI Tribunal shall promptly issue a written decision that conforms with the requirements of Article 8.4 and which includes the full reasons for any period of Ineligibility imposed, the Disqualification of results under Article 10 and if applicable, a justification for why the greatest potential consequences were not imposed. HSI shall notify that decision to the Person Responsible and/or members of the Support Person(s) and to other Anti-Doping Organizations with a right to appeal under Article 13.2, and shall Publicly Disclose that decision in accordance with Article 14.3.

## Article 9 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION

### 9.1 Hearings before the HSI Disciplinary Committee

9.1.1 The HSI Disciplinary Committee shall decide all cases involving violations of these *EAD Rules*.

### 9.2 Hearing Process

When HSI sends a notice to a Person Responsible, Support Person or other Person notifying them of a potential EAD Rule violation, and the Person Responsible, Support Person or other Person does not waive a hearing in accordance with Article 8.7, then the case shall be referred to the hearing committee of the Disciplinary Committee for hearing and adjudication, which shall be conducted in accordance with the procedures outlined in the Horse Sport Ireland General Rules.

Decisions of the Hearing Panel of the Disciplinary Committee may be appealed either to the Disciplinary Committee and/or to the CAS as provided in Article 13 of these EAD Rules.

### 9.3 Special Procedure for Minors

9.3.1 For Adverse Analytical Findings involving one or more Banned Substances, where the Person Responsible is a Minor, the Minor may elect to have their case processed under the “Special Procedure for Minors” provided that:

- (i) The Minor and the Horse are first-time offenders (namely, no record of any EAD or ECM Rule violations, or violations of any predecessor rules) without any pending or concluded cases within the last four (4) years preceding the Sample which caused the Adverse Analytical Finding;

9.4.2 If the Minor requests a hearing before the Hearing Panel, Article 10 below shall apply at the discretion of the Hearing Panel.

9.4.3 Where the Special Procedure for Minors is applied by Horse Sport Ireland, the following consequences shall be imposed and no other consequences, including those set forth in Article 10 below or elsewhere in these EAD Rules, shall be applicable to any Minor who has elected to avail of this Special Procedure for Minors:

- a. Disqualification of the Minor and Horse combination from the whole Event and forfeiture of all prizes and prize money won at the Event;
- b. Two month period of Ineligibility for the Minor, such period of Ineligibility to commence on the date that the Acceptance Form referred to in Article 9.4.4 below is received by Horse Sport Ireland;
- c. Two month period of suspension for the Horse, such period of suspension to commence as of the date of Notification (i.e. the date the provisional suspension of the Horse commenced);

- A Fine of €1000; and
- Costs of €500.

However, if a B Sample analysis is requested and the Special Procedure for Minors is accepted after the B Sample Analysis, the costs payable shall be increased to €1000.

9.4.4 In order to apply this Special Procedure for Minors, the Minor and his/her legal guardian must execute an Acceptance Form within fourteen (14) calendar days following the date of the Notice in which the FEI offers this Special Procedure for Minors to the Minor alleged

to have committed the EAD Rule violation. Horse Sport Ireland may reasonably extend such deadline provided the file has not yet been circulated to the Hearing Panel or any of its members.

- 9.4.5 If the Minor does not elect to avail of the Special Procedure for Minors within the fixed time limit, the Special Procedure for Minors shall be considered declined and the case shall be submitted to the Hearing Panel for final Decision. The Hearing Panel may impose Sanctions and costs which may be more or less severe than the ones provided under Article 9.4.3 above.
- 9.4.6 The principles contained at Article 14.3.5 shall be applied in cases dealt with under the Special Procedure for Minors.

## 9.5 Decisions

- 9.5.1 At the end of the hearing, or on a timely basis thereafter, the Hearing Panel shall issue a written decision that includes the jurisdictional basis and applicable rules, detailed factual background; EAD Rule violation(s) committed, applicable Consequences, (including, if applicable, a justification for why the greatest potential Consequences were not imposed) and the appeal route and the applicable deadline. The Hearing Panel may decide to communicate the operative part of the decision to the parties prior to the reasons. The decision shall be enforceable from such notification of the operative part by courier, facsimile and/or electronic mail.
- 9.5.2 If no appeal is brought against the decision, then (a) if the decision is that an anti-doping rule violation was committed, the decision shall be Publicly Disclosed as provided in Article 14.3.1; but (b) if the decision is that no anti-doping rule violation was committed, then the decision shall only be Publicly Disclosed with the consent of the Person Responsible and/or member of the Support Person(s) and/or other person. 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 the Person Responsible and/or member of the Support Person(s) and/or other person may approve.
- 9.5.3 The principles contained at Article 14.3.5 shall be applied in cases involving a Minor.

## Article 10 AUTOMATIC DISQUALIFICATION OF RESULTS

- 10.1 A violation of these EAD Rules in connection with an In-Competition Test automatically leads to Disqualification of the result(s) 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. Where applicable, Consequences to teams are detailed in Article 12 below.

Even if a Sanction is reduced or eliminated under Article 11 below, such reduction or elimination shall under no circumstances reverse the automatic Disqualification of Individual the Result(s) mandated by this Article 10.

## Article 11 SANCTIONS

- 11.1 Disqualification of Results in the Event during which an EAD Rule Violation Occurs

The following rules relating to the Disqualification of results will apply:

- 11.1.1 At the Olympic Games and Paralympic Games, FEI World Equestrian Games: An EAD Rule violation occurring during or in connection with the Event shall lead to

Disqualification of all of the Person Responsible individual results obtained in that Event, with any and all Horses with which the Person Responsible competed, with all Consequences (and the resulting consequences to teams as provided in Article 11), including forfeiture of all medals, points and prizes.

- 11.1.2 At all other Events at which these EAD Rules apply, an EAD Rule violation occurring during or in connection with an Event shall, upon the decision of the Hearing Panel, lead to Disqualification of all of the Person Responsible's results obtained in that Event, with any and all Horses, with all Consequences, including forfeiture of all medals, points and prizes, unless the Horse(s) tested negative in another Competition(s) prior to the Competition in which the EAD Rules were violated, in which case the result(s) obtained by the Person Responsible in that Competition(s) will not be Disqualified.

Where applicable, consequences to teams will be as provided in Article 12.

- 11.1.3 In addition, the Person Responsible's Horse may also be Disqualified from the entire Event with all Consequences, including forfeiture of all medals, points, and prizes even if earned while being ridden by someone other than the Person Responsible, if the Horse's results in Competitions other than the Competition in which the EAD Rule violation occurred were likely to have been affected by the EAD Rule violation.

## 11.2 Ineligibility and Fine for Presence, Use or Attempted Use or Possession of Banned Substances, Banned Methods and certain other violations

- 11.2.1 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 or a Banned Method), 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 2.35 (Administration or attempted administration of a Banned Substance), Article 2.4 6 (Possession of a Banned Substance) or Article 2.58 (complicity) shall be as follows unless the conditions for eliminating, reducing, or increasing the sanction provided in 11.4, 11.5 or 11.6 are met.

First Violation: Two (2) years Ineligibility, a fine of up to €13,000.00 and appropriate legal costs.

Multiple Violations: As set forth in Article 11.9 below.

## 11.3 Ineligibility for other Rule Violations

- 11.3.1 For violations of Article 2.7 (Trafficking or Attempted Trafficking), the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility depending on the seriousness of the violation. A fine of €22,000.00 shall also be imposed, unless fairness dictates otherwise, along with appropriate legal costs.

An Article 2.5 or Article 2.7 violation involving a Minor shall be considered a particularly serious violation and, if committed by member of the Support Person(s) or other person, shall result in lifetime Ineligibility for the member of the Support Person(s) or other person. For violations of Article 2.7, a fine of up to €22,000.00 shall also be imposed, along with appropriate legal costs. In addition, significant violations of Article 2.5 or 2.7 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

11.3.2 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.

11.3.2 For violations of Article 2.9, the period of Ineligibility shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the Person Responsible's and/or a member of the Support Person(s)'s or other Person's degree of Fault and other circumstances of the case.

#### 11.4 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 2.5 (Trafficking or Attempted Trafficking), 2.6 Administration or Attempted Administration), 2.7 (Complicity) or 2.8 (Acts by a Person Responsible or Other Person to Discourage or Retaliate Against Reporting) 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 by an additional period of Ineligibility of up to two (2) years depending on the seriousness of the violation and the nature of the Aggravating Circumstances, unless the Person Responsible, member of the Support Person(s) or other Person can establish that he or she did not knowingly commit the EAD Rule violation.

#### 11.5 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

##### 11.5.1 No Fault or Negligence

If the Person Responsible and/or Support Person(s) and/or other person (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 shall 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) and/or other person (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 11.9 below.

This Article can apply in cases involving Specified Substances. Otherwise it only applies in exceptional circumstances. No Fault or Negligence does not apply in the following circumstances:

- 11.5.1.1 where the presence of the Banned Substance in a Sample came from a mislabelled or contaminated supplement. Persons Responsible are responsible for what their Horses ingest and have been warned about the possibility of supplement contamination;
- 11.5.1.2 the Administration of a Banned Substance by the Person Responsible's veterinary personnel or member of the Support Person(s) without disclosure to the Person Responsible. Persons Responsible are responsible for their choice of veterinary personnel and Support Person(s) and for advising veterinary personnel and Support Person(s) that Horses cannot be given any Banned Substance at any time.

## 11.6 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence

### 11.6.1 Reduction of Sanctions in particular circumstances

All reductions under 11.6.1 are mutually exclusive and not cumulative.

#### 11.6.1.1 Specified Substances

Where the EAD rule violation involves a Banned Substance that is a Specified Substance, and the Person Responsible and/or member of the Support Person(s) and/or other person can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years of Ineligibility, depending on the Person Responsible's or other Person's degree of Fault. Where the Person Responsible and/or member of the Support Person(s) and/or other person intends to establish that he/she bears No Fault or Negligence, Article 11.5 shall apply.

#### 11.6.1.2. Contaminated Products

In cases where the Person Responsible and/or member of the Support Person(s) and/or other person can establish both No Significant Fault or Negligence and that the detected Banned Substance came from a Contaminated Product or that the detected Banned Substance was caused by another form of contamination, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years Ineligibility, depending on such Person's and/or member of the Support Person(s)'s degree of Fault.

### 11.6.2 Application of No Significant Fault or Negligence beyond the Application of Article 11.6.1

If a Person Responsible and/or Support Person(s) and/or other person (where applicable) establishes in an individual case where 11.6.1 is not applicable that they bear No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 11.7, the otherwise applicable period of Ineligibility and other sanctions (Apart from Article 10) 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.

## 11.7 Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons Other than Fault

### 11.7.1 Substantial Assistance in Discovering or Establishing EAD Rule Violations

The Disciplinary Committee may, prior to an appellate decision under Article 13 below or the expiration of the time to appeal, suspend a part or all of Consequences (other than Disqualification and mandatory Public Disclosure) imposed in an individual case where the Person Responsible and/or Support Person(s) or other Person 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; and/or an ECM Rule violation; and/or an FEI Anti-Doping Rules



for Human Athletes 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 doping-free equestrian sport, compliance with the EAD Rules and/or the integrity of 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. For the purposes of this paragraph, the otherwise applicable period of Ineligibility shall not include any period of Ineligibility that could be added under Article 11.9.3 of these EAD Rules.

If so requested by Person Responsible and/or member of the Support Person(s) and/or other Person who seeks to provide Substantial Assistance, HSI shall allow the Person Responsible and/or member of the Support Person(s) and/or other Person to provide the information to it subject to a Without Prejudice Agreement.

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 13.2.

#### 11.7.2 Admission of an EAD Rule Violation in the Absence of Other Evidence

Where a Person Responsible and/or Support Person(s) and/or other person 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 8) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced.

#### 11.7.3 Application of Multiple Grounds for Reduction of a Sanction

If the Person Responsible and/or Support Person(s) and/or other person establishes an entitlement to a reduction or suspension of the period of Ineligibility under two (2) or more of Articles 11.5, 11.6 and 11.7, before applying any reduction or suspension under Article 11.7, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 11.2, 11.3, 11.5 and 11.6. If the Person Responsible and/or member of the Support Person(s) and/or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 11.7, then the period of Ineligibility may be reduced or suspended but not below one-quarter of the otherwise applicable period of Ineligibility.

### 11.8 Results Management Agreements

#### 11.8.1 Six (6) Month Reduction for Certain Anti-Doping Rule Violations

Where a Person Responsible and/or member of the Support Person(s) and/or other Person, after being notified by HSI of a potential EAD Rule violation that carries an asserted period of Ineligibility of two (2) years or more years (including any period of Ineligibility asserted under Article 11.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after

receiving notice of an EAD Rule violation charge, the Person Responsible and/or member of the Support Person(s) and/or other Person may receive a six (6) month reduction in the period of Ineligibility asserted by HSI. Where the Person Responsible and/or member of the Support Person(s) and/or other Person receives the six (6) month reduction in the asserted period of Ineligibility under this Article 11.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.

#### 11.8.2 Case Resolution Agreement

Where the Person Responsible and/or member of the Support Person(s) and/or other Person admits an EAD Rule violation after being confronted with the EAD Rule violation by HSI and agrees to Consequences acceptable to HSI, at its sole discretion, then: (a) the Person Responsible and/or member of the Support Person(s) and/or other Person may receive a reduction in the period of Ineligibility based on an assessment by HSI of the application of Articles 11.1 through 11.7 to the asserted EAD Rule violation, the seriousness of the violation, the Person Responsible and/or member of the Support Person(s)'s and/or other Person's degree of Fault and how promptly the Person Responsible and/or member of the Support Person(s) and/or other Person admitted the violation; and (b) 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. In each case, however, where this Article is applied, the Person Responsible and/or member of the Support Person(s) and/or other Person shall serve at least one-half of the agreed-upon period of Ineligibility going forward from the earlier of the date the Person Responsible and/or member of the Support Person(s) and/or other Person accepted the imposition of a sanction or a Provisional Suspension which was subsequently respected by the Person Responsible and/or member of the Support Person(s) and/or other Person.

The agreement shall be submitted to the HSI Disciplinary Committee for the sole purpose of the Committee confirming that the above criteria have been fulfilled (or do not apply) and, where so confirmed by the Committee, the final agreement shall state the full reasons for any period of Ineligibility agreed, including (if applicable), a justification for why the flexibility in Sanction was applied. Such agreement shall be considered as a decision for the case and will be published as provided in Article 14.3 The decision by HSI to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of, the period of Ineligibility and the confirmation of the case resolution agreement by HSI Disciplinary Committee are not subject to appeal under Article 13.

If so requested by a Person Responsible and/or member of the Support Person(s) and/or other Person who seeks to enter into a case resolution agreement under this Article, HSI shall allow the Person Responsible and/or member of the Support Person(s) and/or other Person to discuss an admission of the EAD Rule violation with it subject to a Without Prejudice Agreement.

### 11.9 Multiple Violations

#### 11.9.1 Second or Third EAD Rule Violation

##### 11.9.1.1

For a Person Responsible and/or Support Person(s)'s and or other person's second EAD Rule violation, the period of Ineligibility shall be the greater of:

- (a) six months;
- (b) a period of Ineligibility in the range between:
  - (i) the sum of the period of ineligibility imposed for the first EAD Rule violation plus the period of Ineligibility otherwise applicable to the second EAD Rule violation treated as if it were a first violation; and
  - (ii) twice the period of Ineligibility otherwise applicable to the second EAD Rule violation treated as if it were a first violation, with the period of Ineligibility within this range to be determined based on the entirety of the circumstances and the Person Responsible and/or member of the Support Person(s)'s and/or other Person's with respect to the second violation.

11.9.1.2 A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfills the condition for elimination or reduction of the period of Ineligibility under Article 11.5 or 11.6, or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight (8) years to lifetime Ineligibility.

11.9.1.3 The period of Ineligibility established in Articles 11.9.1.1 and 11.9.1.2 may then be further reduced by the application of Article 11.7.

11.9.2 An EAD violation for which an Person Responsible and/or member of the Support Person(s) and/or other person has established No Fault or Negligence shall not be considered a prior violation for purposes of this Article.

### 11.9.3 Additional EAD Rules for certain Potential Multiple Violations

11.9.3.1 For purposes of imposing sanctions under Article 11.9 except as provided in Article 11.9.3.2 and 11.9.3.3 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 additional violation after he or she received Notice of the first violation pursuant to Article 8 (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.

11.9.3.2 If HSI establishes that an Person Responsible and/or member of the Support Person(s) and/or other Person and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of Ineligibility for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of Ineligibility is served consecutively, rather than concurrently, with the period of Ineligibility imposed for the earlier-noticed violation. Where this Article 11.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 11.9.1.

11.9.3.3 If HSI establishes that Person Responsible and/or member of the Support Person(s) and/or other Person committed a violation of

Article 2.4 in connection with the Doping Control process for an underlying asserted EAD Rule violation, the violation of Article 2.4 shall be treated as a stand-alone first violation and the period of Ineligibility for such violation shall be served consecutively, rather than concurrently, with the period of Ineligibility, if any, imposed for the underlying EAD Rule violation. Where this Article 11.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 11.9.1.

11.9.3.4 If HSI establishes that Person Responsible and/or member of the Support Person(s) and/or other Person has committed a second or third EAD Rule violation during a period of Ineligibility, the periods of Ineligibility for the multiple violations shall run consecutively, rather than concurrently.

#### 11.9.4 Multiple EAD Rule Violations During a Ten-Year Period

For purposes of Article 11.9, each EAD Rule violation must take place within the same ten (10) year period in order to be considered multiple violations.

#### 11.9.5 Violations involving both a Controlled Medication Substance and a Banned Substance

Where a Person Responsible and/or Support Person(s) and/or other person 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) and/or other person 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 11.4 above.

#### 11.10 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 10 (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 and any other fines and/or costs attributed to the violation which have been ordered by the HIS or FEI or otherwise accepted by the Person Responsible.

#### 11.11 Forfeited Prize Money

If HSI, or any Affiliate, recovers prize money forfeited as a result of an EAD Rule violation, it shall take reasonable measures to allocate and distribute this prize money to the next placed Person Responsible/team who would have been entitled to it had the forfeiting Person Responsible/team not competed.

- 11.12 Commencement of Ineligibility Period
- 11.12.1 Where the Person Responsible and/or member of the Support Person(s) and/or other Person is already serving a period of Ineligibility for an EAD (or ECM) Rule violation, any new period of Ineligibility shall commence on the first day after the current period of Ineligibility has been served. Otherwise, except as provided below, the period of Ineligibility shall start on the date of the decision providing for Ineligibility or if the hearing is waived or there is no hearing, on the date ineligibility is in its Decision.
- 11.12.2 Delays Not Attributable to the Person Responsible or Support Person(s) or other person  
Where there have been substantial delays in the hearing process or other aspects of Doping Control and the Person Responsible and/or member of the Support Person(s) and/or other Person can establish that such delays are not attributable to the Person Responsible and/or Support Person(s) and/or other person alleged to have committed the EAD Rule violation, the Hearing Panel 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. All competitive results achieved during the period of Ineligibility including retroactive Ineligibility shall be disqualified.
- 11.12.3 Credit for Provisional Suspension or Period of Ineligibility Served.
- 11.12.3.1 If a Provisional Suspension is respected by the Person Responsible and/or member of the Support Person(s) and/or other person, or Horse, then a credit shall be received for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed as determined by the HSI Disciplinary Committee. If the Person Responsible and/or member of the Support Personnel and/or other Person does not respect a Provisional Suspension, then the Person Responsible and/or member of the Support Personnel or other Person shall receive no credit for any period of Provisional Suspension served.
- If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Person Responsible and/or member of the Support Person(s) and/or other person and/or Horse shall receive a credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal.
- 11.12.3.2 If a Person Responsible and/or Support Person(s) and/or other person voluntarily accepts a Provisional Suspension in writing for himself, herself or the Horse, and thereafter refrains from participating in equestrian activities, such Person or Horse shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be

imposed. A copy of the voluntary Provisional Suspension shall be provided promptly to each party entitled to receive Notice of an asserted EAD Rule violation. If a Provisional Suspension is voluntarily accepted, it can only be lifted by Decision of the HSI Disciplinary Committee.

- 11.12.3.3 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Person alleged to have committed the EAD Rule violation elected not to compete or was suspended by a team.

## 11.13 Status During Ineligibility or Provisional Suspension

### 11.13.1 Prohibition Against Participation during Ineligibility or Provisional Suspension

No Horse, Person Responsible and/or Support Person(s) and/or other person who has been declared Ineligible or is subject to a Provisional Suspension may, during a period of Ineligibility or Provisional Suspension, 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) and/or other person 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) and/or other person or horse subject to Ineligibility under Article 11 may also be banned from any venues where national-level competitions are taking place, whether or not the Person Responsible or member of the Support Person(s) is registered with the HSI.

### 11.13.2 Return to Training

As an exception to Article 11.13.1, a Person Responsible may return to train with a team or to use the facilities of a club or other member organization of HSI during the shorter of: (1) the last two months of the Person Responsible's period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.

### 11.13.3 Violation of the Prohibition of Participation During Ineligibility or Provisional Suspension

Where a Person Responsible and/or member of the Support Personnel and/or other Person who has been declared Ineligible or whose Horse has been declared Ineligible violates the prohibition against participation or attendance during Ineligibility described in

Article 11.13 above, the results of any such participation shall be Disqualified and a new period of Ineligibility equal in length up to the original period of Ineligibility, including a reprimand, shall be added to the end of the original period of Ineligibility. The new period of Ineligibility may be adjusted based on the Person Responsible and/or member of the Support Personnel's and/or other Person's degree of Fault or other circumstances of the case. In addition, further sanctions may be imposed if appropriate. The determination of whether any Person has violated the prohibition against participation or attendance, and whether an adjustment is appropriate, shall be made by the HSI relevant body. This decision may be appealed under Article 13.

A Person Responsible and/or member of the Support Personnel and/or other Person who violates the prohibition against participation during a Provisional Suspension described in Article 11.13 shall receive no credit for any period of Provisional Suspension served and the results of such participation shall be Disqualified.

Where Person Responsible and/or member of the Support Personnel and/or other Person assists a Person in violating the prohibition against participation during Ineligibility or a Provisional Suspension, HSI shall impose sanctions for a violation of Article 2.9 for such assistance.

#### 11.14 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Article 14.3.

#### 11.15 Non-Payment of any Fine

11.15.1 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:

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

11.15.1.2 A further period of Ineligibility; and/or

11.15.1.3 A further fine.

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

## Article 12 CONSEQUENCES TO TEAMS

### 12.1 Testing of Teams

Where one (1) or more member of a team has been notified of an EAD Rule violation under Article 7 in connection with an Event, the HSI shall conduct appropriate Target Testing of all members of the team during the Event Period.

### 12.2 Consequences for Teams

12.2.1 If a member of a team is found to have committed a violation of these EAD Rules during an Event where a team ranking is based on the addition of individual results in connection with an In-Competition test during the Event:

(i) Article 10 shall apply to the Person Responsible's results and where those result(s) count towards a team result(s) or team qualification(s), the Person Responsible's result(s) shall be subtracted from the Team result(s), to be replaced with the result(s) of the next applicable Team member.

(ii) Article 11.1 shall apply to the Person Responsible's result(s) and where those result(s) that are Disqualified count towards a Team result(s) or Team qualification(s), such Person Responsible's result(s) shall be subtracted from the Team result(s), to be replaced with the result(s) of the next applicable Team member.

If by removing the Person Responsible's results from the team results, the number of Athletes counting for the team is less than the required number, the team shall be eliminated.

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.

## **Article 13 RESULTS MANAGEMENT APPEALS**

### **13.1 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.

#### **13.1.1 Scope of Review Not Limited**

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.

13.2 Appeals from Decisions Regarding EAD Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority. The following decisions may be appealed exclusively as provided in this Article 13.2:

- (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 11.13.3 (Violation of the Prohibition of Participation during Ineligibility);
- (f) a decision under Article 11.7.1 to reinstate a period of Ineligibility for failure to provide the Substantial Assistance which was anticipated; and
- (g) a decision that HSI lacks authority to rule on an alleged EAD Rule violation or its consequences;
- (h) a Decision to impose or lift a Provisional Suspension as a result of a Preliminary Hearing or otherwise, in violation of Article 8.4;



- (i) a decision to suspend, or not suspend Consequences or to reinstate, or not reinstate Consequences under Article 11.7.1;
- (j) a decision under Article 11.13.3.

13.2.1 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.

13.2.2 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) and/or other person 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.

13.2.3 **Duty to Notify**  
All parties to any CAS appeal must ensure that the FEI and all other parties with a right to appeal have been given timely notice of the appeal.

13.2.4 **Appeal from Imposition of Provisional Suspension**  
The only Person that may appeal from the imposition of a Provisional Suspension is the FEI, HSI, or the Person upon whom or upon whose Horse the Provisional Suspension is imposed.

13.2.5 **Cross Appeals and other Subsequent Appeals Allowed**  
Cross appeals and other subsequent appeals by any respondent named in cases are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

### 13.3 Time for Filing Appeals

The time to file an appeal to the Disciplinary Committee or the CAS, as the case may be, shall be twenty-one (21) days from the date of Receipt of the Hearing Panel 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 fifteen (15) days from notice of the decision, such party/ies shall have the right to request from the Hearing Panel 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 fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to the Disciplinary Committee or the CAS, as the case may be.

## Article 14 Reporting, Public Disclosure and Data Privacy

#### 14.1 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. HSI may periodically publish Testing data.

#### 14.2 Protection of Confidential Information by an Employee or Agent of HSI

HSI shall ensure that information concerning Adverse Analytical Findings, Atypical Findings, and other asserted EAD Rule violations remains confidential until such information is Publicly Disclosed in accordance with Article 14.3. HSI shall ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and Delegated Third Parties are subject to fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information.

#### 14.3 Public Disclosure

14.3.1 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) and/or other Persons who are alleged to have otherwise violated these Rules, until the earlier of completion of the administrative review and Notification described in Article 8 above or the start of the Provisional Suspension of the Person alleged to have violated the EAD Rule. 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) and/or other Person makes information concerning an EAD Rule violation or alleged EAD Rule violation public prior to release of this information, HSI may comment on such public information or otherwise publicly report the matter.

14.3.2 In any case where it is determined, after a hearing, that the Person Responsible and/or Support Person(s) and/or other Person 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.

14.3.3 Publication shall be accomplished at a minimum by placing the required information on the HSI website.

14.3.4 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) and/or other Person or their representatives. Only HSI shall have the right to comment. All enquiries received by the Affiliates or Sections must be referred to HSI.

14.3.5 The mandatory Public Reporting required in this Article shall not be required where the Person Responsible and/or member of the Support Person(s) and/or other Person who has been found to have committed an anti-doping rule violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

#### 14.4 Data Privacy

14.4.1 HSI may collect, store, process or disclose personal information relating to Person Responsible and/or member of the Support Personnel, and/or other Person, Owners and Horses where necessary and appropriate to conduct its Anti-Doping Activities under these EAD Rules and in compliance with applicable law.

14.4.2 Without limiting the foregoing, HSI shall: (a) Only process personal information in accordance with a valid legal ground; (b) Notify any Participant or Person subject to these EAD Rules, in a manner and form that complies with applicable laws that their personal information may be processed by HSI and other Persons for the purpose of the implementation of these EAD Rules; (c) Ensure that any third-party agents (including any Delegated Third Party) with whom HSI shares the personal information of any Participant or Person is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

14.5 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.

### **Article 15 IMPLEMENTATION OF DECISIONS**

#### 15.1 Automatic Binding Effect of Decisions on Signatory HSI

15.1.1 A decision of an EAD Rule violation made by the HSI Disciplinary Committee, or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon HSI, with the effects described below:

15.1.1.1 A decision by any of the above-described bodies imposing a Provisional Suspension (after a Provisional Hearing has occurred or the Person Responsible and/or member of the Support Personnel and/or other Person has either accepted the Provisional Suspension or has waived the right to a Provisional Hearing, expedited hearing or expedited appeal offered automatically prohibits the Person Responsible and/or member of the Support Personnel and/or other Person from participation in all sports within the authority of HSI during the Provisional Suspension.

15.1.1.2 A decision by any of the above-described bodies imposing a period of Ineligibility (after a hearing has occurred or been waived) automatically prohibits the Person Responsible and/or member of the Support Personnel and/or other Person from participation in all sports within the authority of HSI for the period of Ineligibility.

15.1.1.3 A decision by any of the above-described bodies accepting an EAD Rule violation automatically binds HSI.

15.1.1.4 A decision by any of the above-described bodies to Disqualify results for a specified period automatically Disqualifies all results obtained within the authority of HSI during the specified period.

15.1.2 HSI shall recognize and implement a decision and its effects, without any further action required, on the date actual notice of the decision is received.

15.1.3 A decision by the HSI Disciplinary Committee or CAS to suspend, or lift, Consequences shall be binding upon HSI without any further action required, on the date actual notice of the decision is received.

## **Article 16 STATUTE OF LIMITATIONS**

No EAD Rule violation proceeding may be commenced under these EAD Rules against a Person Responsible and/or Support Person(s) and/or other Person for an EAD Rule violation unless such action is commenced within ten (10) years from the date the violation is asserted to have occurred.

## **Article 17 ADDITIONAL ROLES AND RESPONSIBILITIES OF PERSONS RESPONSIBLE**

- 17.1 To be knowledgeable of and comply with these EAD Rules.
- 17.2 To ensure their Horse be available for Sample collection.
- 17.3 To take responsibility, in the context of anti-doping, for all substances that enter the body of their Horse.
- 17.4 To inform their grooms, veterinarians and other members of the Support Personnel of their obligations not to Use Banned Substances and Banned Methods and to take responsibility to make sure that any veterinary treatment received does not violate these EAD Rule Rules.
- 17.5 To cooperate with HSI investigating EAD Rule violations. Failure by any Person Responsible and/or member of the Support Personnel to cooperate in full with Anti-Doping Organizations investigating EAD Rules violations may result in a charge of misconduct under HSI's disciplinary rules.
- 17.6 To disclose the identity of Support Personnel upon request by HSI.
- 17.7 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by a member of the Support Personnel, which does not otherwise constitute Tampering, may result in a charge of misconduct under HSI's disciplinary rules.

## **Article 18 ADDITIONAL ROLES AND RESPONSIBILITIES OF SUPPORT PERSONNEL**

- 18.1 To be knowledgeable of and comply with these EAD Rules.
- 18.2 To cooperate with the Testing program.
- 18.3 To use their influence on Person Responsible values and behaviour to foster anti-doping attitudes.
- 18.4 To cooperate with Anti-Doping Organizations investigating EAD Rule violations. Failure by any Support Personnel to cooperate in full with Anti-Doping Organizations investigating EAD Rule violations may result in a charge of misconduct under HSI's disciplinary rules.
- 18.5 Support Personnel shall not Use or Possess any Banned Substance or Banned Method. Any such Use or Possession may result in a charge of misconduct under HSI's disciplinary rules.
- 18.6 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by a member of the Support Personnel, which does not otherwise constitute Tampering, may result in a charge of misconduct under HSI's disciplinary rules.

## **Article 19 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE ANTI-DOPING RULES**

- 19.1 To be knowledgeable of and comply with these EAD Rules.
- 19.2 To cooperate with Anti-Doping Organizations investigating EAD Rule violations. Failure by any other Person subject to these EAD Rules to cooperate in full with HSI investigating anti-doping rule violations may result in a charge of misconduct under HSI's disciplinary rules.
- 19.3 Not to Use or Possess any Banned Substance or Banned Method.
- 19.4 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by a Person, which does not otherwise constitute Tampering, may result in a charge of misconduct under HSI's disciplinary rules of that person.

## **Article 20      ADDITIONAL ROLES AND RESPONSIBILITIES OF ORGANISING COMMITTEES (“OC’s”)**

- 20.1 To be knowledgeable of and comply with these anti-doping rules.
- 20.2 To foster a clean spirit of sport at their Events.
- 20.3 When notified by HSI or the Affiliate Body that Testing is planned at their Event, to provide adequate facilities for Testing as instructed by HSI; and, where possible and if requested, staff or volunteers to assist with Person Responsible notification. OC's have no power to reject doping control at their event.
- 20.4 Confidentiality  
The OC shall maintain strict confidentiality on all aspects of any Testing session planned at its Events. It shall not disclose the Testing plan beyond a strict need-to-know, and shall not publish any details on such Testing plan.
- 20.5 Educational initiatives  
OCs shall also cooperate with HSI's educational initiatives at their events.
- 20.6 To cooperate with the Testing plans of other Anti-Doping Organisations with Testing jurisdiction.

## **Article 21      INTERPRETATION OF EAD RULES**

- 21.1 These EAD Rules may be amended from time to time by HSI.
- 21.2 Except as provided in Article 21.4 EAD Rules, these EAD Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes, save as herein provided. Nothing herein shall be interpreted to supplant the applicability of national laws to National Events.
- 21.3 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.
- 21.4 The Introduction, Appendix 1 Definitions and the Equine Prohibited Substances List shall all be considered integral parts of these EAD Rules.
- 21.5 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.
- 21.6 Where the term “days” is used in these Rules, it shall mean calendar days unless otherwise specified.
- 21.7 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.

## Article 22 FINAL PROVISIONS

22.1 These EAD Rules shall enter into force on 27<sup>th</sup> June 2023 (the “Effective Date”). They repeal the EAD Rules that came into effect on 1 January 2014.

22.2 These EAD Rules shall not apply retroactively to matters pending before the Effective Date. However:

22.2.1 EAD Rule violations taking place prior to the Effective Date count as “first violations” or “second violations” for purposes of determining sanctions under Article 11 for violations taking place after the Effective Date.

22.2.2 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, shall be governed by the substantive EAD Rule in effect at the time the alleged EAD Rule violation occurred, and not by the substantive EAD Rule set out in these EAD Rules, unless the Panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case.

For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 11.9 and the statute of limitations set forth in Article 16 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these EAD Rules (provided, however, that Article 16 shall only be applied retroactively if the statute of limitation period has not already expired by the Effective Date).

22.2.3 With respect to cases where a final decision finding an EAD Rule violation has been rendered prior to the Effective Date, but the Person Responsible or member of the Support Personnel or other Person is still serving the period of Ineligibility as of the Effective Date, the Person Responsible or member of the Support Personnel or other Person may apply to HSI to consider a reduction in the period of Ineligibility in light of these EAD Rules. Such application must be made before the period of Ineligibility has expired. The decision rendered may be appealed pursuant to Article 13.2.

These EAD Rules shall have no application to any case where a final decision finding an EAD Rule violation has been rendered and the period of Ineligibility has expired.

22.2.4 For purposes of assessing the period of Ineligibility for a second violation under Article 11.9, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of Ineligibility which would have been assessed for that first violation had these EAD Rules been applicable, shall be applied.

22.2.5 Changes to the List relating to substances on the List shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a Prohibited Substance has been removed from the Prohibited List, a Person Responsible or member of the Support Personnel or other Person currently serving a period of Ineligibility on account of the formerly Prohibited Substance may apply to HSI to consider a reduction in the period of Ineligibility in light of the removal of the substance from the Prohibited List.

22.3 Minors

22.3.1 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.

22.3.2 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.

#### 22.4 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.

#### 22.5 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.

#### 22.6 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.

#### 22.7 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.



# **HORSE SPORT**

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# **IRELAND**

## **EQUINE CONTROLLED MEDICATION RULES (“ECM Rules”)**



## FEI Medication Code & Rationale for the ECM Rules

1. These ECM Rules have been adopted in recognition of the following fundamental imperatives of equestrian sport:
  - A central and distinctive feature of equestrian sport is that it involves a partnership between two types of athlete, one human and one equine. One of those partners is unable to speak for itself. It is therefore HSI's responsibility to speak on its behalf, and to ensure that, at every stage of the governance, regulation, administration and practice of the sport, the welfare of the Horse is paramount.
  - This includes regulating the administration of Controlled Medication Substances to Horses involved in the sport to ensure Horse welfare and the highest levels of professionalism.
  - In particular, all treatments must be given in the best health and welfare interests of the Horse, and not for any other reasons.
  - No Controlled Medication Substance shall be given to any Horse during or close to an Event unless the appropriate HSI guidelines for medication authorisation have been followed.
  - Every treatment must be fully justifiable based on 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 and rest (or recovery period). Persons Responsible and their Support Personnel must obtain advice from a Permitted Treating Veterinarian and only administer treatments prescribed based on the objective clinical opinion of the Permitted Treating Veterinarian.
  - A complete and accurate record of all treatments during or close to an Event should be maintained in the form of a Medication Logbook or Digital APP.
2. These ECM Rules are to be interpreted and applied (including where an issue arises that is not expressly provided for in these ECM Rules) by reference to the need to follow the HSI Medication Code and protect and advance the fundamental imperatives described above. This purposive interpretation and application will take precedence over any strict legal or technical interpretations that may otherwise be proposed.

## **EQUINE CONTROLLED MEDICATION RULES (“ECM Rules”)**

### **Article 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 2.8 of these ECM Rules.

### **Article 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 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. Persons Responsible are responsible for any Controlled Medication Substance found to be present in their Horse's Samples, even though their Support Personnel will be considered additionally responsible under Articles 2.2 - 2.8 below where the circumstances so warrant. It is not necessary that intent, fault, negligence or knowing use be demonstrated in order to establish an ECM Rule violation under Article 2.1.

2.1.2 Sufficient proof of an ECM 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; or,
- (ii) 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; or,
- (iii) where the A or B Sample is split into two (2) parts and the analysis of the confirmation part of the split Sample confirms the presence of the Controlled Medication Substance or its Metabolites or Markers found in the first part of the split Sample or the Person Responsible waives analysis of the confirmation part of the split Sample. 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 reported 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.

## 2.2 **Use or Attempted Use of a Controlled Medication Substance**

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 authorised 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 **Intentionally Omitted. Please see EAD Rules.**

## 2.4 **Intentionally Omitted. Please see EAD Rules.**

## 2.5 **Complicity or Attempted Complicity by a Person Responsible, Support Person(s) or Other Person**

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an ECM Rule violation or any Attempted ECM Rule violation by another Person.

## 2.6 **Administration or Attempted Administration of a Controlled Medication Substance.**

## 2.7 **Prohibited Association by a Person Responsible**

2.7.1 Association by a Person Responsible, member of the Support Person(s) or other Person subject to the authority of Horse Sport Ireland and the FEI in a professional or sport-related capacity with any Support Person who:

2.7.1.1 If subject to the authority of Horse Sport Ireland and the FEI, is serving a period of Ineligibility; or

2.7.1.2 If not subject to the authority of Horse Sport Ireland and where Ineligibility has not been addressed in a results management process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.7.1.3 Is serving as a front or intermediary for an individual described in Article 2.7.1.1 or 2.7.1.2.

- 2.7.2 To establish a violation of Article 2.6, Horse Sport Ireland must establish that the Person Responsible, member of the Support Person(s) or other Person knew of the Support Person(s)'disqualifying status.

In proceedings under this Article, the burden shall be on the Person Responsible, member of the Support Person(s) or other Person to establish that any association with the Support Personnel described in Article 2.7.1 and 2.7.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

## 2.8 **Acts by a Person Responsible, member of the Support Person(s) or Other Person to Discourage or Retaliate Against Reporting to Authorities**

Where such conduct does not otherwise constitute a violation of Article 2.7:

- 2.8.1 Any act which threatens or seeks to intimidate another Person with the intent of discouraging the Person from the good-faith reporting of information that relates to an alleged anti-doping rule violation or alleged non-compliance with these Rules to Horse Sport Ireland, an Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for Horse Sport Ireland or an Anti-Doping Organization.
- 2.8.2 Retaliation against a Person who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation or alleged non-compliance with these ECMR's to Horse Sport Ireland, an Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for Horse Sport Ireland or an Anti-Doping Organization.

For the purposes of Article 2.8.2, retaliation, threatening and intimidation include an act taken against such Person either because the act lacks a good faith basis or is a disproportionate response.

## **Article 3 RIGHT TO A FAIR HEARING**

### 3.1 Burdens and Standards of Proof

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 has occurred, 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. The standard of proof shall be whether HSI has established the ECM Rule violation to the comfortable satisfaction of the Hearing Panel 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) or other Person 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.

### 3.2 **Methods of Establishing Facts and Presumptions**

Facts related to ECM 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 ECM Rules:

- 3.2.1 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) or other Person 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.

- 3.2.2 Departures from any provision of these ECM Rules or applicable FEI standard shall not invalidate analytical results or other evidence of an ECM Rules violation and shall not constitute a defence to an ECM Rules violation; provided however, if the person responsible and/or member of the Support Person or other Person (where applicable) establishes that a departure from a 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.

- 3.2.3 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) or other Person (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.

- 3.2.4 The Hearing Panel presiding over a case alleging an ECM Rule violation may draw an inference adverse to the Person Responsible and/or Support Person(s) or other Person (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 Panel) in order to answer questions from HSI or the Disciplinary Committee.

#### **Article 4 HORSE PASSPORT/IDENTIFICATION DOCUMENTATION**

- 4.1 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.
- 4.2 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.
- 4.3 The Authorised Veterinarian has 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.
- 4.4 A Person Responsible is not entitled to take issue in relation to the Horse's identity based upon a failure to produce the necessary documentation.

#### **Article 5 THE EQUINE PROHIBITED SUBSTANCES LIST**

## 5.1 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 FEI publishes the current list.

### Review and Publication of Controlled Medication 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. All Persons Responsible and Support Person(s) shall be bound by the Prohibited List, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all Persons Responsible and Support Person(s) to be aware of the most up-to-date version of 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.

## 5.2 Substances and Methods included on the List

The FEI's categorization of a substance or method on the List as a Controlled Medication Substance or Banned Method (in particular, as opposed to a Controlled Medication Substance or Method) including any establishment of a threshold for a Controlled Medication Substance and/or the quantitative amount of such threshold and the classification of certain Prohibited Substances as Specified Substances 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 including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a risk to the welfare of the Horse or violate the spirit of sport.

## 5.3 Specified Substances

For purposes of the application of Article 11 (Sanctions) and Article 8.4 (Provisional Suspensions), Specified Substances shall be taken as meaning only those Prohibited Substances identified as Specified Substances on the Prohibited List.

## 5.4 Equine Therapeutic Use Exemption

*Horses* with documented medical conditions requiring the *Use of a Controlled Medication Substance* or a *Controlled Medication Method* during or prior to an *Event* must obtain permission for ongoing participation in accordance with the *FEI Veterinary Regulations* as specified therein. 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:

- 5.4.1 The treating veterinarian must complete an ETUE application form and submit this by email to Horse Sport Ireland before 10am on the last working day prior to the start of the In Competition Period.
- 5.4.2 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.
- 5.4.2 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.
- 5.4.3 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.

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

## **Article 6 TESTING**

### **6.1 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.

### **6.2 Authority to Test**

All Horses registered with the FEI, HSI or an Affiliate or Section, or otherwise competing at an Event or Competition, shall be subject to In-Competition Testing

- (a) by the FEI or by any other anti-doping organization responsible for testing at a competition or event in the case of International Events and FEI pony measurements and
- (b) in all other cases, by HSI or by any other anti-doping organization responsible for testing at a competition or event.

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

### **6.3 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 ECM 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.

### **6.4 Selection of Competitions at which Horses are to be Tested**

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

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

6.4.3 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).

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

## **Article 7 ANALYSIS OF SAMPLES**

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

### **7.1 Incorporation of the Standard for Laboratories**

These ECM Rules incorporate the FEI Standard for Laboratories, published and revised by the FEI from time to time. 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.

As provided for in Article 3.2, facts related to ECM Rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside the HSI-FEI selected laboratories.

### **7.2 Purpose of Collection and Analysis of Samples**

Samples and related analytical data or Doping Control information 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. Samples may be collected and stored for future analysis.

### **7.3 Research on Samples**

Samples, related analytical data and Doping Control information may be used for anti-doping research purposes, although no Sample may be used for research without the Person Responsible written consent. Samples and related analytical data or Doping Control information used for research purposes shall first be processed in such a manner as to prevent Samples and related analytical data or Doping Control information 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 16.

### **7.4 Standards for Sample Analysis and Reporting**

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

### **7.5 Retesting Samples**

A Sample may be reanalysed, for the purpose of Article 7.3 above 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. The retesting of samples may invite an ECM Rule violation only if the Controlled Medication Substance was prohibited at the time the Sample was taken, subject to Article 16.

### **7.6 Further Analysis of a Sample Prior to or During Results Management**



There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a Sample prior to the time HSI notifies a Person Responsible that the Sample is the basis for an Article 2.1 ECM Rule violation charge. If after such notification HSI wishes to conduct additional analysis on that Sample, it may do so with the consent of the Person Responsible or approval from a hearing body.

#### 7.7 Further Analysis of a Sample After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge

After a laboratory has reported a Sample as negative, or the Sample has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 7.3 at any time exclusively at the direction of either the Anti-Doping Organization that initiated and directed Sample collection or HSI or the FEI. Any other Anti-Doping Organization with authority to test the Horse that wishes to conduct further analysis on a stored Sample may do so with the permission of the Anti-Doping Organization that initiated and directed Sample collection or HSI or the FEI, and shall be responsible for any follow-up Results Management. Any Sample storage or further analysis initiated by HSI or the FEI or another Anti-Doping Organization shall be at HSI's or the FEI's or that organization's expense. Further analysis of Samples shall conform with the requirements of the FEI Standard for Laboratories.

#### 7.8 Split of A or B Sample

Where HSI, the FEI, an Anti-Doping Organization with Results Management authority, and/or a FEI Approved Laboratory (with approval from the FEI, HSI or the Anti-Doping Organization with Results Management authority) wishes to split an A or B Sample for the purpose of using the first part of the split Sample for an A Sample analysis and the second part of the split Sample for confirmation, then the procedures set forth in the FEI Standard for Laboratories and/or relevant processes from the FEI approved Laboratories shall be followed.

#### 7.9 HSI's Right to Take Possession of Samples and Data

The HSI may, in its sole discretion at any time, with or without prior notice, take physical possession of any Sample and related analytical data or information in the possession of a HSI approved Laboratory or Anti-Doping Organization. Upon request by the HSI, the HSI approved Laboratory or Anti-Doping Organization in possession of the HSI Sample or data shall immediately grant access to and enable the HSI to take physical possession of the Sample or data as soon as possible. If the HSI has not provided prior notice to the HSI approved Laboratory or Anti-Doping Organization before taking possession of a HSI Sample or data, it shall provide such notice to the HSI Approved Laboratory and each Anti-Doping Organization whose HSI Samples or data have been taken by the HSI within a reasonable time after taking possession. After analysis and any investigation of a seized HSI Sample or data, the HSI may direct another Anti-Doping Organization with authority to test the Horse to assume Results Management responsibility for the HSI Sample or data if a potential ECM Rule violation is discovered.

### **Article 8 RESULTS MANAGEMENT, RESPONSIBILITY, INITIAL REVIEW, NOTICE ARISING OUT OF TESTING OR OTHER APPARENT ECM RULE VIOLATIONS**

Results Management under these ECM Rules establishes a process designed to resolve ECM Rule violation matters in a fair, expeditious and efficient manner.

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

- 8.1.1 The results of all Sample analyses must be sent 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.
- 8.1.2 Upon receipt of an Adverse Analytical Finding HSI (or a person acting on its behalf) shall conduct a review to determine whether there is any apparent departure from any provision of these ECM Rules that caused the Adverse Analytical Finding. This may include a review of the documentation produced by the laboratory to support the Adverse Analytical Finding (if available at the time of the review) and the relevant doping control form(s) and testing documents.
- 8.1.3 If, upon the initial review, there is an apparent departure from any provision of these ECM Rules that caused the Adverse Analytical Finding, the entire test shall be considered negative. If the HSI decides not to bring forward the Adverse Analytical Finding as an ECM Rule violation, it may so Notify the Person Responsible.
- 8.1.4 If the initial review under Article 8.1.2 does not reveal an apparent departure from any provision of these ECM Rules that caused the Adverse Analytical Finding, HSI shall promptly Notify the Person Responsible of:
- (a) the Adverse Analytical Finding;
  - (b) the fact that the Adverse Analytical Finding may result in an ECM Rule violation and the applicable Consequences;
  - (c) the right of the Person Responsible's and the Owner of the Horse (if applicable) to request the analysis of the "B" Sample within seven (7) days, or, failing such request, that the "B" Sample analysis may be deemed irrevocably waived;
  - (d) the opportunity for the Person Responsible and the Owner of the Horse (if applicable) 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. Where both the Person Responsible and the Owner have elected to have the B Sample analysed but one of them has elected to have the B sample analysed at a different laboratory than the one which performed the A Sample analysis and the other one has elected to have the B sample analysed at the same laboratory as the one which performed the A Sample analysis, it shall be for HSI to decide the question taking in to account all relevant circumstances;
  - (e) the right of the Person Responsible and the owner of the Horse (if applicable) 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 opportunity to provide an explanation within a short deadline;
  - (g) the Person Responsible and the Owner of the Horse's right to request the hearing or, failing such request within the deadline specified in the notification, that the hearing may be deemed waived;

- (h) where applicable, the right of the Person Responsible to have their case processed under the Administrative Procedure in accordance with Article 8.9 below;
- (i) the right of the Person Responsible, within fourteen (14) 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;
- (j) that if the Person Responsible fails to either admit to or deny the alleged violation pursuant to Article 8.1.4(i), he or she shall be deemed to have admitted the violation; and
- (k) 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 need not comply with the above and may Notify the Person Responsible that it has so decided.

- 8.1.5 Pursuant to Article 8.1.4 (d) above, following receipt of the request for the “B” Sample analysis, HSI will propose possible dates for such analysis. If the Person Responsible and the Owner of the Horse (if applicable) requests the “B” Sample analysis but claims that they and/or their representative are not available on the scheduled date indicated by HSI, HSI shall liaise with the Laboratory and propose (at least) two (2) alternative dates. If the Person Responsible and the Owner of the Horse and their representative claim not to be available on the alternative dates proposed, HSI shall instruct the Laboratory to proceed regardless and appoint an Independent Witness to verify that the “B” Sample container shows no signs of Tampering and that the identifying numbers match that on the collection documentation. The Person Responsible and the Owner of the Horse (if applicable) 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 and the Owner of the Horse (if applicable) 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.
- 8.1.6 In addition to the Person Responsible and the Owner of the Horse (if applicable) and his or her representative (witness), a representative of HSI shall also be allowed to be present for the “B” Sample Analysis.
- 8.1.7 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 and the Owner of the Horse (if applicable).
- 8.1.8 If the “B” Sample analysis confirms the A Sample analysis, HSI shall be informed of the results confidentially and shall Notify the Person Responsible and the Owner of the Horse (if applicable).
- 8.1.9 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 Affiliate or Section, as applicable, of the Person Responsible and the Owner of the Horse (if applicable) of the results of the follow- up investigation.

- 8.1.10 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. In addition, and also for the avoidance of doubt, where the A Sample is positive for a Threshold Controlled Medication Substance, as it is quantitatively above the threshold level set for the Controlled Medication Substance, the B Sample shall be deemed to confirm the A Sample so long as the level of the B Sample is also quantitatively above the threshold, even if the B Sample level varies quantitatively from the A Sample level.
- 8.1.11 In instances where the Person Responsible or the Owner of the Horse (if applicable) 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 or the Owner of the Horse (if applicable) will not exceed the cost of the A Sample.
- 8.1.12 Where appropriate, the Support Person(s) or other Person, including the Owner, shall receive Notification of the ECM Rule violation and all relevant corresponding documents.
- 8.1.13 If at any point during Results Management up until the charge under Article 8.5, and Horse Sport Ireland decides not to move forward with a matter, it must notify the Person Responsible, and/or member of the Support Person(s) or other Person (provided that Person Responsible, and/or member of the Support Person(s) or other Person had been already informed of the ongoing Results Management) and give notice (with reasons) to the bodies with a right of appeal under Article 13.2.2.

## 8.2 Review of Atypical Findings

Laboratories may report the presence of Controlled Medication Substances which require further investigation as provided by the HSI Atypical Findings Policy and such reports shall be treated by HSI 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 any provision of the ECM Rules that caused the Atypical Finding. If that review does not reveal any departure that caused the Atypical Finding, HSI shall conduct the required investigation.

- 8.2.1 HSI need 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, in the following circumstances, HSI will bring forward an Adverse Analytical Finding:
- (a) if HSI determines that the “B” Sample should be analysed prior to the conclusion of the investigation under Article 8.2, 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 8.1.4 above.
  - (b) If HSI receives a request, either from a Major Event Organization shortly before one of its International Events or from a sport organization responsible for meeting an imminent deadline for selecting team members (or Horses) for an International Event, to disclose whether any Person Responsible or Horse identified on a list provided by the Major Event Organization or sport organization has a pending Atypical Finding, HSI

shall identify any Person Responsible or Horse after first providing notice of the Atypical Finding to the Person Responsible or and the Owner of the Horse (if applicable);

- (c) If the Atypical Finding is likely to be connected to a serious pathology that requires urgent veterinary attention.

If after the investigation is completed, Horse Sport Ireland decides to pursue the Atypical Finding as an Adverse Analytical Finding, then the procedure shall follow the provisions of Clause 8.1.4 *mutatis mutandi*. The decision of HSI to pursue or not pursue an Atypical Finding as an Adverse Analytical Finding is final and is not subject to appeal.

### 8.3 Notification for specific cases and other ECM Rule Violations

At such time as HSI considers that the Person Responsible or other person may have committed an ECM Rule violation or violations, HSI shall promptly Notify the Person Responsible, the Owner of the Horse (if applicable) and/or the Support Person(s) and/or other person (where applicable) of the ECM Rule which appears to have been violated and the basis of:

- (a) the relevant ECM Rules violation or violations and the applicable consequences;
- (b) the relevant factual circumstances upon which the allegations are based;
- (c) The relevant evidence in support of those facts that HSI considers demonstrates that the Person Responsible or other Person may have committed ECM Rule violation or violations;
- (d) The Person Responsible or other Person's right to provide an explanation within reasonable deadline;
- (e) the opportunity to provide Substantial Assistance as set out under Article 11.3.3, to admit the ECM Rule violation and potentially benefit from a three (3) month reduction in the period of Ineligibility under Article 11.3 (if applicable) or to seek to enter into a case resolution agreement under Article 11.10.2; and
- (f) any matters relating to Provisional Suspension (including the possibility to accept a voluntary Provisional Suspension) as per Article 8.4.

### 8.4 Provisional Suspensions

8.4.1 Horse Sport Ireland shall provisionally suspend a Person Responsible, member of the Support Person(s), other person, and/or the Person Responsible's Horse prior to the opportunity for a full hearing based on:

- (a) an admission that an ECM Rule violation has taken place (for the avoidance of doubt, an admission by any Person can only be used to provisionally suspend that Person); or
- (b) all of the following elements:
  - (i) an Adverse Analytical Finding for two Controlled Medication Substances that are not a Specified Substance from the A Sample or A and B Samples;
  - (ii) the review described in Article 8.1.2 above; and
  - (iii) the Notification described in Article 8.1.4 above.

Notwithstanding the foregoing, Horse Sport Ireland may not provisionally suspend a Person Responsible who is a Minor.

- 8.4.2 Horse Sport Ireland may provisionally suspend a Person Responsible, Support Person(s), other person and/or the Person Responsible's Horse prior to the opportunity for a full hearing based on
- (a) evidence that a violation of these ECM Rules is highly likely to have been committed by the respective Person or
  - (b) all of the following elements:
    - (i) an Adverse Analytical Finding for a Controlled Medication Substance that is a Specified Substance from the A Sample or A and B Samples;
    - (ii) the review described in Article 8.1.2 above; and
    - (iii) the Notification described in Article 8.1.4 above.

Horse Sport Ireland shall not provisionally suspend the relevant Horse of a Minor.

- 8.4.3 Notwithstanding Articles 8.4.1 and 8.4.2, a Provisional Suspension may not be imposed unless the Person and in the case of the Provisional Suspension of a Horse, the Owner, is given
- (a) an opportunity for a Preliminary Hearing, either before or on a timely basis after the imposition of the Provisional Suspension; or
  - (b) an opportunity for an expedited hearing in accordance with Article 9 on a timely basis after the imposition.

The imposition of a Provisional Suspension or the decision not to impose a Provisional Suspension may be appealed in an expedited process in accordance with Article 13.2

- 8.4.4 The Provisional Suspension shall be maintained unless the Person requesting the lifting of the Provisional Suspension establishes to the comfortable satisfaction of the Hearing Panel that:
- (i) the allegation that an ECM Rule violation has been committed has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the allegation is based; or
  - (ii) the Person can demonstrate that the evidence will show that he bears No Fault or No Negligence for the ECM Rule violation that is alleged to have been committed, so that any period of Ineligibility that might otherwise be imposed for such offence is likely to be completely eliminated by application of Article 11.3 below or that 11.3 applies and the Person can demonstrate that the evidence will show that he bears No Significant Fault or Negligence and that he has already been provisionally suspended for a period of time that warrants the lifting of the Provisional Suspension pending a final Decision of the Hearing Panel; or
  - (iii) exceptional circumstances exist that make it clearly unfair, taking into account all of the circumstances of the case, to impose a Provisional Suspension prior to the final hearing of the Hearing Panel. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the Provisional Suspension would prevent the Person or Horse competing in a particular Competition or Event shall not qualify as exceptional circumstances for these purposes.

HSI may also request the lifting of the Provisional Suspension.

- 8.4.5 If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis (if requested) does not confirm the A Sample analysis, then the Person(s) alleged to have committed the ECM Rule violation and his Support Person(s) and/or other person, and/or Horse shall not be subject to any further Provisional Suspension on account of a violation of Article 2.1 above (Presence of a Controlled Medication Substance and/or its Metabolites or Markers). In circumstances where the Person Responsible and/or his Horse has been removed from a Competition and/or Event based on a violation of Article 2.1 and the subsequent B Sample analysis does not confirm the A Sample finding, if it is still possible for the Person Responsible and his Horse to be re-entered without otherwise affecting the Competition and/or Event, the Person Responsible and his Horse may continue to take part in the Competition and/or Event.
- 8.4.6 After the imposition of a Provisional Suspension and prior to a final hearing, the Person Responsible and/or Support Person(s) and/or other person can petition the Hearing Panel for another Preliminary Hearing provided that new evidence exists that, if known at the time of the earlier Preliminary Hearing, may have satisfied the requirements of Article 8.4.4 above and may have led to the lifting of the Provisional Suspension. Such petition must be made in writing to the Hearing Panel and copied to the HSI Disciplinary Officer and HSI Legal Department and must clearly establish the existence of such new evidence meeting this criterion. If the request for another Preliminary Hearing is granted by the Hearing Panel, and provided that a Preliminary Hearing had already taken place at an earlier stage, the same Hearing Panel members who presided over the prior Preliminary Hearing will Decide the new Preliminary Hearing request, unless exceptional circumstances prevent it from doing so, in which case another Hearing Panel will be appointed to conduct the new Preliminary Hearing. If another Preliminary Hearing is granted after the Hearing Panel has been constituted, any member of the Hearing Panel may conduct the Preliminary Hearing. Preliminary Hearing Decisions may be issued by the Hearing Panel without reasons.
- 8.4.7 During a period of Provisional Suspension, no Person Responsible and/or member of the Support Person(s) and/or other person who themselves are provisionally suspended, or a Horse that is provisionally suspended, may participate in any capacity at an Event, or in a Competition or activity, or be present at an Event (other than as a spectator) that is authorised or organised by the FEI or any National Federation or in Competitions authorised or organised by any international or national level Event organization, by Horse Sport Ireland or any recognized Affiliate.
- 8.4.8 Voluntary Acceptance of Provisional Suspension

The Person Responsible on their own initiative may voluntarily accept a Provisional Suspension if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B Sample (or waiver of the B Sample) or ten (10) days from the notice of any other ECM Rule violation, or (ii) the date on which the Person Responsible first competes after such report or notice.

Other Persons on their own initiative may voluntarily accept a Provisional Suspension if done so within ten (10) days from the notice of the ECM Rule violation.

The deadlines set out in this Article may be extended subject to the agreement of Horse Sport Ireland.

Upon such voluntary acceptance, the Provisional Suspension shall have the full effect and be treated in the same manner as if the Provisional Suspension had been imposed under Article 8.4.1 or 8.4.2; provided, however, at any time after voluntarily accepting a Provisional Suspension, the Person Responsible or other Person may withdraw such acceptance, in which event the Person Responsible or other Person shall not receive any credit for time previously served during the Provisional Suspension.

## 8.5 Charge

- 8.5.1 If, after receipt of the Person Responsible, or other Person's explanation or expiry of the deadline to provide such explanation, HSI is (still) satisfied that the Person Responsible, member of the Support Person(s) or other Persons has committed (an) ECM Rule violation(s), HSI shall promptly charge the Person Responsible, member of the Support Person(s) or other Persons with the ECM Rule violation(s) they are asserted to have breached. In this letter of charge, HSI:
- (a) Shall set out the provision(s) of ECM Rules asserted to have been violated by the Person Responsible, member of the Support Person(s) or other Person;
  - (b) Shall provide a detailed summary of the relevant facts upon which the assertion is based, enclosing any additional underlying evidence not already provided in the notification under Article 8.1.4;
  - (c) Shall indicate the specific Consequences being sought in the event that the asserted ECM Rule violation(s) is/are upheld and that such Consequences shall have binding effect as per Article 15.
  - (d) Shall grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended subject to the prior written agreement of HSI) to the Person Responsible, member of the Support Person(s) or other Person to admit the ECM Rule violation asserted and to accept the proposed Consequences by signing, dating and returning an acceptance of Consequences form, which shall be enclosed to the letter;
  - (e) In the event that the Person Responsible, member of the Support Person(s) or other Person does not accept the proposed Consequences, shall give the Person Responsible, member of the Support Person(s) or other Person a deadline (which shall not be more than twenty (20) days from receipt of the letter of charge unless extended subject to the prior written agreement of the HSI Legal Department) to challenge in writing HSI's assertion of an ECM Rule violation and/or proposed Consequences, and/or make a written request for a hearing before the relevant hearing panel;



- (f) Shall indicate that if the Person Responsible, member of the Support Person(s) or other Person does not challenge HSI's assertion of an ECM Rule violation or proposed Consequences nor request a hearing within the prescribed deadline, HSI shall be entitled to deem that the Person Responsible, member of the Support Person(s) or other Person has waived their right to a hearing and admitted the ECM Rule violation as well as accepted the Consequences set out by HSI in the letter of charge;
  - (g) Shall indicate that the Person Responsible, member of the Support Person(s) or other Person may be able to obtain a suspension of Consequences if they provide Substantial Assistance under Article 11.3.3, may admit the ECM Rule violation(s) within twenty (20) days from receipt of the letter of charge (unless extended subject to the prior written agreement of HSI) and potentially benefit from a 6 months reduction in the period of Ineligibility under Article 11.10.1 (if applicable) and/or seek to enter into a case resolution agreement by admitting the anti-doping rule violation(s) under Article 11.10; and
  - (h) Shall set out any matters relating to Provisional Suspension as per Article 8.4 (if applicable).
- 8.5.2 The notice of charge notified to the Person Responsible, member of the Support Person(s) or other Person shall simultaneously be notified by HSI to the Person Responsible, member of the Support Person(s) or other Person National Federation.
- 8.5.3 In the event that the Person Responsible, member of the Support Person(s) or other Person either (i) admits the ECM Rule violation and accepts the proposed Consequences or (ii) is deemed to have admitted the violation and accepted the Consequences as per Article 8.5.1(f), HSI shall promptly issue the decision and notify it in accordance with Article 9.7.
- 8.5.4 If, after the Person Responsible, member of the Support Person(s) or other Person on has been charged, HSI decides to withdraw the charge, it must notify the Person Responsible, Support Person(s) or other Person and give notice (with reasons) to the bodies with a right of appeal under Article 13.2.2.
- 8.5.5 In the event that the Person Responsible, member of the Support Person(s) or other Person requests a hearing, the matter shall be referred to the HSI Hearing Panel and be dealt with pursuant to Article 9.

#### Retirement from Sport

If a Person Responsible and/or the Support Person(s) retires while a Results Management process is underway, HSI retains authority to complete its Results Management process. If a Person Responsible and/or Support Person(s) retires before any Results Management process has begun, and HSI would have had Results Management authority over the Person Responsible or member of the Support Person(s) or other Person at the time the Person Responsible or member of the Support Person(s) committed an ECM Rule violation, HSI similarly has jurisdiction to conduct Results Management.

#### 8.6 Waiver of Hearing

- 8.6.1 A Person Responsible and/or member of the Support Person(s) and/or Owner and/or other person may waive a hearing expressly and agree with the consequences proposed by HSI.
- 8.6.2 However, if the Person Responsible and/or member of the Support Person(s) and/or Owner and/or other person against whom an ECM Rule violation is asserted fails to dispute that assertion within twenty (20) or the deadline specified in the notice sent by HSI, then they shall be deemed to have waived a hearing, to have admitted the violation, and to have accepted the proposed Consequences.
- 8.6.3 In cases where Article 8.6.1 or 8.6.2 applies, a hearing before a hearing panel shall not be required. Instead, the HSI Tribunal shall promptly issue a written decision that conforms with the requirements of Article 8.4 and which includes the full reasons for any period of Ineligibility imposed, the Disqualification of results under Article 10 and if applicable, a justification for why the greatest potential consequences were not imposed. HSI shall notify that decision to the Person Responsible and/or members of the Support Person(s) and to other Anti-Doping Organizations with a right to appeal under Article 13.2.2, and shall Publicly Disclose that decision in accordance with Article 14.3.

## **8.9 Administrative Procedure**

- 8.9.1 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.
- 8.9.2 If the Person Responsible requests a hearing before the Disciplinary Committee, Article 11 below shall apply at the discretion of the Hearing Panel.
- 8.9.3 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 8.9.5 below shall be applied.
- 8.9.4 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.
- 8.9.5 Where the Administrative Procedure is applied by HSI, the following consequences shall be imposed and no other consequences, including those set forth in Article 11 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 €1000
- b. Costs of €500. However, if a B Sample analysis is requested and the Administrative Sanction accepted after the B Sample Analysis, the costs shall be increased to €1000.
- c. Cost of the B Sample Analysis (where elected)

Where the Administrative Procedure is applied by the HSI for an ECM Rule violation, that ECM Rule violation shall not count as a prior violation for the purposes of Article 11.5 (Multiple Violations) of these ECM Rules.

- 8.9.6 Where the Person Responsible is a Minor at the time of the Event, the consequences shall be as per article 8.9.5 with the exception that the fine be reduced to €500.
- 8.9.7 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.
- 8.9.8 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.
- 8.9.9 A record of Administrative Procedure Sanctions will be published, on a monthly basis on the HSI website.

## **Article 9 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING**

### **Hearings before the Disciplinary Committee**

- 9.1 The Disciplinary Committee shall decide all cases involving violations of these ECM Rules.
- 9.2 When it appears, following the Results Management process described in Article 9, that these ECM Rules have been violated, and the right to a hearing by the relevant person is not waived, the case shall be submitted to a Hearing Panel of the Disciplinary Committee for adjudication in accordance with the National Rules.
- 9.3 Hearings pursuant to this Article shall be completed expeditiously following the completion of the Results Management or investigation process described in Article 8 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.
- 9.4 The Person Responsible and/or Support Person (including Owner) and/or other Person alleged to have violated the ECM Rules may attend the hearing under all circumstances. Hearings before the Disciplinary Committee shall be carried out in accordance with Article 12 of the National Rules unless ECM Rule 8.9 (Administrative Procedure) applies.
- 9.5 A Person Responsible and/or Support Person(s) (where applicable) may acknowledge the ECM Rule violation and accept consequences consistent with Articles 8.9.5 and 8.9.6 of

the ECM Rules (if the Administrative Procedure is elected) or Articles 9 and 10 ECM Rules as proposed by HSI.

9.6 Decisions of the Hearing Panel may be appealed to either the Disciplinary Committee and/or the Court of Arbitration for Sport as provided in Article 13 of these ECM Rules.

9.7 Decisions

9.7.1 At the end of the hearing, or on a timely basis thereafter, the Hearing Panel shall issue a written decision that includes the jurisdictional basis and applicable rules, detailed factual background; ECM Rule violation(s) committed, applicable Consequences, (including, if applicable, a justification for why the greatest potential Consequences were not imposed) and the appeal route and the applicable deadline. The Hearing Panel may decide to communicate the operative part of the decision to the parties, prior to the reasons. The decision shall be enforceable from such notification of the operative part by courier, facsimile and/or electronic mail.

9.7.2 If no appeal is brought against the decision, then (a) if the decision is that an anti-doping rule violation was committed, the decision shall be Publicly Disclosed as provided in Article 14.3; but (b) if the decision is that no anti-doping rule violation was committed, then the decision shall only be Publicly Disclosed with the consent of the Person Responsible and/or member of the Support Person(s) and/or other person. 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 the Person Responsible and/or Support Person(s) and/or other person may approve. The principles contained at Article 14.3.5 shall be applied in cases involving a Minor.

## **Article 10 AUTOMATIC DISQUALIFICATION OF RESULTS**

10.1 A violation of these ECM Rules in connection with an In-Competition Test automatically leads to Disqualification of the result(s) 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.

Where applicable, Consequences to teams are detailed in Article 12 below.

Even if a Sanction is reduced or eliminated under Article 11 below, such reduction or elimination shall under no circumstances reverse the automatic Disqualification of Result(s) mandated by this Article 10.

## **Article 11 SANCTIONS**

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

11.1.1 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) or 2.6 (Administration or Attempted Administration of a Controlled Medication Substance) shall be:

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

#### **A Fine of up to €5000 and appropriate legal costs may also be imposed for any Controlled Medication violation**

Multiple Violations: As provided in Article 11.5 below.

- 11.1.2 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 11.3.

#### 11.2 Ineligibility for Other Rule Violations

- 11.2.1 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), 2.7 (Prohibited Association by a Person Responsible) or 2.8 (Acts by a Person Responsible, member of the Support Person(s) or Other Person to Discourage or Retaliate Against Reporting to Authorities) the sanctions imposed shall be:

First violation: Up to two years of Ineligibility

Multiple Violations: As provided in Article 11.5 below.

A Fine of up to €10,000.00 and appropriate legal costs may also be imposed.

Subject to a potential reduction under Art. 11.3 below.

- 11.2.2 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 11.3.

- 11.2.3 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.

#### 11.3 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

All reductions under 11.3 are mutually exclusive and not cumulative.

##### 11.3.1 No Fault or Negligence

If the Person Responsible and/or Support Person(s) and/or other *Person* (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 (apart from Art. 10) shall 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) and/or other Person (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 11.5 below and shall not be considered a prior violation for the purpose of Article 8.9 (Administrative Procedure) above.

Article 11.3.1 can apply in cases involving Specified Substances. Otherwise Article 11.3.1 only applies in exceptional circumstances. No Fault or Negligence does not apply in the following circumstances:

(a) where the presence of the Controlled Medication Substance in a Sample came from a mislabelled or contaminated supplement. Persons Responsible are responsible for what their Horses ingest and have been warned about the possibility of supplement contamination.

(b) the Administration of a Controlled Medication Substance by the Person Responsible's veterinary personnel or member of the Support Personnel without disclosure to the Person Responsible. Persons Responsible are responsible for their choice of veterinary personnel and Support Personnel and for advising veterinary personnel and Support Personnel that the presence of a Controlled Medication Substance in a Horse's system is forbidden during an Event without a valid Veterinary Form.

#### **11.3.2 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence**

If a Person Responsible and/or Support Person(s) and/or other Person (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 and shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, six months of Ineligibility, depending on the Person Responsible's or other Person's degree of Fault. 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.

#### **Contaminated Products or Other Contamination**

In cases where the Person and/or member of the Support Personnel and/or other Person can establish No Significant Fault or Negligence and that the detected Controlled Medication came from a Contaminated Product or that the detected Controlled Medication was caused by another form of contamination, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, six months Ineligibility, depending on such Person's and/or Support Person and/or other Person's degree of Fault.

#### **11.3.3 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, compliance with the ECM Rules and/or the integrity of 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. For purposes of this paragraph, the otherwise applicable period of Ineligibility shall not include any period of Ineligibility that could be added under Article 11.5.2.2 of these ECM Rules.

If so requested by Person Responsible and/or Support Person and/or other Person who seeks to provide Substantial Assistance, HSI shall allow the Person Responsible and/or Support Person and/or other Person to provide the information to it subject to a Without Prejudice Agreement.

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 13.2 below.

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

Where a Person Responsible and/or Support Person(s) and/or other person 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 Panel.

#### 11.3.5 **Application of Multiple Grounds for Reduction of a Sanction**

If the Person Responsible and/or Support Person(s) and/or other person establishes entitlement to a reduction or suspension of the period of Ineligibility under two (2) or more of Articles 11.3.2, 11.3.3 and 11.3.4, then the period of Ineligibility may be reduced or suspended further subject to the discretion of the Hearing Panel.

### 11.4 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 by an additional period of Ineligibility of up to six (6) months depending on the seriousness of the violation and the nature of the Aggravating Circumstances unless the Person Responsible and/or Support Person(s) (where applicable) can prove to the comfortable satisfaction of the Hearing Panel 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.

## 11.5 Multiple Violations

11.5.1 For the Person Responsible and/or Support Person(s)'s first ECM Rule violation, the period of Ineligibility is set forth in Articles 11.1 and 11.2 (subject to elimination, reduction, or suspension under Article 11.3 or to an increase under Article 11.4).

For a second ECM Rule violation (within the previous 4 years), the period of Ineligibility shall be at the discretion of the Hearing Panel, and shall be the greater of:

- (a) three months;
- (b) a period of ineligibility in the range between the sum of the period of ineligibility imposed for the first ECM Rule violation plus the period of Ineligibility otherwise applicable to the second ECM Rule violation treated as if it were a first violation; and
- (c) twice the period of Ineligibility otherwise applicable to the second ECM Rule violation treated as if it were a first violation with the period of Ineligibility within this range to be determined based on the entirety of the circumstances and the Person Responsible and/or member of the Support Personnel's and/or other Person's actions with respect to the second violation.

For a third ECM Rule violation (within the previous 4 years), the Hearing Panel shall have the discretion to increase the Sanction to up to four (4) years Ineligibility and a fine of up to €20,000. For a fourth or more violations, the Hearing Panel 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. The period of Ineligibility established under this Article may then be further reduced by the application of Article 11.3, 11.4 and 11.5.

### 11.5.2 Additional ECM Rules for certain Potential Multiple Violations

11.5.2.1 For purposes of imposing Sanctions under Article 11.5, 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 additional violation after he or she received Notice pursuant to Article 8 (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 11.4 above.

11.5.2.2 If HSI establishes that an Person Responsible and/or member of the Support Personnel and/or other Person and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of Ineligibility for the additional violation shall be calculated as if the



additional violation were a stand-alone first violation and this period of Ineligibility is served consecutively, rather than concurrently, with the period of Ineligibility imposed for the earlier-noticed violation. Where this Article applies, the violations taken together shall constitute a single violation for purposes of Article 11.5.

11.5.2.3 If HSI establishes that Person Responsible and/or Support Person and/or other Person committed a violation of Article 2.4 of the ECM Rules in connection with the Doping Control process for an underlying asserted ECM Rule violation, the violation of Article 2.4 shall be treated as a stand-alone first violation and the period of Ineligibility for such violation shall be served consecutively, rather than concurrently, with the period of Ineligibility, if any, imposed for the underlying ECM Rule violation. Where this Article is applied, the violations taken together shall constitute a single violation for purposes of Article 11.5.

11.5.2.4 If HSI establishes that Person Responsible and/or Support Person and/or other Person has committed a second or third ECM Rule violation during a period of Ineligibility, the periods of Ineligibility for the multiple violations shall run consecutively, rather than concurrently.

11.5.3 To avoid the possibility of a finding of Aggravating Circumstances (Article 11.4) 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.

11.5.4 Multiple ECM Rule Violations during a Four-Year Period  
For purposes of Article 11.5, each ECM Rule violation must take place within the same four (4) year period in order to be considered multiple violations.

11.5.5 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 11.4 above.

11.6 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 10 (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 10 (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.

#### **11.6.1 Forfeited Prize Money**

If HSI recovers prize money forfeited as a result of an ECM Rule violation, it shall take reasonable measures to allocate and distribute this prize money to the next placed Person Responsible/team who would have been entitled to it had the forfeiting Person Responsible/team not competed.

### **11.7 Commencement of Ineligibility Period**

Where the Person Responsible and/or Support Person and/or other Person is already serving a period of Ineligibility for an ECM (or EAD) Rule violation, any new period of Ineligibility shall commence on the first day after the current period of Ineligibility has been served. Otherwise, except as provided below, the period of Ineligibility shall start on the date of the decision providing for Ineligibility.

#### **11.7.1 Delays Not Attributable to the Person Responsible and/or Support Person(s) and/or other person**

Where there have been substantial delays in the hearing process or other aspects of Medication Control and the Person Responsible and/or member of the Support Personnel and/or other Person can establish that such delays are not attributable to the Person Responsible and/or Support Person(s) and/or other Person alleged to have committed the Rule violation, the Hearing Panel 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. All competitive results achieved during the period of Ineligibility including retroactive Ineligibility shall be disqualified.

#### **11.7.2 Credit for Provisional Suspension or Period of Ineligibility Served.**

**11.7.2.1** If a Provisional Suspension is respected by the Person Responsible and/or member of the Support Person(s) and/or other person, or Horse, then a credit shall be received for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed as determined by the HSI Disciplinary Committee. If the Person Responsible and/or member of the Support Personnel and/or other Person does not respect a Provisional Suspension, then the Person Responsible and/or member of the Support Personnel or other Person shall receive no credit for any period of Provisional Suspension served.

If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Person Responsible and/or member of the Support Person(s) and/or other person and/or Horse shall receive a credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal.

- 11.7.2.2 If a Person Responsible and/or Support Person(s) and/or other person voluntarily accepts a Provisional Suspension in writing for himself, herself or the Horse, and thereafter refrains from participating in equestrian activities, such Person or Horse shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. A copy of the voluntary Provisional Suspension shall be provided promptly to each party entitled to receive Notice of an asserted ECM Rule violation. If a Provisional Suspension is voluntarily accepted, it can only be lifted by Decision of the HSI Disciplinary Committee.
- 11.7.2.3 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Person alleged to have committed the ECM Rule violation elected not to compete or was suspended by a team.

## 11.8 Status During Ineligibility or Provisional Suspension

### 11.8.1 Prohibition against Participation during Ineligibility or Provisional Suspension

No Horse, Person Responsible and/or Support Person(s) and/or other person who has been declared Ineligible or is subject to a *Provisional Suspension* 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) and/or other person 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) and/or other person subject to Ineligibility under Article 11 may also be banned from any venues where a National Event is taking place.

#### 11.8.1.1 Return to Training

As an exception to Article 11.8.1, a Person Responsible may return to train with a team or to use the facilities of a club or other member organization of HSI during the shorter of: (1) the last two months of the Person Responsible's period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.

## 11.8.2 Violation of the Prohibition of Participation During Ineligibility

Where a Person Responsible or Support Person(s) and/or other person who has been declared Ineligible or whose Horse has been declared Ineligible violates the prohibition against participation or attendance during Ineligibility described in Article 11.8.1, 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, including a reprimand and no 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 11.3.2 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 11.3.2 is appropriate, shall be made by the Disciplinary Committee and is subject to appeal under Art. 13.

A Person Responsible and/or member of the Support Personnel and/or other Person who violates the prohibition against participation during a Provisional Suspension described in Article 11.8.1 shall receive no credit for any period of Provisional Suspension served and the results of such participation shall be Disqualified.

Where a Person Responsible and/or member of the Support Personnel and/or other Person assists a Person in violating the prohibition against participation during Ineligibility or a Provisional Suspension, HSI shall impose sanctions for a violation of Article 2.9 of the EAD Rules for such assistance.

## 11.9 Non-Payment of any Fine

11.9.1 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:

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

11.9.1.2 A further period of Ineligibility; and/or

11.9.1.3 A further fine.

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

## 11.10 Results Management Agreements

11.10.1 Three (3) Month Reduction for Certain ECM Rule Violations Based on Early Admission and Acceptance of Sanction  
Where Person Responsible and/or member of the Support Personnel and/or other Person, after being notified by HSI of a potential ECM Rule

violation that carries an asserted period of Ineligibility of six (6) months or more (including any period of Ineligibility asserted under Article 11.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an ECM Rule violation charge, the Person Responsible and/or member of the Support Personnel and/or other Person may receive a three (3) month reduction in the period of Ineligibility asserted by the HSI. Where the Person Responsible and/or member of the Support Personnel and/or other Person receives the three (3) month reduction in the asserted period of Ineligibility under this Article 11.10.1 no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.

#### 11.10.2 Case Resolution Agreement

Where the Person Responsible and/or member of the Support Personnel and/or other Person admits an ECM Rule violation after being confronted with the ECM Rule violation by HSI and agrees to Consequences acceptable to the FEI, at its sole discretion, then:

- (a) the Person Responsible and/or member of the Support Personnel and/or other Person may receive a reduction in the period of Ineligibility based on an assessment by HSI of the application of Articles 11.1 through 11.7 to the asserted ECM Rule violation, the seriousness of the violation, the Person Responsible and/or member of the Support Personnel's and/or other Person's degree of Fault and how promptly the Person Responsible and/or member of the Support Personnel and/or other Person admitted the violation; and
- (b) 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. In each case, however, where this Article is applied, the Person Responsible and/or member of the Support Personnel and/or other Person shall serve at least one-half of the agreed-upon period of Ineligibility going forward from the earlier of the date the Person Responsible and/or member of the Support Personnel and/or other Person accepted the imposition of a sanction or a Provisional Suspension which was subsequently respected by the Person Responsible and/or member of the Support Personnel and/or other Person.

The agreement shall be submitted to the Hearing Panel for the sole purpose of the Hearing Panel confirming that the above criteria have been fulfilled (or do not apply) and, where so confirmed by the Hearing Panel, the final agreement shall state the full reasons for any period of Ineligibility agreed, including (if applicable), a justification for why the flexibility in Sanction was applied. Such agreement shall be considered as a Decision for the case and will be published as provided in Article 14.3 The Decision by HSI to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of, the period of Ineligibility and the confirmation of the case resolution agreement by the Hearing Panel are not subject to appeal under Article 13.

If so requested by a Person Responsible and/or member of the Support Personnel and/or other Person who seeks to enter into a case resolution agreement under this Article, the HSI shall allow

the Person Responsible and/or member of the Support Personnel and/or other Person to discuss an admission of the ECM Rule violation with it subject to a Without Prejudice Agreement.

## **Article 12 CONSEQUENCES TO TEAMS**

### **12.1 Testing of Teams**

Where one (1) member of a team has been notified of an ECM Rule violation under Article 8 in connection with an *Event*, HSI shall conduct appropriate *Target Testing* of all members of the team during the *Event Period*.

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'équipe, 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.

## **Article 13 RESULTS MANAGEMENT APPEALS**

### **13.1 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.

#### **13.1.1 Scope of Review Not Limited**

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.

### **13.2 Appeals from Decisions Regarding ECM Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority.**

The following decisions may be appealed exclusively as provided in this Article 13.2:

- (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 11.8.2 (Violation of the Prohibition of Participation during Ineligibility);
- (f) a decision under Article 11.3.3 to reinstate a period of Ineligibility for failure to provide the Substantial Assistance which was anticipated; and

- (g) a decision that HSI lacks authority to rule on an alleged ECM Rule violation or its consequences;
- (h) a Decision to impose or lift a Provisional Suspension as a result of a Preliminary Hearing or otherwise, in violation of Article 8.4;
- (i) a decision to suspend, or not suspend Consequences or to reinstate, or not reinstate Consequences under Article 11.7.1;

13.2.1 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.

13.2.2 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) and/or other person 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.

13.2.3 Duty to Notify

All parties to any CAS appeal must ensure that HSI, the FEI and all other parties with a right to appeal have been given timely notice of the appeal.

13.2.4 Appeal from Imposition of Provisional Suspension  
The only Person that may appeal from the imposition of a Provisional Suspension is HSI, or the Person upon whom or upon whose Horse the Provisional Suspension is imposed.

13.2.5 Cross Appeals and other Subsequent Appeals Allowed  
Cross appeals and other subsequent appeals by any respondent named in cases are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

### 13.3 Time for Filing Appeals

The time to file an appeal to the Disciplinary Committee or the CAS, as the case may be, shall be twenty-one (21) days from the date of Receipt of the Hearing Panel 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:

- b) Within fifteen (15) days from notice of the decision, such party/ies shall have the right to request from the Hearing Panel 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 fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to the Disciplinary Committee or the CAS, as the case may be.

## **Article 14 Reporting, Public Disclosure and Data Privacy**

### **14.1 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. HSI may periodically publish Testing data.

### **14.2 Protection of Confidential Information by an Employee or Agent of HSI**

HSI shall ensure that information concerning Adverse Analytical Findings, Atypical Findings, and other asserted ECM Rule violations remains confidential until such information is Publicly Disclosed in accordance with Article 14.3. HSI shall ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and Delegated Third Parties are subject to fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information.

### **14.3 Public Disclosure**

- 14.3.1 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) and/or other Persons who are alleged to have otherwise violated these Rules, until the earlier of completion of the administrative review and Notification described in Article 8 above or the start of the Provisional Suspension of the Person alleged to have violated the ECM Rule. Once a violation of these ECM 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) and/or other Person makes information concerning an ECM 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.
- 14.3.2 In any case where it is determined, after a hearing, that the Person Responsible and/or Support Person(s) and/or other Person 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.
- 14.3.3 Publication shall be accomplished at a minimum by placing the required information on the HSI website
- 14.3.4 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) and/or other Person or their representatives. Only HSI shall have the right to comment. All enquiries received by the Affiliates or Sections must be referred to HSI.

- 14.3.5 The mandatory Public Reporting required in this Article shall not be required where the Person Responsible and/or Support Person(s) and/or other Person who has been found to have committed an anti-doping rule violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

#### 14.4 Data Privacy

- 14.4.1 HSI may collect, store, process or disclose personal information relating to Person Responsible and/or member of the Support Personnel, and/or other Person, Owners and Horses where necessary and appropriate to conduct its Anti-Doping Activities under these ECM Rules and in compliance with applicable law.

- 14.4.2 Without limiting the foregoing, HSI shall: (a) Only process personal information in accordance with a valid legal ground; (b) Notify any Participant or Person subject to these ECM Rules, in a manner and form that complies with applicable laws that their personal information may be processed by HSI and other Persons for the purpose of the implementation of these ECM Rules; (c) Ensure that any third-party agents (including any Delegated Third Party) with whom HSI shares the personal information of any Participant or Person is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

- 14.5 Upon determination that a violation of these ECM 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 ECM 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.

### Article 15 IMPLEMENTATION OF DECISIONS

#### 15.1 Automatic Binding Effect of Decisions on Signatory HSI

- 15.1.1 A decision of an ECM Rule violation made by the HSI Disciplinary Committee, or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon HSI, with the effects described below:

- 15.1.1.1 A decision by any of the above-described bodies imposing a Provisional Suspension (after a Provisional Hearing has occurred or the Person Responsible and/or member of the Support Personnel and/or other Person has either accepted the Provisional Suspension or has waived the right to a Provisional Hearing, expedited hearing or expedited appeal offered automatically prohibits the Person Responsible and/or member of the Support Personnel and/or other Person from participation in all sports within the authority of HSI during the Provisional Suspension.

- 15.1.1.2 A decision by any of the above-described bodies imposing a period of Ineligibility (after a hearing has occurred or been waived) automatically prohibits the Person Responsible and/or member of the Support Personnel and/or other Person from participation in all sports within the authority of HSI for the period of Ineligibility.
- 15.1.1.3 A decision by any of the above-described bodies accepting an ECM Rule violation automatically binds HSI.
- 15.1.1.4 A decision by any of the above-described bodies to Disqualify results for a specified period automatically Disqualifies all results obtained within the authority of HSI during the specified period.

15.1.2 HSI shall recognize and implement a decision and its effects, without any further action required, on the date actual notice of the decision is received.

15.1.3 A decision by the HSI Disciplinary Committee or CAS to suspend, or lift, Consequences shall be binding upon HSI without any further action required, on the earlier of the date actual notice of the decision is received.

#### **Article 16 STATUTE OF LIMITATIONS**

No ECM Rule violation proceeding may be commenced under these ECM Rules against a Person Responsible and/or Support Person(s) and/or other Person for an ECM Rule violation unless such action is commenced within ten (10) years from the date the violation is asserted to have occurred.

#### **Article 17 ADDITIONAL ROLES AND RESPONSIBILITIES OF PERSONS RESPONSIBLE**

- 17.1 To be knowledgeable of and comply with these ECM Rules.
- 17.2 To ensure their Horse is available for Sample collection.
- 17.3 To take responsibility, in the context of anti-doping, for all substances that enter the body of their Horse.
- 17.4 To inform their grooms, veterinarians and other members of the Support Personnel of their obligations not to Use Banned Substances and Banned Methods and to take responsibility to make sure that any veterinary treatment received does not violate these ECM Rules.
- 17.5 To cooperate with HSI investigating ECM Rule violations. Failure by any Person Responsible and/or member of the Support Personnel to cooperate in full with Anti-Doping Organizations investigating ECM Rules violations may result in a charge of misconduct under HSI's disciplinary rules.
- 17.6 To disclose the identity of Support Persons upon request by HSI.
- 17.7 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by a member of the Person Responsible, which does not otherwise constitute Tampering, may result in a charge of misconduct under HSI's disciplinary rules.

#### **Article 18 ADDITIONAL ROLES AND RESPONSIBILITIES OF SUPPORT PERSONNEL**

- 18.1 To be knowledgeable of and comply with these ECM Rules.
- 18.2 To cooperate with the Testing program.
- 18.3 To use their influence on Person Responsible values and behaviour to foster anti-doping attitudes.
- 18.4 To cooperate with Anti-Doping Organizations investigating ECM Rule violations. Failure by any Support Personnel to cooperate in full with Anti-Doping Organizations investigating ECM Rule violations may result in a charge of misconduct under HSI's disciplinary rules.

- 18.5 Support Personnel shall not Use or Possess any Controlled Medication Substance or Banned Method. Any such Use or Possession may result in a charge of misconduct under HSI's disciplinary rules.
- 18.6 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by a member of the Support Personnel, which does not otherwise constitute Tampering, may result in a charge of misconduct under HSI's disciplinary rules.

#### **Article 19 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE ANTI-DOPING RULES**

- 19.1 To be knowledgeable of and comply with these ECM Rules.
- 19.2 To cooperate with Anti-Doping Organizations investigating ECM Rule violations. Failure by any other Person subject to these ECM Rules to cooperate in full with HSI investigating anti-doping rule violations may result in a charge of misconduct under HSI's disciplinary rules.
- 19.3 Not to Use or Possess any Controlled Medication Substance or Banned Method.
- 19.4 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by a Person, which does not otherwise constitute Tampering, may result in a charge of misconduct under HSI's disciplinary rules.

#### **Article 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF ORGANISING COMMITTEES ("OC's")**

- 20.1 To be knowledgeable of and comply with these anti-doping rules.
- 20.2 To foster a clean spirit of sport at their Events.
- 20.3 When notified by HSI or the Affiliate Body that Testing is planned at their Event, to provide adequate facilities for Testing as instructed by HSI; and, where possible and if requested, staff or volunteers to assist with Person Responsible notification. OC's have no power to reject doping control at their event.
- 20.4 Confidentiality  
The OC shall maintain strict confidentiality on all aspects of any Testing session planned at its Events. It shall not disclose the Testing plan beyond a strict need-to-know, and shall not publish any details on such Testing plan.
- 20.5 Educational initiatives  
OCs shall also cooperate with HSI's educational initiatives at their events
- 20.6 To cooperate with the Testing plans of other Anti-Doping Organisations with Testing jurisdiction.

#### **Article 21 INTERPRETATION OF ECM RULES**

- 21.1 These ECM Rules may be amended from time to time by HSI.
- 21.2 Except as provided in Article 21.4 ECM Rules, these ECM Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes, save as herein provided. Nothing herein shall be interpreted to supplant the applicability of national laws to National Events.
- 21.3 The meanings 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 ECM Rules or to affect in any way the language of the provisions to which they refer.
- 21.4 The Introduction, Appendix 1 Definitions and the Equine Prohibited Substances List shall all be considered integral parts of these ECM Rules.
- 21.5 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, 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 ECM Rules shall apply.

- 21.6 Where the term “days” is used in these Rules, it shall mean calendar days unless otherwise specified.
- 21.7 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 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.

## **Article 22 FINAL PROVISIONS**

- 22.1 These ECM Rules shall enter into force on xxxxx (the “Effective Date”). They repeal the ECM Rules that came into effect on 1 January 2014.
- 22.2 These ECM Rules shall not apply retroactively to matters pending before the Effective Date. However:
- 22.2.1 ECM Rule violations taking place prior to the Effective Date count as “first violations” or “second violations” for purposes of determining sanctions under Article 11 for violations taking place after the Effective Date.
- 22.2.2 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, shall be governed by the substantive ECM Rule in effect at the time the alleged ECM Rule violation occurred, and not by the substantive ECM Rule set out in these ECM Rules, unless the Panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case.

For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 11.9 and the statute of limitations set forth in Article 16 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these ECM Rules (provided, however, that Article 16 shall only be applied retroactively if the statute of limitation period has not already expired by the Effective Date).

- 22.2.3 With respect to cases where a final decision finding an ECM Rule violation has been rendered prior to the Effective Date, but the Person Responsible or member of the Support Personnel or other Person is still serving the period of Ineligibility as of the Effective Date, the Person Responsible or member of the Support Personnel or other Person may apply to HSI to consider a reduction in the period of Ineligibility in light of these ECM Rules. Such application must be made before the period of Ineligibility has expired. The decision rendered may be appealed pursuant to Article 13.2.

These ECM Rules shall have no application to any case where a final decision finding an ECM Rule violation has been rendered and the period of Ineligibility has expired.

- 22.2.4 For purposes of assessing the period of Ineligibility for a second violation under Article 11.5, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of Ineligibility which would have been assessed for that first violation had these ECM Rules been applicable, shall be applied.

22.2.5 Changes to the List relating to substances on the List shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a Prohibited Substance has been removed from the Prohibited List, an Person Responsible or member of the Support Personnel or other Person currently serving a period of Ineligibility on account of the formerly Prohibited Substance may apply to HSI to consider a reduction in the period of Ineligibility in light of the removal of the substance from the Prohibited List.

## 22.3 Minors

22.3.1 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.

22.3.2 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.

## 22.4 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.

## 22.5 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.

## 22.6 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.

## 22.7 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 8.9 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, Sport Ireland or the FEI.
Athlete.	Any person taking part in a Horse Sport. Such person shall include a rider, driver, lungers 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. ECM Rules.	HSI Equine Anti-Doping 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 Panel:	A panel consisting of one or three persons, at the election of the Chair of the Disciplinary Committee, 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 EAD Rules or 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 14.3 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 the EAD Rules and Article and 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 Panel. 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)/ Support Personnel.	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.