

3.8 BOWLS NEW ZEALAND REGULATION EIGHT ANTI-DOPING REGULATION UPDATED

1. Commencement Date

- 1.1 Pursuant to Rule 26 of the Bowls New Zealand Constitution, the following updated Regulation has been adopted by the Board as a Regulation of Bowls New Zealand with effect from 22 February 2016.

2. Application

- 2.1 This Regulation applies to the following:

- a. Individual Members¹ of Bowls NZ;
- b. individual members of Centres;
- c. individual members of Clubs;
- d. all Athlete Support Personnel² who participate as a coach, trainer, manager, team staff, official, medical or para-medical personnel in any competitions or activities authorised or organised by World Bowls, Bowls NZ or any Centre or Club;
- e. any other person who agrees to be bound by this Regulation and/or the Sports Anti-Doping Rules including participants in any capacity in any activity organized, held, convened or authorised by World Bowls, Bowls NZ or one of its Centres, Clubs, or Members.

3. Sports Anti-Doping Rules

- 3.1 The Sports Anti-Doping Rules made by Drug Free Sport New Zealand (DFSNZ) under the provisions of the Sports Anti-Doping Act 2006, which took effect from 1 January 2016 attached as **Appendix 1**, and as amended from time to time by DFSNZ, apply and are expressly incorporated, and form part of, this Regulation. As such, the Sports Anti-Doping Rules are the anti-doping rules of Bowls NZ and they are applicable to all persons to whom this Regulation applies. Any amendments made to the Sports Anti-Doping Rules shall automatically apply and form part of this Regulation.

4. Additional Obligations

- 4.1 In addition to the obligations under the Sports Anti-Doping Rules, all persons to whom this Regulation applies must:
- a. recognise and accept the authority of DFSNZ as the sole National Anti-Doping Organisation in New Zealand;
 - b. fully cooperate with Bowls NZ, World Bowls, DFSNZ and any other anti-doping authority or any other person or body acting on their behalf, undertaking any enquiries or any investigation under any applicable anti-doping rules, into a possible or alleged Anti-Doping Rule Violation by them or any other person with whom they are associated. This may include attending interviews to answer questions, giving information and producing documents;

¹ Refer to Bowls NZ Constitution (rule 10) for definition, which includes Playing Members, Appointed Personnel, umpires, officials, National Representatives, coaches and managers.

² For the definition of Athlete Support Personnel refer to the Sports Anti-Doping Rules.

- c. immediately report any information suggesting or relating to an Anti-Doping Rule Violation by any person, to the Chief Executive of Bowls NZ, who in turn will report this to DFSNZ and/or World Bowls (as applicable);
 - d. submit to the exclusive jurisdiction of:
 - i. the Sports Tribunal and the Court of Arbitration for Sport to hear and determine any alleged Anti-Doping Rule Violations under the Sports Anti-Doping Rules (in accordance with the rules of the Sports Tribunal and the Court of Arbitration for Sport);
 - ii. the World Bowls Doping Review Panel and the Court of Arbitration for Sport, if an International Level Athlete, to hear and determine any alleged Anti-Doping Rule Violations under the World Bowls Anti-Doping Regulations (in accordance with the World Bowls Regulations and the rules of the Court of Arbitration for Sport).
- 4.2 Any Athlete Support Person who commits an Anti-Doping Rule Violation for Using Prohibited Substances or Prohibited Methods without valid justification, must not associate with or support any Athlete to whom this Regulation applies. A breach of this rule constitutes Misconduct under the Bowls NZ Constitution and shall be dealt with in accordance with the Bowls NZ Constitution and Judicial Regulations.

5. World Bowls Anti-Doping Regulations

- 5.1 In addition to clause 2.1 the World Bowls Anti-Doping Regulations (to the extent they are applicable), and as amended from time to time, are expressly incorporated into and form part of, this Regulation.

All Persons to whom this Regulation applies shall, to the extent applicable, be bound by the World Bowls Anti-Doping Regulations as amended from time to time.

- 5.2 In particular, if a person is an **International Level Athlete** or in a **Registered Testing Pool** (see definitions in clause 6 below) they must:
- a. complete the Athlete Consent Form (Appendix 2), and return to Bowls NZ by the specified date;
 - b. comply with all requirements for whereabouts information;
 - c. if required, complete and comply with all requirements for any TUEs, and,
 - d. comply with all other obligations applicable to International Level Athletes in accordance with this Regulation, SADR and the World Bowls Anti-Doping Regulations.

6. Members to Recognise Decisions

- 6.1 All Members of Bowls NZ including Centres and Clubs shall recognize, respect and enforce any decision of DFSNZ, the Sports Tribunal, and Bowls NZ, provided such decision is made in accordance with the Sports Anti-Doping Rules, these Regulations and other applicable rules.

7. Interpretation

- 7.1 The words and phrases used in this Regulation shall have the same meaning as defined in the Bowls NZ Constitution, the Sports Anti-Doping Rules or the World Bowls Anti-Doping Regulations, unless specified otherwise.
- 7.2 For the purposes of this Regulation, the SADR and the World Bowls Anti-Doping Regulations, an **International Level Athlete** means an athlete who is part of any **National Squad** who is eligible to be selected to compete in any of the following **International Events**:

World Bowls Events:

- World Championships
- World Cup Indoor Singles
- World Singles Champion of Champions
- World Junior Championships
- Asia Pacific Championships
- Atlantic Championships

World Bowls approved international events include:

- British Isles Senior and Junior Championships
- European Bowls Union Championships
- Asia Pacific Merdeka Championships
- Asia Lawn Bowls Championships
- Trans-Tasman Championships
- Hong Kong Classic
- China Tour & Tiger Bowls
- Dutch Open
- Japan Open
- North America Challenge
- Any other events approved by World Bowls as international events

7.3 For the purposes of this Regulation, a **National Squad** means:

- a group of players, including a squad or a team, which has been selected by Bowls NZ to train and compete as representatives of New Zealand, or
- players who have been identified by Bowls NZ as eligible to compete in any one or more of the International Events:

including the following players:

- players selected to the Black Jacks Squad
- players selected to the Black Jacks Development Squad
- players seeking selection to a New Zealand team for the World Junior Championships
- players in a Bowls NZ National Singles final.

7.4 **Registered Testing Pool** has the meaning given to it in the Sports Anti-Doping Rules (as quoted below) and includes the DFSNZ Registered Testing Pool and the World Bowls Registered Testing Pool:

“Registered Testing Pool: The pool of highest priority Athletes established separately at the international level by International Federations and at the national level by DFSNZ who are subject to focused In-Competition and Out-of-Competition Testing as part of that International Federation’s or DFSNZ test distribution plan and therefore are required to provide whereabouts information as provided in Rule 5.6 [Sports Anti-Doping Rules] and the International Standard for Testing and Investigations “

7.5 To the extent of any inconsistency between this Regulation, the Sports Anti-Doping Rules and the World Bowls Anti-Doping Regulations, the World Bowls Anti-Doping Regulations will apply.

APPENDIX 1

SPORTS ANTI-DOPING RULES 2016

To view the full World Bowls Anti-Doping regulations:

http://www.worldbowls.com/wp-content/uploads/2015/11/Web_Anti_Doping.pdf

To view Drug Free Sport Anti-Doping rules:

http://drugfreesport.org.nz/uploads/site/assets/004_SADR_2017_made_211116.pdf

APPENDIX 2

ATHLETE CONSENT FORM

As a member of Bowls NZ and/or a participant in an event authorized or recognized by Bowls NZ or World Bowls or any other World Bowls recognised controlling body of an event, I hereby declare as follows:

1. I acknowledge that I am bound by, and confirm that I shall comply with, all of the provisions of the Bowls NZ Anti-Doping Regulation, which include the Sports Anti-Doping Rules (as amended from time to time), the World Bowls Anti-Doping Regulations (as amended from time to time), the World Anti-Doping Code (the "**Code**") and the *International Standards* issued by the World Anti-Doping Agency, as amended from time to time, and published on WADA's website.
2. I consent and agree to the creation of my profile in the WADA Doping Control Clearing House ("**ADAMS**"), as requested under the *Code* to which World Bowls is a *Signatory*, and/or any other authorized *National Anti-Doping Organization's* similar system for the sharing of information, and to the entry on my *Doping Control*, *Whereabouts* and *Therapeutic Use Exemptions* related data in such systems.
3. I acknowledge the authority of World Bowls, its member National Federations including Bowls NZ, and/or *National Anti-Doping Organizations*, including DFSNZ, under the World Bowls Anti-Doping Regulations to enforce, to manage results under, and to impose sanctions in accordance with the World Bowls Anti-Doping Regulations and Bowls NZ Anti-Doping Regulations.
4. I acknowledge and agree that any dispute arising out of a decision made pursuant to the Bowls NZ Anti-Doping Regulations or the World Bowls Anti-Doping Regulations, after exhaustion of the process expressly provided for in those regulations, may be appealed exclusively as provided in Article 13 of the World Bowls Anti-Doping Regulations to an appellate body for final and binding arbitration, which in the case of *International-Level Athletes* is the Court of Arbitration for Sport (CAS).
5. I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.

I have read and understand the present declaration.

Date

Print Name (Last Name, First Name)

Date of Birth
(Day/Month/Year)

Signature (or, if a minor, signature of
legal guardian)