



Cricket Federation of Uzbekistan

Anti-Doping Policy

January, 2020

CRICKET FEDERATION OF UZBEKISTAN ANTI-DOPING POLICY

1. Introduction

The Cricket Federation of Uzbekistan (CFU) condemns the *Use of Prohibited Substances and Prohibited Methods* in cricket. The *Use of Prohibited Substances and Prohibited Methods* is contrary to the ethics of cricket, potentially harmful to the health of *Players* and detrimental to the reputation of cricket as a sport.

The only legitimate *Use of Prohibited Substances and Prohibited Methods* is under the supervision of a physician for a clinically justified purpose in accordance with Article 8 of these Anti-Doping Rules.

CFU aims to stop *Doping* practices in cricket by:

- 1.1. educating and informing *Players* and *Player Support Personnel* about these Anti-Doping Rules;
- 1.2. supporting the drug testing programs and education initiatives of *Anti-Doping Organisations*; and
- 1.3. imposing effective sanctions on *Players* and *Player Support Personnel* who commit *Anti-Doping Rule Violations*.

This Policy has been adapted from the Cricket Australia Anti-Doping Policy.

a. Establishing the Policy

In order to implement this Anti-Doping Policy, the CFU appoint the following:

- **An Anti-Doping Control Officer** to give effect to these Anti-Doping Rules and, until such person is appointed the responsible person will be the Chief Executive Officer of CFU.
- **The CFU Anti-Doping Committee (CFUADC)** – to be responsible for implementing this Anti-Doping Policy and developing testing and other facilities to ensure the goals of the Policy are met in practice. Until a national anti-doping agency is set in place, this committee will be entirely responsible for ensure proper practice in cricket of this Anti-Doping Policy.
- **CFU Anti-Doping Medical Advisor** , a qualified and experienced medial doctor, whose duties will include suggesting amendments to, and implementation of, the requirements of these Anti-Doping Rules, as well as having a medical role in the Anti-Doping process.

b. Constraints

This Anti-Doping Code whilst firmly committed to by the CFU will operate within the constraints imposed by the current situation in Uzbekistan.

Currently there is National-Anti Doping Agency in Uzbekistan (UzNADA) and the CFU has facility for testing athletes for prohibited substances.

As the CFU develops in coming years, efforts will be made to put own Anti-Doping facilities and procedures in place for the game of cricket in Uzbekistan.

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The CFU is committed to discouraging the use of prohibitive substances and to cooperating fully with Anti-Doping agencies in all of its playing and activities at the international level.

The policy outlined in this document sets guidelines that will be used now and in the future as our anti-doping facilities and processes are developed.

2. Who Do These Anti-Doping Rules Apply To?

These Anti-Doping Rules apply to:

- *Members*;
- *Players*;
- *Player Support Personnel*; and
- employees and contractors of CFU and *Members*.

3. Obligations

- 3.1. These Anti-Doping Rules, like competition rules, set out some of the conditions under which cricket is played. *Players* and *Player Support Personnel* accept these Anti-Doping Rules as a condition of being eligible to participate in cricket at all levels under the jurisdiction, auspices and control of CFU.

These Anti-Doping Rules are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards implemented in these Anti-Doping Rules are modelled on the *WADA* (World Anti Doping Agency) Code, which represents the consensus of a broad spectrum of stakeholders with an interest in fair sport and should be respected by all courts, arbitral tribunals and other adjudicating bodies.

3.2. Roles and responsibilities – *Players*

Players must:

- 3.2.1. read and be knowledgeable of and comply with these Anti-Doping Rules and the *Prohibited List* as it relates to them;
- 3.2.2. be available for *Sample* collection, *Testing* and provide whereabouts information in accordance with these Anti-Doping Rules for that purpose;
- 3.2.3. take full responsibility, in the context of *Doping*, for what they ingest, *Use* and *Possess*;
- 3.2.4. inform medical practitioners with whom they consult of their obligations not to *Use* or *Possess Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules;
- 3.2.5. not *Use* or *Possess* any *Prohibited Substances* or *Prohibited Methods* in violation of these Anti-Doping Rules;

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- 3.2.6. make themselves aware of the procedure for *Sample* collection and *Testing* procedures and their rights during the *Sample* collection and *Testing* process;
- 3.2.7. set a responsible example on the issue of drug use in sport to members of the public, especially children interested in cricket;
- 3.2.8. ensure that the requirements for prior notification of *Use of Prohibited Substance* or *Prohibited Methods* which are necessary for a *Therapeutic Use Exemption* are complied with;
- 3.2.9. Attend all anti-doping education programs conducted annually by CFU, relevant *Members* and *the appropriate sports doping authority* or other *Anti-Doping Organisations* on behalf of CFU and relevant *Members*. Failure to attend an anti-doping education session shall be no excuse for an alleged *Anti-Doping Rule Violation*, nor shall it mitigate culpability of a *Player* in determining sanction;
- 3.2.10. submit to the jurisdiction of the *CFU Anti-Doping Committee* and *Appeals Committee*;
- 3.2.11. immediately refer information about possible *Anti-Doping Rule Violations* to CFU;
- 3.2.12. assist, co-operate and liaise with CFU, the CFU Anti-Doping Committee, and other *Anti-Doping Organisations* in relation to the conduct of any investigation or hearing into an alleged *Anti-Doping Rule Violation*; and
- 3.2.13. comply with all sanctions which may be imposed under these Anti-Doping Rules in the event an *Anti-Doping Rule Violation* is found to have occurred.

3.3. Roles and responsibilities – *Player Support Personnel*

Player Support Personnel must:

- 3.3.1. read and be knowledgeable of and comply with these Anti-Doping Rules and the *Prohibited List* as it relates to them;
- 3.3.2. make themselves aware of the procedure for *Sample* collection and *Testing* procedures and cooperate with *Player Testing*;
- 3.3.3. use their influence on *Players*' values and behaviour to ensure compliance with these Anti-Doping Rules;
- 3.3.4. set an appropriate example on the issue of drug use in sport to members of the public;
- 3.3.5. submit to the jurisdiction of the *CFU Anti-Doping Committee* and *Appeals Committee*;
- 3.3.6. immediately refer information about possible *Anti-Doping Rule Violations* to CFU;
- 3.3.7. assist, co-operate and liaise with CFU and *Anti-Doping Organisations* in relation to the conduct of any investigation or hearing into an alleged *Anti-Doping Rule Violation*; and
- 3.3.8. comply with all sanctions which may be imposed under these Anti-Doping Rules in the event an *Anti-Doping Rule Violation* is found to have occurred.

3.4. Roles and responsibilities – CFU

The CFU must:

- 3.4.1. give *the appropriate sports doping authority* timely and accurate *Player* whereabouts information provided in accordance with these Anti-Doping Rules;
- 3.4.2. support and assist *the appropriate sports doping authority* to conduct *Doping Control* in accordance with these Anti-Doping Rules;

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- 3.4.3. make these Anti-Doping Rules available to *Members, Players* and *Player Support Personnel*;
 - 3.4.4. develop and implement, in consultation with *the appropriate sports doping authority*, drug education and information programs for *Players* and *Player Support Personnel*;
 - 3.4.5. ensure that all *Players* receive a copy of these Anti-Doping Rules and that all *Players* acknowledge receipt of the Anti-Doping Rules by signing a register created for that purpose;
 - 3.4.6. ensure that relevant medical and paramedical staff are familiar with procedures necessary for *Therapeutic Use Exemptions*;
 - 3.4.7. ensure that all relevant *Player Support Personnel* and ancillary staff are familiar with the content of these Anti-Doping Rules;
 - 3.4.8. give reasonable assistance to *Testing* personnel to enable them to carry out their *Testing* duties efficiently and effectively;
 - 3.4.9. ensure that *Team* coaches are aware that *Players* may be tested immediately following a match and every assistance is to be given to *Testing* personnel in carrying out their duties; and
 - 3.4.10. arrange for CFU *Player Support Personnel* or other relevant staff to attend meetings arranged by CFU to discuss any problems in relation to *Testing*.
- 3.5. *Players* and other *Persons* may be subject to investigation and disciplined under these Anti-Doping Rules. *Players* may be asked to provide a *Sample* at any time, whether *In-Competition* or *Out-of-Competition*, to or by any *Anti-Doping Organisation*.
- 3.6. CFU will not disclose or use information about an alleged *Anti-Doping Rule Violation* (except for a purpose permitted under these Anti-Doping Rules) until after:
- 3.6.1. the CFU Anti-Doping Committee has made a determination;
 - 3.6.2. the ADCO has referred the matter to a hearing; or
 - 3.6.3. the information has become public knowledge.

4. Definition of Doping

Doping is defined as the occurrence of one or more of the *Anti-Doping Rule Violations* set out in Article 5.1 through Article 5.8 of these Anti-Doping Rules.

5. Anti-Doping Rule Violations

Players or other *Persons* shall be responsible for knowing what constitutes an *Anti-Doping Rule Violation* and the substances and methods which have been included on the *Prohibited List*.

The following constitute *Anti-Doping Rule Violations*: provided, however, that each of the following *Anti-Doping Rule Violations* shall be deemed not to be *Anti-Doping Rule Violations* by a *Person* if the *Person* has previously obtained a *Therapeutic Use Exemption* from the CFU *Anti-Doping Medical Advisor* or a *Recognised Medical Authority* in accordance with these Anti-Doping Rules.

An *Anti-Doping Rule Violation* occurs even if the *Player* does not know the *Prohibited Substance* or *Prohibited Method* is prohibited under these Anti-Doping Rules.

5.1. The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Player's Sample*.

5.1.1. It is each *Player's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Players* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Player's* part be demonstrated in order to establish an *Anti-Doping Rule Violation* under Article 5.1.

Note: These Anti-Doping Rules adopt the strict liability principle. Under the strict liability principle, an Anti-Doping Rule Violation occurs whenever a Prohibited Substance is found in a Player's Sample. The Anti-Doping Rule Violation occurs whether or not the Player's Use of a Prohibited Substance is intentional or whether the Player was negligent or otherwise at fault. There is ample justification for the strict liability principle, which includes the fact that there would be unfairness to other players competing against a Player who has accidentally Used a performance enhancing substance. Moreover, it is likely intentional Use, in many cases, could escape sanction because of difficulty of proof of intent.

5.1.2. Sufficient proof of an *Anti-Doping Rule Violation* under Article 5.1 is established by either of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Player's A Sample* where the *Player* waives analysis of the *B Sample* and the *B Sample* is not analysed; or, where the *Player's B Sample* is analysed and the analysis of the *Player's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Player's A Sample*.

5.1.3. Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List*, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in a *Player's Sample* shall constitute an *Anti-Doping Rule Violation*.

5.1.4. As an exception to the general rule of Article 5.1, the *Prohibited List* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

5.2. Use or Attempted Use of a *Prohibited Substance* or a *Prohibited Method*.

5.2.1. It is each *Player's* personal duty to ensure that no *Prohibited Substance* enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Player's* part be demonstrated in order to establish an *Anti-Doping Rule Violation* for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

5.2.2. The success or failure of the *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an *Anti-Doping Rule Violation* to be committed.

Note: Proof of Use does not require proof of intent of the Player. Use may be established by any reliable means, including admissions by the Player, witness statements, documentary evidence or other analytical information that does not otherwise satisfy all the requirements to establish “presence” of a Prohibited Substance under Article 5.1.1. Proof of Attempted Use does require proof of intent of the Player. The fact that intent is required to prove Attempted Use does not undermine the strict liability principle established elsewhere in these Anti-Doping Rules.

5.3. Refusing or failing without compelling justification to submit to *Sample* collection after notification as authorised in applicable anti-doping rules, or otherwise evading *Sample* collection.

5.4. Violation of applicable requirements regarding *Player* availability for *Out-of Competition Testing*, including failure to provide required whereabouts information set forth in Article 10 (*Player Whereabouts Requirements*) and missed tests which are declared based on reasonable rules. Any combination of three *Missed Tests* and/or *Filing Failures* within an eighteen-month period as determined by *Anti-Doping Organisations* with jurisdiction over the *Player* shall constitute an *Anti-Doping Rule Violation*.

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

5.6. *Possession of Prohibited Substances* or *Prohibited Methods*.

5.6.1. *Possession* by a *Player In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by a *Player Out-of-Competition* of any *Prohibited Method* or *Prohibited Substance* which is prohibited *Out-of-Competition* unless the *Player* establishes that the *Possession* is pursuant to a *Therapeutic Use Exemption* granted in accordance with Article 8 (*Therapeutic Use*) or other acceptable justification.

5.6.2. *Possession* by a *Player Support Personnel In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by a *Player Support Personnel Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited *Out-of-*

Competition in connection with a *Player*, *Competition* or training, unless the *Player Support Personnel* establishes that the *Possession* is pursuant to a *Therapeutic Use Exemption* granted to a *Player* in accordance with Article 8 (*Therapeutic Use*) or other acceptable justification.

5.7. *Trafficking* or *Attempted Trafficking* in any *Prohibited Substance* or *Prohibited Method*.

Note: This Article 5.7 shall not include Trafficking for validated therapeutic purposes in the legal exercise of professional, medical and pharmaceutical treatment of a disease process.

5.8. Administration or *Attempted* administration to any *Player In-Competition* of any *Prohibited Method* or *Prohibited Substance*, or administration or *Attempted* administration to any *Player Out-of-Competition* of any *Prohibited Method* or any

Prohibited Substance that is prohibited Out-of-Competition, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an Anti-Doping Rule Violation or any Attempted Anti-Doping Rule Violation.

6. Proof of Doping

6.1. Burdens and Standards of Proof.

The CFU shall have the burden of establishing that an *Anti-Doping Rule Violation* has occurred. The standard of proof shall be whether CFU has established an *Anti-Doping Rule Violation* to the comfortable satisfaction of the *CFU Anti-Doping Committee* bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond reasonable doubt. Where these Anti-Doping Rules place the burden of proof upon the *Player* or other *Person* alleged to have committed an *Anti-Doping Rule Violation* to rebut a presumption or establish specified facts or circumstances, the standard of proof is by a balance of probability.

6.2. Methods of Establishing Facts and Presumptions.

Facts related to *Anti-Doping Rule Violations* may be established by any reliable means, including admissions. The following rules of proof shall be applicable in *Doping* cases:

6.2.1. WADA-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratories. The *Player* or other *Person* may rebut this presumption by establishing that a departure from the *International Standard* for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the *Player* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*, then CFU has the burden to establish that the departure did not cause the *Adverse Analytical Finding*.

6.2.2. Departures from any other *International Standard* or other anti-doping rule or policy that did not cause an *Adverse Analytical Finding* or other *Anti-Doping Rule Violation* will not invalidate the results. If the *Player* or other *Person* establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse Analytical Finding* or other *Anti-Doping Rule Violation* occurred, then CFU shall have the burden of establishing that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the *Anti-Doping Rule Violation*.

6.2.3. 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 *Player* or other *Person* to whom the decision pertained of those facts unless the *Player* or other *Person* establishes that the decision violated principles of natural justice.

6.2.4. The *CFU Anti-Doping Committee* in a hearing on an *Anti-Doping Rule Violation* may draw an inference adverse to the *Player* or other *Person* who is asserted to have committed an *Anti-Doping Rule Violation* based on the *Player* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or by telephone as directed by the tribunal) and to answer questions from the *CFU Anti-Doping Committee* or CFU asserting the *Anti-Doping Rule Violation*.

7. The Prohibited List

7.1. CFU's *Prohibited List*.

These Anti-Doping Rules incorporate the *Prohibited List* which is published and revised by WADA as described in Article 4.1 of the *WADA Code* and changes from time to time. If WADA has expanded the *Prohibited List* for the ICC, these Anti-Doping Rules incorporate the *Prohibited List* as so expanded.

7.2. Prohibited Substances and Prohibited Methods Identified on the Prohibited List.

All *Persons* and other entities listed in Article 2 shall be bound by any changes to the *Prohibited List* provided CFU or any *Members* have taken reasonable steps to bring the amended *Prohibited List* to the attention of the *Players* and *Player Support Personnel*. For the avoidance of doubt, publication on CFU's website (www.cricket.com.au) shall be deemed to satisfy the preceding sentence.

7.3. Criteria for Including *Prohibited Substances* and *Prohibited Methods* on the *Prohibited List*.

WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* shall be final and shall not be subject to challenge by a *Player* or other *Person* based on any reason, including any argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of cricket.

7.4. Specified Substances

For purposes of the application of Article 15, all *Prohibited Substances* shall be "*Specified Substances*" except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. *Prohibited Methods* shall not be *Specified Substances*.

8. Therapeutic Use

8.1. The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (Article 5.1), *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (Article 5.2), *Possession* of *Prohibited Substances* and *Prohibited Methods* (Article 5.6) or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method* (Article 5.8) consistent with

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the provisions of an applicable and current *Therapeutic Use Exemption* shall not be considered an *Anti-Doping Rule Violation*.

- 8.2. *Players* with a documented medical condition requiring the *Use* of a *Prohibited Substance* or a *Prohibited Method* must first obtain a *Therapeutic Use Exemption* from the *CFU Anti-Doping Medical Advisor* and/or a *Recognised Medical Authority* in accordance with the *International Standard for Therapeutic Use Exemptions* and these *Anti-Doping Rules*.
- 8.3. *Players* must inform *CFU* immediately in writing upon obtaining a *Therapeutic Use Exemption*.
- 8.4. An application for a *Therapeutic Use Exemption* for the *Use* by a *Player* of a *Prohibited Substance* or *Prohibited Method* must be made by the *CFU Medical Advisor* and must include:

- 8.4.1. a relevant medical history;
- 8.4.2. a description or diagnosis of the *Player's* medical condition;
- 8.4.3. the proposed treatment, treatment level (i.e. dose) and length of the treatment;
- 8.4.4. verification that there is no alternative medication suitable for treatment that does not contain *Prohibited Substances* or *Prohibited Methods*;
- 8.4.5. consent for the transmission of all information pertaining to the application to the *CFU Anti-Doping Medical Advisor*, and/or a *Recognised Medical Authority* provided it is transmitted on the basis that it is to be used only in connection with the application and confidentiality respected so far as reasonably practicable; and
- 8.4.6. details of any prior or pending requests for a *Therapeutic Use Exemption*.

Note: So far as is practicable, all applications must use the standard Recognised Medical Authority form (as applicable from time to time). In urgent situations application may be made to the CFU Anti-Doping Medical Advisor by telephone (the mobile number for the CFU Anti-Doping Medical Advisor can be obtained from CFU's General Counsel or Legal Counsel (03 9653 9999)).

- 8.5. The *Player* must bear all costs of any application for a *Therapeutic Use Exemption*.
- 8.6. The *CFU Anti-Doping Medical Advisor* and/or a *Recognised Medical Authority* may reasonably require the *Player* to provide additional information and may also require the *Player* to undergo a medical examination by the *CFU Anti-Doping Medical Advisor* or the nominee of the *CFU Anti-Doping Medical Advisor* and/or a *Recognised Medical Authority*.
- 8.7. The *CFU Anti-Doping Medical Advisor* may seek independent advice from a *Recognised Medical Authority* (or elsewhere as thought appropriate) in determining whether to issue a *Therapeutic Use Exemption*.
- 8.8. The *CFU Anti-Doping Medical Advisor* and/or a *Recognised Medical Authority* shall take into account the following criteria when determining whether to issue a *Therapeutic Use Exemption*:
 - 8.8.1. whether the *Player* would experience significant impairment of, or risk to, his or her health if the *Prohibited Substance* and/or *Prohibited Method* were not used;
 - 8.8.2. whether any enhancement over and above the *Player's* level of performance (if not using the *Prohibited Substance* and/or *Prohibited Method*) would result from the use of the *Prohibited Substance* and/or *Prohibited Method* as medically prescribed;

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Note: The use of a Prohibited Substance and/or Prohibited Method to increase “low-normal” levels of any endogenous hormone is not considered an acceptable use for the purposes of a Therapeutic Use Exemption.

- 8.8.3. whether the *Player* would be readily able to use the *Prohibited Substance* and/or *Prohibited Method* if he or she were not competing in the *Competition*;
- 8.8.4. whether a permitted alternative medication can be substituted for the *Prohibited Substance* and/or *Prohibited Method*;
- 8.8.5. the *International Standard for Therapeutic Use Exemptions*;
- 8.8.6. the best interests of the game of cricket; and
- 8.8.7. any other matters the *CFU Anti-Doping Medical Advisor* and/or a *Recognised Medical Authority* (as the case may be) considers appropriate.

Note: A Therapeutic Use Exemption ought not, unless in the most exceptional cases, be issued for the Use of an anabolic androgenic steroid or peptide hormone or analogue. If a Therapeutic Use Exemption is sought for the Use of an anabolic androgenic steroid or peptide hormone or analogue, it must be referred to a Recognised Medical Authority.

- 8.9. The *CFU Anti-Doping Medical Advisor* and/or a *Recognised Medical Authority* (as the case may be) may in his, her or its absolute discretion issue a *Therapeutic Use Exemption* in accordance with the *International Standard for Therapeutic Use Exemptions* for the *Use* of the *Prohibited Substance* and/or *Prohibited Method* and may give such authorisation upon such terms and conditions as he, she or it (as the case may be) deems appropriate in his, her or its (as the case may be) absolute discretion.

Note: The Therapeutic Use Exemption may, for example, specify the permitted dose, require the Prohibited Substance to be administered only by the CFU Medical Advisor or require the CFU Medical Advisor to certify that only the authorised dose has been administered and specify a regime for ongoing testing.

- 8.10. Where the *CFU Anti-Doping Medical Advisor* and/or a *Recognised Medical Authority* (as the case may be), as a condition of a *Therapeutic Use Exemption*, specifies a regime for ongoing testing, the *Player* must bear the cost of such testing.
- 8.11. If a *Player* does play after receipt of a *Therapeutic Use Exemption*, the act of playing is deemed to be his acceptance and agreement to the conditions, if any, attaching to the *Therapeutic Use Exemption*.
- 8.12. Any appeal by a *Person* (including *CFU*) from a determination by the *CFU Anti-Doping Medical Advisor* to deny or grant a *Therapeutic Use Exemption* to a *Player* must be to a *Recognised Medical Authority* in accordance with any current procedures of a *Recognised Medical Authority*. Any determination by a *Recognised Medical Authority* of the appeal should take into account the criteria in Article 8.8 above.
- 8.13. Any appeal by a *Person* (including *CFU*) from a determination by a *Recognised Medical Authority* to deny or grant a *Therapeutic Use Exemption* to a *Player* must be to the *Appeals Committee*. Any determination by *Appeals Committee* of the appeal should take into account the criteria in Article 8.8 above.
- 8.14. The *Player* must bear all costs of any appeal irrespective of the outcome.
- 8.15. A *Player* uses a *Prohibited Substance* and/or *Prohibited Method* for a therapeutic purpose if:

- 8.15.1. the Player had written approval prior to Testing from the CFU Anti-Doping Medical Advisor and/or a Recognised Medical Authority for the therapeutic use of the Prohibited Substance and/or Prohibited Method in accordance with these Anti-Doping Rules;
- 8.15.2. the level of the Prohibited Substance in the Sample is consistent with the approved Therapeutic Use Exemption and the Player has complied with all conditions advised by the CFU Anti-Doping Medical Advisor and/or Recognised Medical Authority with respect to the therapeutic use of the Prohibited Substance; and
- 8.15.3. the therapeutic use of the Prohibited Substance and/or Prohibited Method is not inconsistent with the Laws of Cricket.

8.16. CFU will promptly report any *Therapeutic Use Exemptions* obtained by a *Player* to the appropriate sports doping authority, once the relevant *Player* reports the *Therapeutic Use Exemption* to CFU.

9. Testing

9.1. Authority to Test.

All *Players* subject to *Doping Control* are liable to be selected for *In-Competition Testing* and *Out-of-Competition Testing* by an *Anti-Doping Organisation*. All *Players* subject to *Doping Control* agree to submit to *In-Competition Testing* and *Out-of-Competition Testing* (at any reasonable time or place, with notice or with *No Advance Notice*) by an *Anti-Doping Organisation*. This includes after matches, at training, at home or any other suitable facility. *Players* are liable to be selected for any number of drug tests; there is no maximum number.

9.2. Selection of *Players* for *Testing*.

Players may be randomly or specifically selected for *In-Competition Testing* and *Out-of-Competition Testing* by the relevant *Anti-Doping Organisation*. This selection may be on any basis or without justification. *Target Testing* is completely acceptable.

9.3. *Testing Standards*.

All *Testing* shall be conducted in conformity with the *International Standard for Testing* (which can be viewed at (www.WADA-ama.org) in force at the time of *Testing*).

9.4. *Results of Testing*

The results of all *In-Competition Testing* and *Out-of-Competition Testing* must be reported to CFU, which will act on the results of *In-Competition Testing* and *Out-of-Competition Testing* conducted by the relevant *Anti-Doping Organisation*.

10. Player Whereabouts Requirements

- 10.1. *Players* who are under contract to CFU must provide to CFU accurate and up-to-date whereabouts information and keep this information updated so as to enable *Out-of-Competition Testing*. This information must include all relevant details while the *Player* is on any period of leave (annual, parental or otherwise).
- 10.2. *Players* who are under contract to a *State Cricket Association* must provide to that *State Cricket Association* accurate and up-to-date whereabouts information and keep this information updated so as to enable *Out-of-Competition Testing*. This information must include all relevant details while the *Player* is on any period of leave.
- 10.3. The ultimate responsibility for providing whereabouts information, including the current telephone number most frequently used by the player to receive telephone calls at any given time rests with each *Player*.
- 10.4. *Players* designated in Articles 10.1 and 10.2 must:
 - 10.4.1. provide whereabouts information to CFU or the relevant *State Cricket Association* (as the case may be) at the beginning of each season;
 - 10.4.2. not deliberately or recklessly provide incorrect whereabouts information;
 - 10.4.3. not fail to update the whereabouts information within three days of the whereabouts information previously provided to CFU or a *State Cricket Association* (as the case may be) becoming out of date;
 - 10.4.4. not refuse to update the whereabouts information previously provided to CFU or a *State Cricket Association* (as the case may be) within three days of being requested to do so;
- 10.5. For the purposes of Article 5.4, a *Player* will be deemed to have committed an *Anti-Doping Rule Violation* if he or she commits a total of three *Whereabouts Failures* (which may be three *Filing Failures*, or three *Missed Tests*, or any combination of *Filing Failures* or *Missed Tests* adding up to three in total) in any 18-month period. This period is a rolling period that starts to run on each date that a *Player* commits a *Whereabouts Failure*.
- 10.6. A *Missed Test* will be declared in respect of a *Player* if and only if the *Player* for a period of 24 hours is not with his or her team, not at any of the places specified in the whereabouts information previously provided to CFU or a *State Cricket Association* (as the case may be) and does not answer the telephone when called on the current telephone number specified in the whereabouts information previously provided to CFU or a *State Cricket Association* (as the case may be) or respond to any message from the relevant *Anti-Doping Organisation* with respect to availability for *Out-of-Competition Testing*.
- 10.7. A second or subsequent *Missed Test* cannot be declared in respect of a *Player* unless the *Player* has received written notice from the relevant *Anti-Doping Organisation*, CFU or their *State Cricket Association* of the first (or second as the case may be) *Missed Test* of the *Player* and the *Player* has not provided an explanation, which is satisfactory to the relevant *Anti-Doping Organisation*, CFU or the relevant *State Cricket Association* (as the case may be), as to the circumstances of the first (or second as the case may be) *Missed Test*.
- 10.8. Notwithstanding anything else in these Anti-Doping Rules, if a *Player* is included in the appropriate sports doping authority's *Registered Testing Pool*, that *Player* must comply with the appropriate sports doping authority's requirements relating to athlete whereabouts.

11. Analysis of Samples

11.1. Purpose of Collection and Analysis of *Samples*

Samples shall be analysed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List*. *Samples* collected under these Anti-Doping Rules must be analysed in accordance with the principles set out in this Article 11.

11.2. Conduct of Testing

11.2.1. *Samples* collected pursuant to these Anti-Doping Rules and the carrying out of *Testing* must be in accordance with the relevant *International Standards*.

11.2.2. *Players* are obliged to comply with all appropriate requests of the *Anti-Doping Organisation* that requested the *Sample*.

11.2.3. *Players* will be given the opportunity to:

- disclose any medications recently taken; and
- record any comments in relation to the drug test, including any concerns in relation to the *Sample* collection process.

11.3. Standards for *Sample* Analysis and Reporting

Laboratories must analyse *Samples* and report results (which in no case shall include the names of any *Person*) in accordance with the relevant *International Standard*.

11.4. Minor Irregularities

Minor irregularities in *Testing*, which cannot reasonably be considered to have affected the results of otherwise valid tests, will have no effect on such results. Minor irregularities do not include the chain of custody of the *Sample*, improper sealing of the container(s) in which the *Sample* is stored, failure to request the signature of the *Player* or failure to provide the *Player* with an opportunity to be present or be represented at the opening and analysis of the “B” *Sample*.

11.5. Research on *Samples*

No *Sample* may be used for any purpose other than as described in Article 11.1 without the *Player’s* written consent. *Samples* used for purposes other than Article 11.1 shall have any means of identification removed such that they cannot be traced back to a particular *Player*.

12. Investigation of an Anti-Doping Rule Violation

12.1. Where CFU receives information that a *Person* may have committed an *Anti-Doping Rule Violation*, the CFU will investigate the matter.

12.2. Subject to Article 12.3, the ADCO will refer the matter to a hearing by the CFU *Anti-Doping Committee* if the CFU:

12.2.1. reasonably believes that a *Person* may have committed an *Anti-Doping Rule Violation*; or

12.2.2. receives a notice from an *Anti-Doping Organisation* that a *Person* may have committed an *Anti-Doping Rule Violation*.

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12.3. The *CFU* may decide not to refer the matter to a hearing by the *CFU Anti-Doping Committee* if the *Person* in writing acknowledges that he/she has committed an *Anti-Doping Rule Violation*; and waives the right to a hearing in relation to whether the *Person* committed an *Anti-Doping Rule Violation*; and what sanction will apply.

CFU may then apply a sanction as set out in Article 14 and/or Article 15.

12.4. If the *ADCO* refers the matter to a hearing under Article 12.2, the *ADCO* will send the *Person* a letter that:

12.4.1. notifies the *Person* which of these Anti-Doping Rule(s) appear(s) to have been violated and the basis of the violation(s);

12.4.2. states that the *ADCO* will refer the matter to a hearing unless either the *Person* gives the *ADCO* a written waiver pursuant to Article 12.3 or the *Person* does not respond within 14 days from the date of the letter;

12.4.3. specifies the proposed date, time and (if practicable) the place of the hearing (being not less than 14 days from the date of the letter); and d) encloses either a copy of these Anti-Doping Rules or the website address where these Anti-Doping Rules can be located.

The proposed date, time and place of the hearing specified in the letter may be changed by the *ADCO* in his or her discretion at any time prior to the hearing having regard to relevant circumstances (such as the convenience of the members of the *CFU Anti-Doping Committee*). If the *Person* does not respond to the letter within 14 days a hearing can be held in absentia or *CFU* may apply a sanction in accordance with Article 14 and/or Article 15.

12.5. The *ADCO* may withdraw the referral to a hearing at any time until the hearing commences if the *Person* gives a written waiver under Article 12.3. A *Person* alleged to have committed an *Anti-Doping Rule Violation* has a right to a hearing unless the *Person* gives a written waiver under Article 12.3. Notwithstanding Article 12.3, a *Person* who has acknowledged that they have committed an *Anti-Doping Rule Violation* may request a hearing by the *CFU Anti-Doping Committee* on sanction only.

12.6. The *CFU Anti-Doping Committee* will determine:

12.6.1. whether the *Person* has committed an *Anti-Doping Rule Violation* and, if so;

12.6.2. what sanction will apply; and c) for how long the sanction will apply.

12.7. Hearings pursuant to this Article 12 shall be completed expeditiously and in all cases, unless there are exceptional circumstances, within three months of the date of the infraction notice described in Article 12.5.

12.8. Hearing decisions shall not be subject to further administrative review at the national level except as provided in Article 18 or required by applicable law.

12.9. Hearing decisions, whether as the result of a hearing or the *Player* or other *Person's* acceptance of sanctions, may be appealed as provided in Article

12.10. Subject in all circumstances to Article 14, a *Person* alleged to have committed an *Anti-Doping Rule Violation* may continue to train, compete, coach or hold office until a hearing before the *CFU Anti-Doping Committee* is held, and pending any sanction which may be imposed by the *CFU Anti-Doping Committee*. However, in the interests of fair play and the objects of these Anti-Doping Rules, CFU encourages *Players* to stop competing between the time of the allegation of the commission of an *Anti-Doping Rule Violation* and either the hearing before the *CFU Anti-Doping Committee* or the imposition of a sanction pursuant to Article 12.3 as the case may be.

12.11. Any irregularity in an infraction notice described in Article 12.5 shall not invalidate that notice unless the *CFU Anti-Doping Committee* determines that the irregularity is such as to give rise to genuine unfairness. If that occurs, a fresh notice may be issued.

12.12. Review of A typical Findings

As provided in the *International Standards*, in some circumstances laboratories are directed to report the presence of *Prohibited Substances*, which may also be produced endogenously, as *Atypical Findings* subject to further investigation. Upon receipt of an *A Sample Atypical Finding*, the *Anti-Doping Organization* responsible for results management shall conduct a review to determine whether: (a) an applicable *Therapeutic Use Exemption* has been granted, or (b) there is any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Atypical Finding*. If that review does not reveal an applicable *Therapeutic Use Exemption* or departure that caused the *Atypical Finding*, the *CFU* shall conduct the required investigation. After the investigation is completed, the *Player* and *CFU* shall be notified whether or not the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*. The *Player* shall be notified as provided in Article 12.5.

13. Conduct of Hearings

13.1. Subject to Article 6 of these Anti-Doping Rules, the *CFU Anti-Doping Committee*:

13.1.1. will conduct the hearing in private and otherwise in the manner the *CFU Anti-Doping Committee* determines and will conduct the hearing

- with as little formality and technicality; and
- as quickly as proper consideration of the matter permits;

13.1.2. may conduct the hearing by telephone or other conference facility;

13.1.3. may examine and cross-examine witnesses;

13.1.4. may appoint a legal representative or other person to assist it;

13.1.5. may ask the *CFU Anti-Doping Medical Advisor* to act as an expert witness at the hearing; and

13.1.6. may allow the person alleged to have committed an *Anti-Doping Rule Violation* to:

- examine and cross-examine witnesses; and
- be assisted by a legal representative or other person.

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The parties will bear their own costs of preparing for and attending the hearing. CFU will bear the costs of the *CFU Anti-Doping Committee* and other costs of an administrative nature (e.g. room hire, recording, etc) as it deems appropriate.

- 13.2. Subject to Article 6.2 of these Anti-Doping Rules, the *CFU Anti-Doping Committee* will accept the result of a test conducted by an *Anti-Doping Organisation*.
- 13.3. The *CFU Anti-Doping Committee* will give the *CFU CEO* a written statement of:
- 13.3.1. the findings of the hearing;
 - 13.3.2. what sanction (if any) will apply; and c) how long the sanction (if any) will apply.
- 13.4. A player may dispute the findings of the hearing
- 13.5. In the event of a challenge or appeal, the CFU will establish a suitably qualified tribunal to hear the appeal.
- 13.6. In the event of such an appeal by a player the tribunal decision will be final
- 13.7. Where:
- 13.7.1. a document is sought to be used as evidence in a hearing of the CFU Anti-Doping Committee or Appeals Committee and the document is of, or has been, created by the CFU Anti-Doping Medical Advisor or an Anti-Doping Organisation (or a servant or agent acting in that capacity); and
 - 13.7.2. a copy of the document has been made available a reasonable time prior to the hearing, the document shall be admitted as evidence of its contents (without the need to call the maker of the document) and given such weight as the CFU Anti-Doping Committee or Appeals Committee considers appropriate in all circumstances. This rule does not limit the circumstances in which the CFU Anti-Doping Committee or Appeals Committee may admit other documents into evidence.

14. Provisional Suspensions

- 14.1. If the *ADCO* refers an alleged *Anti-Doping Rule Violation* to a hearing under Article 12.2 but the *Player* is or may be selected to play in a cricket match before the date of that hearing, the *CFU Anti-Doping Committee* will, at the request of the *ADCO*, conduct a preliminary hearing to determine whether or not the *Player* should be subject to a *Provisional Suspension* pending the outcome of the substantive hearing. Where an *A Sample Adverse Analytical Finding* is received for a *Prohibited Substance*, other than a *Specified Substance*, such *Provisional Suspension* shall be imposed provided, however, that a *Provisional Suspension* may not be imposed unless the *Player* is given either:
- 14.1.1. an opportunity for a *Provisional Hearing* either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or

14.1.2. an opportunity for an expedited hearing in accordance with Article 13 on a timely basis after imposition of the *Provisional Suspension*.

If the *CFU Anti-Doping Committee* decides that the *Player* should be subject to a *Provisional Suspension*, and the *CFU Anti-Doping Committee* finds that the *Player* would otherwise have been selected in matches the subject of the *Provisional Suspension*, the *Player* shall be stood down on full pay pending the outcome of the substantive hearing.

14.2. If a *Provisional Suspension* is imposed under Article 14.1, either the hearing in accordance with this Article 14 shall be advanced to a date which avoids substantial prejudice to the *Person*, or the *Person* shall be given an opportunity for a *Provisional Hearing* before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*.

CFU may apply the *Provisional Suspension*: a) from the date of the infraction notice; b) following the 14-day submission period; or c) as deemed appropriate by CFU until the outcome of the substantive hearing.

14.3. If the *CFU Anti-Doping Committee* ultimately finds that the *Player* has committed an *Anti-Doping Rule Violation* and a sanction is imposed, the *Player* will forfeit his right to remuneration during the period in which he was ordered by the *CFU Anti-Doping Committee* not to play in any cricket matches. If the circumstances of the case require, the Chairman of the *CFU Anti-Doping Committee* may conduct the preliminary hearing alone.

15. Sanctions on Individuals

15.1. ***Disqualification of Results in the Event During which an Anti-Doping Rule Violation Occurs***

An *Anti-Doping Rule Violation* occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Player's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 15.1.1.

15.1.1. If the *Player* establishes that he or she bears *No Fault or Negligence* for the violation, the *Player's* individual results in the other *Competitions* shall not be *Disqualified* unless the *Player's* results in *Competitions* other than the *Competition* in which the *Anti-Doping Rule Violation* occurred were likely to have been affected by the *Player's Anti-Doping Rule Violation*.

15.2. ***Imposition of Ineligibility for Presence, Use or Attempted Use, or Possession of Prohibited Substances and Prohibited Methods***

Except, in all cases, for the *Specified Substances* identified in Article 15.5, the period of *Ineligibility* imposed for a violation of Article 5.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 5.2 (*Use or Attempted Use of Prohibited Substance or Prohibited Method*) and Article 5.6 (*Possession of Prohibited Substances and Prohibited Methods*) shall be as follows, unless the conditions for eliminating or reducing the period of

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Ineligibility, as provided in Articles 15.5 and 15.6, or the conditions for increasing the period of *Ineligibility*, as provided in Article 15.7, are met:

First violation: Two (2) years' *Ineligibility*.

15.3. *Ineligibility for Other Anti-Doping Rule Violations.*

The period of *Ineligibility* for *Anti-Doping Rule Violations* other than as provided in Article 15.2 shall be as follows:

15.3.1. For violations of Article 5.3 (refusing or failing to submit to *Sample* collection) or Article 5.5 (*Tampering with Doping Control*), the *Ineligibility* period shall be two (2) years and the *CFU Anti-Doping Committee* will impose all of the sanctions referred to in clauses (a) and (b) of the definition of *Consequences of Anti-Doping Rule Violations* unless the conditions provided in Article 15.5 or Article 15.6 are met.

15.3.2. For violations of Article 5.7 (*Trafficking*) or Article 5.8 (Administration or *Attempted Administration of Prohibited Substance or Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility* and the *CFU Anti-Doping Committee* will impose all of the sanctions referred to in clauses (a) and (b) of the definition of *Consequences of Anti-Doping Rule Violations* unless the conditions provided for in Article 15.5 are met. An *Anti-Doping Rule Violation* involving a *Minor* shall be considered a particularly serious violation and, if committed by *Player Support Personnel* for violations other than those involving *Specified Substances*, shall result in lifetime *Ineligibility* for *Player Support Personnel*. In addition, significant violations of Articles 5.7 or 5.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

15.3.3. For violations of Article 5.4 (*Whereabouts Filing Failures and/or Missed Tests*), the period of *Ineligibility* shall be at a minimum one (1) year and at a maximum two (2) years based on the *Player's* degree of fault.

Note: *The sanction shall be two years where all three Filing Failures and/or Missed Tests are inexcusable. Otherwise, the sanction shall be assessed in the range of two years to one year, based on the circumstances of the case.*

15.4. *Additional Sanctions.*

In addition to the sanctions outlined in Articles 15.2 and 15.3 that can be imposed on a *Person* for an *Anti-Doping Rule Violation*, the *CFU Anti-Doping Committee* (and any presiding *Appeals Committee*) may also impose any of the other sanctions referred to in clauses (a), (b) and (c) of the definition of *Consequences of Anti-Doping Rule Violations* and may require the *Person* to go to counselling for a specified period and/or fine the *Person*.

15.5. Elimination or Reduction of the Period of *Ineligibility* for *Specified Substances* under Specific Circumstances.

Where a *Player* or other *Person* can establish how a *Specified Substance* entered his or her body or came into his or her *Possession* and that such *Specified Substance* was not intended to enhance the *Player's* sport performance or mask the *Use* of a performance-enhancing substance, the period of *Ineligibility* found in Article 15.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, two (2) year's *Ineligibility*.

To justify any elimination or reduction, the *Player* or other *Person* must produce corroborating evidence in addition to his or her word which establishes on the balance of probabilities to the *CFU Anti-Doping Committee* or *Appeals Committee*, as the case may be, the absence of an intent to enhance sport performance or mask the *Use* of a performance enhancing substance. The *Player's* or other *Person's* degree of fault shall be the criterion considered in assessing any reduction of the period of *Ineligibility*.

Note: Examples of the type of objective circumstances which in combination might lead the CFU's Anti-Doping Committee or Appeals Committee, as the case may be, to be satisfied on the balance of probabilities of no performance-enhancing intent would include: the fact that the nature of the Specified Substance or the timing of its ingestion would not have been beneficial to the Player; the Player's open Use or disclosure of his or her Use of the Specified Substance; and a contemporaneous medical records file substantiating the non-sport related prescription for the Specified Substance.

15.6. Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances.

15.6.1. *No Fault or Negligence*

If a *Player* establishes in an individual case involving an *Anti-Doping Rule Violation* that he or she bears *No Fault or Negligence*, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in a *Player's Sample* in violation of Article 5.1 (presence of *Prohibited Substance*), the *Player* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the *Player* establishes *No Fault or Negligence*, then no period of *Ineligibility* shall be imposed on the *Player* and the conduct shall not be considered an *Anti-Doping Rule Violation*.

15.6.2. *No Significant Fault or Negligence*

If a *Player* or other *Person* establishes in an individual case that he or she bears *No Significant Fault or Negligence*, then the otherwise applicable period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of

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Ineligibility is a lifetime, the reduced period under this Article may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in a *Player's Sample* in violation of Article 5.1 (presence of *Prohibited Substance*), the *Player* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

Note: *Article 15.6.2 may be applied to any Anti-Doping Rule Violation even though it will be especially difficult to meet the criteria for a reduction for those Anti-Doping Rule Violations where knowledge is an element of the violation.*

A sanction cannot be completely eliminated on the basis of No Fault or Negligence in the following circumstances: (a) a positive test resulting from a mislabelled or contaminated vitamin or nutritional supplement (Players are responsible for what they ingest (Article 5.1.1) and have been warned against the possibility of supplement contamination); (b) the administration of a Prohibited Substance by the Player's personal physician or trainer without disclosure to the Player (Players are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Player's food or drink by a spouse, coach, or other Person within the Player's circle of associates (Players are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction based on No Significant Fault or Negligence. (For example, reduction may well be appropriate in illustration (a) if the Player clearly establishes that the cause of the positive test was contamination in a common multiple vitamin purchased from a source with no connection to Prohibited Substances and the Player exercised care in not taking other nutritional supplements.) For purposes of assessing the Player's or other Person's fault under Articles 15.6.1 and 15.6.2, the evidence considered must be specific and relevant to explain the Player's or other Person's departure from the expected standard of behaviour. Thus, for example, the fact that an Player would lose the opportunity to earn large sums of money during a period of Ineligibility or the fact that the Player only has a short time left in his or her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of Ineligibility under this Article.

While Minors are not given special treatment per se in determining the applicable sanction, certainly youth and lack of experience are relevant factors to be assessed in determining the Player's or other Person's fault under Article 15.6.2, as well as Articles 15.3.3, 15.5 and 15.6.1.

Article 15.6.2 should not be applied in cases where Articles

15.3.3 or 15.5 apply, as those Articles already take into consideration the Player's or other Person's degree of fault for purposes of establishing the applicable period of Ineligibility.

15.6.3. Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

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The *CFU Anti-Doping Committee* may, prior to a final appellate decision under Article 18 or the expiration of the time to appeal, suspend a part of the period of *Ineligibility* imposed in an individual case where the *Player* or other *Person* has provided *Substantial Assistance* to CFU, the appropriate sports doping authority or any other *Anti-Doping Organisation*, criminal authority or a professional disciplinary body which results in CFU (or the *CFU Anti-Doping Committee*, as the case may be) or the appropriate sports doping authority or any other *Anti-Doping Organisation* discovering or establishing an *Anti-Doping Rule Violation* by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offence or breach of professional rules by another *Person*. After a final appellate decision under Article 18 or the expiration of time to appeal, CFU (or the *CFU Anti-Doping Committee*, as the case may be) or the appropriate sports doping authority or any other *Anti-Doping Organisation* may only suspend a part of the otherwise applicable period of *Ineligibility* with the approval of WADA and the ICC. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the *Anti-Doping Rule Violation* committed by the *Player* or other *Person* and the significance of the *Substantial Assistance* provided by the *Player* or other *Person* to the effort to eliminate doping in sport. 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 Article must be no less than 8 years. If CFU subsequently reinstates any part of the suspended period of *Ineligibility* because the *Player* or other *Person* has failed to provide the *Substantial Assistance* which was anticipated, the *Player* or other *Person* may appeal the reinstatement pursuant to Article 18.2.

Note: Factors to be considered in assessing the importance of the *Substantial Assistance* would include, for example, the number of individuals implicated, the status of those individuals in the sport, whether a scheme involving *Trafficking* under Article 5.7 or *Administration* under Article 5.8 is involved and whether the violation involved a substance or method which is not readily detectible in *Testing*. The maximum suspension of the *Ineligibility* period shall only be applied in very exceptional cases. An additional factor to be considered in connection with the seriousness of the *Anti-Doping Rule Violation* is any performance-enhancing benefit which the *Person* providing *Substantial Assistance* may be likely to still enjoy. As a general matter, the earlier in the results management process the *Substantial Assistance* is provided, the greater the percentage of the otherwise applicable period of *Ineligibility* may be suspended.

If the *Player* or other *Person* who is asserted to have committed an *Anti-Doping Rule Violation* claims entitlement to a suspended period of *Ineligibility* under this Article in connection with the *Player's* or other *Person's* waiver of a hearing under Article 12.6 (*Waiver of Hearing*), the *CFU Anti-Doping Committee* shall determine whether a suspension of a portion of the period of *Ineligibility* is appropriate under this Article. If the *Player* or other *Person* claims entitlement to a suspended period of *Ineligibility* before the conclusion of a hearing under Article 12 on the *Anti-Doping Rule Violation*, the *CFU Anti-Doping Committee* shall determine whether a suspension of a portion of the otherwise applicable period of *Ineligibility* is appropriate under this Article at the same time the *CFU Anti-Doping Committee* decides whether the *Player* or other *Person*

has committed an Anti-Doping Rule Violation. If a portion of the period of Ineligibility is suspended, the decision shall explain the basis for concluding the information provided was credible and was important to discovering or proving the Anti-Doping Rule Violation or other offense or breach. If the Player or other Person claims entitlement to a suspended period of Ineligibility after a final decision finding an Anti-Doping Rule Violation has been rendered and is not subject to appeal under Article 18, but the Player or other Person is still serving the period of Ineligibility, the Player or other Person may apply to the ADCO to consider a suspension in the period of Ineligibility under this Article. Any such suspension of the otherwise applicable period of Ineligibility shall require the approval of CFU or the CFU Anti-Doping Committee as the case may be. If any condition upon which the suspension of a period of Ineligibility is based is not fulfilled, CFU, in consultation with the appropriate sports doping authority, shall reinstate the period of Ineligibility which would otherwise be applicable. Decisions rendered by CFU or the CFU Anti-Doping Committee under this Article may be appealed pursuant to Article 18.

This is the only circumstance under the Code where the suspension of an otherwise applicable period of Ineligibility is authorised.

15.6.4. Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence.

Where a *Player* or other *Person* voluntarily admits the commission of an *Anti-Doping Rule Violation* before having received notice of a *Sample* collection which could establish an *Anti-Doping Rule Violation* (or, in the case of an *Anti-Doping Rule Violation* other than Article 5.1, before receiving first notice of the admitted violation pursuant to Article 12.5) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.

15.6.5. Where a *Player* or Other *Person* Establishes Entitlement to Reduction in Sanction Under More than One Provision of this Article.

Before applying any reduction or suspension under Articles 15.6.2, 15.6.3 or 15.6.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 15.2, 15.3, 15.5 and 15.6. If the *Player* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 15.6.2, 15.6.3 or 15.6.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter of the otherwise applicable period of *Ineligibility*.

15.7. Aggravating Circumstances Which May Increase the Period of *Ineligibility*.

If CFU (or the *CFU Anti-Doping Committee* as the case may be) establishes in an individual case involving an *Anti-Doping Rule Violation* other than violations under Article 5.7 (*Trafficking or Attempted Trafficking*) and 5.8 (*Administration or Attempted Administration*) that aggravating circumstances are present that justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four years unless the *Player* or other *Person*

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can prove on the balance of probabilities to the *CFU Anti-Doping Committee* or *Appeals Committee*, as the case may be, that he or she did not knowingly commit the Anti-Doping Rule Violation.

A *Player* or other *Person* can avoid the application of this Article by admitting the *Anti-Doping Rule Violation* as asserted promptly after being confronted with the *Anti-Doping Rule Violation* by an *Anti-Doping Organisation*.

Note: *Examples of aggravating circumstances which may justify the imposition of a period of Ineligibility greater than the standard sanction are: the Player or other Person committed the Anti-Doping Rule Violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit Anti-Doping Rule Violations; the Player or other Person Used or Possessed multiple Prohibited Substances or Prohibited Methods or Used or Possessed a Prohibited Substance or Prohibited Method on multiple occasions; a normal individual would be likely to enjoy the performance-enhancing effects of the Anti-Doping Rule Violation(s) beyond the otherwise applicable period of Ineligibility; the Player or Person engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an Anti-Doping Rule Violation.*

For the avoidance of doubt, these examples of aggravating circumstances are not exclusive and other aggravating factors may also justify the imposition of a longer period of Ineligibility.

15.8. Multiple Violations

15.8.1. Second Anti-Doping Rule Violation.

For a *Player's* or other *Person's* first *Anti-Doping Rule Violation*, the period of *Ineligibility* is set forth in Articles 15.2 and 15.3 (subject to elimination, reduction or suspension under Articles 15.5 or 15.6, or to an increase under Article 15.7). For a second *Anti-Doping Rule Violation* the period of *Ineligibility* shall be within the range set forth in the table below.

Second Violation First Violation	RS	FFMT	NSF	St	AS	TRA
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	life	life	life	life

The table is applied by locating the *Player's* or other *Person's* first *Anti-Doping Rule Violation* in the left-hand column and then moving across the table to the right to the

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column representing the second *Anti-Doping Rule Violation*. The *Player's* or other *Person's* degree of fault shall be the criterion considered in assessing a period of *Ineligibility* within the applicable range.

Definitions for the purposes of the second *Anti-Doping Rule Violation* table are as follows:

RS (Reduced sanction for *Specified Substance* under Article 15.5): The *Anti-Doping Rule Violation* was or should be sanctioned by a reduced sanction under Article 15.5 because it involved a *Specified Substance* and the other conditions under Article 15.5 were met.

FFMT (*Filing Failures* and/or *Missed Tests*): The *Anti-Doping Rule Violation* was or should be sanctioned under Article 15.3.3 (*Filing Failures* and/or *Missed Tests*).

NSF (Reduced sanction for *No Significant Fault or Negligence*): The *Anti-Doping Rule Violation* was or should be sanctioned by a reduced sanction under Article 15.6.2 because *No Significant Fault or Negligence* under Article 15.6.2 was proved by the *Player*.

St (Standard sanction under Article 15.2 or 15.3.1): The *Anti-Doping Rule Violation* was or should be sanctioned by the standard sanction of two years under Article 15.2 or 15.3.1.

AS (Aggravated sanction): The *Anti-Doping Rule Violation* was or should be sanctioned by an aggravated sanction under Article 15.7 because CFU (or the *CFU Anti-Doping Committee*, as the case may be) established the conditions set forth under Article 15.7.

TRA (*Trafficking* or *Attempted Trafficking* and *Administration* or *Attempted Administration*): The *Anti-Doping Rule Violation* was or should be sanctioned by a sanction under Article 15.3.2.

15.8.2. Application of Articles 15.6.3 and 15.6.4 to Second *Anti-Doping Rule Violation*.

Where a *Player* or other *Person* who commits a second *Anti-Doping Rule Violation* establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article

15.6.3 or Article 15.6.4, the *CFU Anti-Doping Committee* or *Appeals Committee*, as the case may be, shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table in Article 15.8.1, and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 15.6.3 and 15.6.4, must be at least one-quarter of the otherwise applicable period of *Ineligibility*.

15.8.3. Third *Anti-Doping Rule Violation*.

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 15.5 or involves a violation of Article 5.4 (*Whereabouts Failures*). In these particular cases, the period of *Ineligibility* shall be from eight years to a life ban.

15.8.4. Additional Rules for Certain Potential Multiple Violations.

15.8.4.1. For purposes of imposing sanctions under Article 15.8, a second or subsequent *Anti-Doping Rule Violation* will only be considered a further violation if CFU can establish that the *Player* or other *Person* committed the second or subsequent *Anti-Doping Rule Violation* after the *Player* or other *Person* received notice pursuant to Article 12.5, or after CFU made a reasonable attempt to give notice, of the prior *Anti-Doping Rule Violation*; if CFU 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 (Article 15.7).

15.8.4.2. **If, after the resolution of a first *Anti-Doping Rule Violation*, CFU discovers facts involving an *Anti-Doping Rule Violation* by the *Player* or other *Person* which occurred prior to notification regarding the first *Anti-Doping Rule Violation*, then CFU shall impose an additional sanction based on the sanction that could have been imposed if the two *Anti-Doping Rule Violations* would have been adjudicated at the same time. Results in all *Competitions* dating back to the earlier *Anti-doping Rule Violation* will be *Disqualified* as provided in Article 15.9.**

To avoid the possibility of a finding of aggravating circumstances (Article 15.7) on account of the earlier-in-time but later-discovered *Anti-Doping Rule Violation*, the *Player* or other *Person* must voluntarily admit the earlier *Anti-Doping Rule Violation* on a timely basis after notice of the *Anti-Doping Rule Violation* for which he or she is first charged. The same rule shall also apply when CFU discovers facts involving another prior *Anti-Doping Rule Violation* after the resolution of a second *Anti-Doping Rule Violation*.

15.8.5. Multiple *Anti-Doping Rule Violations* During Eight-Year Period.

For the purposes of Article 15.8, each *Anti-Doping Rule Violation* must take place within the same eight (8) year period in order to be considered multiple violations.

15.9. Disqualification of Results in *Competitions* Subsequent to *Sample* Collection or Commission of an *Anti-Doping Rule Violation*.

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample*, all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other *Anti-Doping Rule Violation* occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.

15.9.1. As a condition of regaining eligibility after being found to have committed an *Anti-Doping Rule Violation*, the *Player* must first repay all prize money forfeited under this Article.

15.10. Commencement of *Ineligibility* Period.

Except as provided below, the period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* imposed.

15.10.1. Delays Not Attributable to the *Player* or other *Person*.

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Player* or other *Person*, the *CFU Anti-Doping Committee* (or *CFU* if a sanction is imposed without a hearing in accordance with these *Anti-Doping Rules*) 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 *Anti-Doping Rule Violation* last occurred.

15.10.2. Timely Admission.

Where the *Player* or other *Person* promptly (which, in all events, for a *Player* means before the *Player* competes again in any *Competition*) admits the *Anti-Doping Rule Violation* after being confronted with the *Anti-Doping Rule Violation* by the *ADCO*, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another *Anti-Doping Rule Violation* last occurred. In each case, however, where this Article is applied, the *Player* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Player* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction or the date the sanction is otherwise imposed.

15.10.3. If a *Provisional Suspension* is imposed and respected by the *Player*, then the *Player* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed.

15.10.4. If a *Player* voluntarily accepts a *Provisional Suspension* in writing and thereafter refrains from competing, the *Player* 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 *Player's* voluntary acceptance of a *Provisional Suspension*

shall be provided promptly to each party entitled to receive notice of a potential *Anti-Doping Rule Violation* under these Anti-Doping Rules.

15.10.5.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 *Player* elected not to compete or was suspended by his or her team.

15.11. **Status During *Ineligibility*.**

15.11.1.**Prohibition Against Participation During *Ineligibility***

No *Player* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate during the *Ineligibility* period in any capacity in any *Competition* or *Event* or activity (other than authorised anti-doping education or rehabilitation programs and any *Events* or activities relating to the *Person's* achievements prior to his or her *Anti-Doping Rule Violation*) authorised or organised by any *Signatory*, *Signatory's* member organisation, or a club or other member organisation of a *Signatory's* member organisation, or in *Competitions* authorised or organised by any professional league or any international-or national-level *Event* organisation.

A *Player* or other *Person* subject to a period of *Ineligibility* longer than four (4) years may, after completing four (4) years of the period of *Ineligibility*, participate in local sport events in a sport other than the sport in which the *Player* or other *Person* committed the *Anti-Doping Rule Violation*, but only so long as the local sport event is not at a level that could otherwise qualify such *Player* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or international event.

A *Player* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

15.11.2.**Violation of the Prohibition of Participation During *Ineligibility*.**

Where a *Player* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 15.11.1, the period of *Ineligibility* which was originally imposed shall start over again as of the date of the violation, unless the *Player* or other *Person* can establish to the *CFU Anti-Doping Committee* or *Appeals Committee*, as the case may be, that he or she bears *No Fault or Negligence*. The new period of *Ineligibility* may be reduced under Article 15.6.2 if the *Player* or other *Person* establishes he or she bears *No Significant Fault or Negligence* for violating the prohibition against participation. The determination of whether a *Player* or other *Person* has violated the prohibition against participation, whether the *Player* has established *No Fault or Negligence* and whether a reduction under Article 15.6.2 is appropriate, shall be made by the *CFU Anti-Doping Committee* upon referral by the *ADCO* pursuant to Article 12.2, and such determinations may be appealed as provided in Article 18.

15.12. Reinstatement Testing.

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, a *Player* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by the *appropriate sports doping authority* and any other *Anti-Doping Organisation* having *Testing* jurisdiction, and must, if requested, provide current and accurate whereabouts information pursuant to Article 10. If a *Player* subject to a period of *Ineligibility* retires from sport and later seeks reinstatement, the *Player* shall not be eligible for reinstatement until the *Player* has notified CFU (in accordance with Article 21.4) and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of the period set forth in Article 21.7 or the period of *Ineligibility* remaining as of the date the *Player* had retired.

15.13. Enforcement of Sanctions.

CFU will, and will ensure that the *Members* will, enforce any sanctions applied by the *CFU Anti-Doping Committee* or the *Appeals Committee* if those sanctions are consistent with these Anti-Doping Rules.

15.14. Notifications

15.14.1.CFU:

- shall notify *the appropriate sports doping authority* and *Members*; and
- may notify any other person, organisation or body which it believes should be informed,

of the decision of the *CFU Anti-Doping Committee* and any sanctions imposed and subsequently notify the outcome of any appeal or review of sanctions by the *Appeals Committee*.

15.14.2.If the *CFU Anti-Doping Committee* or *Appeals Committee* provides written reasons for its decision (which it is expressly not required to do), the *ADCO* may, in his or her discretion, release those reasons to such persons as he or she sees fit (with or without the omission of sensitive material that may be contained in the reasons).

15.15. Press Releases

CFU has the right to issue a press release regarding any decisions of the *CFU Anti-Doping Committee* and *Appeals Committee* (including with respect to any *Provisional Hearing*) and to publish any reasons for such decisions.

16. Consequences to Teams

- 16.1. Where more than one *Player* in a *Team* has been notified under Article 12 of a possible *Anti-Doping Rule Violation* in connection with an *Event*, the *Team* shall be subject to *Target Testing* during the *Event Period*.
- 16.2. Save for those alleged violations where a *Player* establishes *No Fault or Negligence* or *No Significant Fault or Negligence*, if more than two *Players* in a *Team* are found to have committed an *Anti-Doping Rule Violation* during an *Event Period*, the team may be subject to *Disqualification* or other disciplinary action at the absolute discretion of the *CFU Anti-Doping Committee* in addition to any *Consequences of Anti-Doping Rule Violations* imposed upon the individual *Players* committing the *Anti-Doping Rule Violation*.

17. Review of a Finding of an *Anti-Doping Rule Violation* or a Sanction

- 17.1. A *Person* may make an application to the *ADCO* for review of a finding of an *Anti-Doping Rule Violation* or a sanction where new and relevant information becomes available which was:
- 17.1.1. not considered by the *CFU Anti-Doping Committee* at the hearing; and
- 17.1.2. not available to the *Person* at the time of the hearing.
- 17.2. The application must: a) be in writing; and b) set out the new and relevant information.
- 17.3. The *ADCO* will consider the application and if the *ADCO* considers it more probable than not that the new information would have altered either the finding of an *Anti-Doping Rule Violation* or the sanction, the *ADCO* will refer the application to the *CFU Anti-Doping Committee* to:
- 17.3.1. review the finding that the *Person* committed the *Anti-Doping Rule Violation*; and
- 17.3.2. decide whether to reduce, suspend or withdraw the sanction.
- 17.4. Any review conducted pursuant to Article 17.3 will apply Articles 4, 5, 6, 7, 8 and 15 of these Anti-Doping Rules.
- 17.5. A sanction will remain in force during the review unless the *CFU Anti-Doping Committee* decides otherwise.
- 17.6. The *ADCO* must inform:
- the *Person*;
 - the relevant *Member*;
 - the appropriate sports doping authority; and
 - CFU,

of any change to the original determination as a result of the review. The *ADCO* may then inform other *Persons* or organisations as the *ADCO* deems appropriate.

18. Appeals

18.1. Decisions Subject to Appeal.

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 18.2 through 18.4 or as otherwise provided in the *Code*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorised in Article 12.9 must be exhausted.

18.2. Appeals from Decisions Regarding *Anti-Doping Rule Violations*, Consequences, and Provisional Suspensions.

A decision that an *Anti-Doping Rule Violation* was committed, a decision imposing *Consequences* for an *Anti-Doping Rule Violation*, or a decision that no *Anti-Doping Rule Violation* was committed; a decision that an *Anti-Doping Rule Violation* proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Article 15.11.2 (prohibition of participation during *Ineligibility*); a decision that an *Anti-Doping Organisation* lacks jurisdiction to rule on an alleged *Anti-Doping Rule Violation* or its *Consequences*; a decision by an *Anti-Doping Organisation* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an *Anti-Doping Rule Violation*, or a decision not to go forward with an *Anti-Doping Rule Violation* after an investigation under Article 12.1; a decision by the *CFU Anti-Doping Medical Advisor* or by a *Recognised Medical Authority* to deny or grant *Therapeutic Use Exemptions*; and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 14.1 may be appealed exclusively as provided in this Article 18.2.

18.2.1. Appeals Involving *International-Level Players*

In cases arising from participation in an *International Event* or in cases involving *International-Level Players*, the decision may be appealed to CAS in accordance with the provisions applicable before such court or to the *Appeals Committee*. Any such appeal will apply Articles 5, 6, 7, 8, 18 and 19 of these Anti-Doping Rules.

18.2.2. In cases involving *Players* who do not have a right to appeal under Article 18.2.1, the appeal shall be to the *Appeals Committee*, and shall respect the following principles:

- a timely hearing;
- a fair, impartial and independent hearing body;
- the right to be represented by a counsel at the *Person's* expense; and
- a timely, written, reasoned decision.

Any such appeal will apply Articles 5, 6, 7, 8, 18 and 19 of these Anti-Doping Rules. The determination of the *Appeals Committee* body will be final and binding on the parties to the appeal and no *Person* may institute or maintain proceedings in any court or tribunal.

18.2.3. *Persons Entitled to Appeal*

In cases under Article 18.2.1, the following parties shall have the right to appeal to CAS:

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- the *Player* or other *Person* who is the subject of the decision being appealed;
- the other party to the case in which the decision was rendered;
- the *ICC*;
- *the appropriate sports doping authority*; and
- *WADA*.

If there is more than one party seeking to appeal, all appeals must be heard together and the outcome of that appeal binds all parties who had the right to appeal.

In cases under Article 18.2.2, the parties having the right to appeal to the *Appeals Committee* shall include the following parties:

- the *Player* or other *Person* who is the subject of the decision being appealed;
- the other party to the case in which the decision was rendered;
- *CFU*;
- the *ICC*;
- *the appropriate sports doping authority*; and
- *WADA*.

If there is more than one party seeking to appeal, all appeals must be heard together and the outcome of that appeal binds all parties who had the right to appeal.

For cases under Article 18.2.2, *the appropriate sports doping authority* and *WADA* shall also have the right to appeal to *CAS* with respect to the decision of the *Appeals Committee*. If both the appropriate sports doping authority and *WADA* seek to so appeal, these appeals must be heard together. Any party filing an appeal shall be entitled to assistance from *CAS* to obtain all relevant information from the *Anti-Doping Organisation* whose decision is being appealed and the information shall be provided if *CAS* so directs.

Notwithstanding any other provision herein, the only *Person* who may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

18.3. Failure to Render a Timely Decision by an Anti-Doping Organisation

Where, in a particular case, an *Anti-Doping Organisation* fails to render a decision with respect to whether an *Anti-Doping Rule Violation* was committed within a reasonable deadline set by *WADA*, *WADA* may elect to appeal directly to *CAS* as if the *Anti-Doping Organisation* had rendered a decision finding no *Anti-Doping Rule Violation*.

18.4. Appeals from Decisions Granting or Denying a Therapeutic Use Exemption (TUE).

Decisions by *WADA* reversing the grant or denial of a *TUE* may be appealed exclusively to *CAS* by the *Player* or the *Anti-Doping Organisation* whose decision was reversed. Decisions denying *TUEs* which are not reversed by *WADA*, may be appealed by *Players* to the *Appeals Committee*. If the *Appeals Committee* reverses the decision to deny a *TUE*, that decision may be appealed to *CAS* by *WADA*.

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When an *Anti-Doping Organisation* fails to take action on a properly submitted *TUE* application within a reasonable time, the failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

19. Mutual Recognition

- 19.1. Subject to the right to appeal provided in Article 18, the *Testing*, *TUEs* and hearing results or other final adjudications of any *Signatory* to the *Code* which are consistent with the *Code* and are within that *Signatory's* authority, shall be recognised and respected by CFU.
- 19.2. CFU may recognise the same determinations of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*. On being advised of such determination, CFU shall take all necessary action to render the determination effective.

20. Statute of Limitations

No action may be commenced under these Anti-Doping Rules against a *Player* or other *Person* for an *Anti-Doping Rule Violation* unless such action is commenced within eight years from the date the violation is asserted to have occurred.

21. Retirements and Comebacks

- 21.1. A *Player* may retire from *Competition* by notifying CFU in writing.
- 21.2. The *Player's* retirement date will be the date CFU receives the notice.
- 21.3. If a *Player* or other *Person* retires while a results management process is underway, the *Anti-Doping Organization* conducting the results management process retains jurisdiction to complete its results management process. If a *Player* or other *Person* retires before any results management process has begun, the *Anti-Doping Organization* which would have had results management jurisdiction over the *Player* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, has jurisdiction to conduct results management. Retirement does not:
 - 21.3.1. excuse the *Person* from giving a *Sample* requested on or before his or her retirement date, or a *Sample* requested as part of an investigation commenced prior to their retirement date;
 - 21.3.2. prevent the analysis of a *Sample* given by the *Person* on or before his or her retirement;
 - 21.3.3. affect the results of *Testing* under (a) or (b) above;
 - 21.3.4. affect the undertaking of any disciplinary proceedings pursuant to these Anti-Doping Rules; or

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21.3.5. excuse the *Person* from assisting, cooperating and liaising with CFU and any *Anti-Doping Organisation* in relation to the conduct of any investigation or hearing into an alleged *Anti-Doping Rule Violation*.

21.4. A *Person* may make a written request to CFU for reinstatement after their retirement. The request is taken to be made on the date CFU receives the request.

21.5. Reinstatement will be at the discretion of CFU.

21.6. These Anti-Doping Rules will apply to the *Person* from the date of his reinstatement request.

21.7. During the six month period following the reinstatement request the person may be tested:

21.7.1. as required by CFU; and

21.7.2. at the discretion of *the appropriate sports doping authority*.

22. Amendment and Interpretation of Anti-Doping Rules

22.1. These Anti-Doping Rules may be modified, updated or generally amended from time to time by CFU.

22.2. Except as provided in Article 22.6, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

22.3. The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

22.4. Article 1 and the Appendix 1 DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.

22.5. In applying these Anti-Doping Rules, CFU must have regard to the *Code*, including the comments annotating various provisions of the *Code* which shall be used, as appropriate, to interpret these Anti-Doping Rules.

22.6. These Anti-Doping Rules shall not apply retrospectively to matters pending before the date these Anti-Doping Rules came into effect.

22.7. Words in the singular include the plural and vice versa.

22.8. A *Person* includes a body corporate.

22.9. Reference to “including” and similar words are not words of limitation.

22.10. A word denoting any gender includes all genders.

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APPENDIX 1 - DEFINITIONS

TOPIC	DEFINITIONS
<u>Adverse Analytical Finding</u>	means the report from a laboratory or other WADA-approved entity that, consistent with the <i>International Standard</i> for Laboratories and related Technical Documents, identifies in a <i>Sample</i> the presence of a <i>Prohibited Substance</i> or its <i>Metabolites</i> or <i>Markers</i> (including elevated quantities of endogenous substances) or evidence of the <i>Use</i> of a <i>Prohibited Method</i> .
<u>ADCO</u>	means the <i>Anti-Doping Control Officer</i> appointed by CFU from time to time to give effect to these Anti-Doping Rules and, if no <i>Person</i> is appointed, the Chief Executive of CFU.
<u>CFU Anti-Doping Committee (CFUADC)</u>	means the <i>CFU Anti-Doping Committee</i> , appointed from time to time by the CFU, which is responsible for implementing this Anti-Doping Policy and developing testing and other facilities to ensure the goals of the Policy are met in practice. Until a national anti-doping agency is set in place, this committee will be entirely responsible for ensure proper practice in cricket of this Anti-Doping Policy.
<u>Anti-Doping Organisation</u>	means a <i>Signatory</i> that is responsible for adopting rules for initiating, implementing or enforcing any part of the <i>Doping Control</i> process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other <i>Major Event Organisations</i> that conduct <i>Testing</i> at their <i>Events</i> , WADA, International Federations, and <i>National Anti-Doping Organisations</i> .
<u>Anti-Doping Rule Violation</u>	means a breach of these Anti-Doping Rules pursuant to Articles 5.1-5.8.
<u>Appeals Committee</u>	means the <i>CFU Appeals Committee</i> appointed by the from time to time by the CFU to hear appeals against doping allegations.
<u>Attempt</u>	means purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an <i>Anti-Doping Rule Violation</i> , provided, however, there shall be no <i>Anti-Doping Rule Violation</i> based solely on an <i>Attempt</i> to commit a violation if the <i>Person</i> renounces the <i>Attempt</i> prior to it being discovered by a third party not involved in the <i>Attempt</i> .
<u>Atypical Finding</u>	means a report from a laboratory or other WADA-approved entity that requires further investigation as provided by the <i>International Standard</i> for Laboratories or related Technical Documents prior to the determination of an <i>Adverse Analytical Finding</i> .
<u>Code</u>	means the World Anti-Doping Code.

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TOPIC	DEFINITIONS
<u>Competition</u>	means any cricket match conducted under the jurisdiction, auspices or control of CFU.
<u>Consequences of Anti-Doping Rule Violations</u>	<p>means the consequences that may arise from a <i>Player's</i> or other <i>Person's</i> violation of these Anti-Doping Rules which may result in one or more of the following:</p> <p>a. <i>Ineligibility</i>, which means that <i>Player</i> or <i>Person</i> is barred for a specified period of time from participating in any <i>Competition</i>, <i>Event</i> or other activity or funding as provided in Article 15.10 including, without limitation,</p> <ul style="list-style-type: none"> (i) receiving direct or indirect funding or assistance from CFU, any <i>State Cricket Association</i> or <i>Territory Cricket Association</i> or any <i>Signatories</i>, <i>Signatories'</i> member organizations and governments; (ii) holding (or continuing to hold) any position with CFU or any <i>State Cricket Association</i> or <i>Territory Cricket Association</i> or a <i>Premier Grade Club</i> (including as a consultant, a coach, an officer or employee); (iii) receiving payment from CFU, a <i>State Cricket Association</i> or <i>Territory Cricket Association</i> or a <i>Premier Grade Club</i> in respect of his/her personal services; (iv) acting as a coach of any <i>Team</i> or as an official of any <i>Team</i> or an official in any <i>Competition</i> or <i>Event</i>; (v) attending any practice or training session with a <i>Team</i> or any member of a <i>Team</i>; and/or (vi) using facilities or equipment owned or controlled by CFU, a <i>State Cricket Association</i> or <i>Territory Cricket Association</i> or a <i>Premier Grade Club</i>; <p>b. <i>Disqualification</i>, which means the <i>Player's</i> results in a particular <i>Competition</i> or <i>Event</i> are invalidated, with all resulting consequences including forfeiture of any individual awards, placings and records; or</p> <p>c. <i>Provisional Suspension</i>, which means the <i>Player</i> or other <i>Person</i> is barred temporarily from participating in any <i>Competition</i> prior to the final decision at a hearing conducted under Article 13.</p>
<u>CFU Anti-Doping Medical Advisor</u>	means the <i>CFU Anti-Doping Medical Advisor</i> appointed by CFU from time to time. The duties of the <i>CFU Anti-Doping Medical Advisor</i> include suggesting amendments to, and implementation of, the requirements of these Anti-Doping Rules.
<u>Disqualification:</u>	See <i>Consequences of Anti-Doping Rules Violations</i> above.
<u>Doping</u>	has the meaning given to it by Article 4 of these Anti-Doping Rules.

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TOPIC	DEFINITIONS
<u>Doping Control</u>	means all steps and processes from test distribution planning, through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, <i>Sample</i> collection and handling, laboratory analysis, <i>Therapeutic Use Exemptions</i> , results management, hearings and appeals.
<u>Event</u>	means any official function or event organised by or under the control of or conducted, authorised or recognised by, CFU.
<u>Event Period</u>	means the time between the beginning and end of an <i>Event</i> , as established by CFU.
<u>Filing Failure</u>	means a failure by a <i>Player</i> to file current and accurate whereabouts information in accordance with these Anti-Doping Rules.
<u>In-Competition</u>	For the purpose of differentiating between <i>In-Competition</i> and <i>Out-of-Competition Testing</i> , an <i>In-Competition</i> test is a test where a <i>Player</i> is selected for <i>Testing</i> in connection with a specific <i>Competition</i> and the test is conducted on the day of the <i>Competition</i> .
<u>Ineligibility</u>	See <i>Consequences of Anti-Doping Rules Violations</i> above.
<u>International Event</u>	means a tournament/event where the International Olympic Committee, the International Paralympic Committee, an International Federation, a <i>Major Event Organisation</i> , or another international sport organisation is the ruling body for such tournament/event.
<u>International-Level Player</u>	means <i>Players</i> designated by one or more International Federations as being within the <i>Registered Testing Pool</i> for that International Federation.
<u>International Standard</u>	means a standard adopted by WADA in support of the <i>Code</i> . Compliance with an <i>International Standard</i> (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the <i>International Standard</i> were performed properly. <i>International Standards</i> shall include any Technical Documents issued pursuant to the <i>International Standard</i> .
<u>Marker</u>	means a compound, group of compounds or biological parameter(s) that indicates the <i>Use</i> of a <i>Prohibited Substance</i> or <i>Prohibited Method</i> .
<u>Member</u>	means a <i>Person</i> who, or body which, is a member of CFU (ie <i>State Cricket Associations</i>) or is affiliated with CFU (ie <i>Territory Cricket Associations</i>), or a <i>Person</i> who is a member of a body which is a member of or affiliated with CFU.
<u>Metabolite</u>	means any substance produced by a biotransformation process.

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<u>Minor</u>	means a natural <i>Person</i> who has not reached the age of majority as established by the applicable laws of his or her country of residence – for the purposes of Afghanistan this age will be 18 years of age.
<u>Missed Test</u>	means a failure by a <i>Player</i> to be available for <i>Testing</i> in accordance with Article 10 of these Anti-Doping Rules.
<u>National Anti-Doping Organization</u>	means the entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional Anti-Doping Organization for such countries.
<u>No Advance Notice</u>	means a <i>Doping Control</i> which takes place with no advance warning to the <i>Player</i> and where the <i>Player</i> is continuously chaperoned from the moment of notification through <i>Sample</i> provision.
<u>No Fault or Negligence</u>	means a <i>Player</i> 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 <i>Used</i> or been administered the <i>Prohibited Substance</i> or <i>Prohibited Method</i> .
<u>No Significant Fault or Negligence</u>	means a <i>Player</i> establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for <i>No Fault or Negligence</i> , was not significant in relationship to the <i>Anti-Doping Rule Violation</i> .
<u>Out-of-Competition</u>	means any <i>Doping Control</i> that is not <i>In-Competition</i> .
<u>Person</u>	means a natural person or an organisation or other entity, including a <i>Player</i> , <i>Player Support Personnel</i> and a <i>Member</i> .
<u>Player</u>	means a <i>Person</i> who participates (whether <i>In-Competition</i> or <i>Out of Competition</i>) in the sport of cricket under the jurisdiction or auspices of CFU or uses the facilities of CFU.
<u>Player Support Personnel</u>	means any coach, trainer, manager, agent, team staff, official, medical or paramedical personnel (where such personnel are employees or agents of CFU or any <i>Member</i>) working with or treating <i>Players</i> participating in or preparing for a <i>Competition</i> or any other <i>Person</i> who administers, manages, assists or is otherwise involved in or associated with any sporting activity conducted, authorised or recognised by CFU other than as a <i>Player</i> .

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<u>Possession</u>	means the actual, physical possession, or the constructive possession (which shall be found only if the <i>Person</i> has exclusive control over the <i>Prohibited Substance</i> or <i>Prohibited Method</i> or the premises in which a <i>Prohibited Substance</i> or <i>Prohibited Method</i> exists); provided, however, that if the <i>Person</i> does not have exclusive control over the <i>Prohibited Substance</i> or <i>Prohibited Method</i> or the premises in which a <i>Prohibited Substance</i> or <i>Prohibited Method</i> exists, constructive possession shall only be found if the <i>Person</i> knew about the presence of the <i>Prohibited Substance</i> or <i>Prohibited Method</i> and intended to exercise control over it. Provided, however, there shall be no <i>Anti-Doping Rule Violation</i> based solely on <i>Possession</i> if, prior to receiving notification of any kind that the <i>Person</i> has committed an <i>Anti-Doping Rule Violation</i> , the <i>Person</i> has taken concrete action demonstrating that the <i>Person</i> never intended to have possession and has renounced possession by explicitly declaring it to CFU or an <i>Anti-Doping Organisation</i> . Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a <i>Prohibited Substance</i> or <i>Prohibited Method</i> constitutes possession by the <i>Person</i> who makes the purchase.
<u>Prohibited List</u>	means the list identifying the <i>Prohibited Substances</i> and <i>Prohibited Methods</i> a current version of which is attached as Annexure A to these Anti-Doping Rules.
<u>Prohibited Method</u>	means any method so described on the <i>Prohibited List</i> .
<u>Prohibited Substance</u>	means any substance so described on the <i>Prohibited List</i> .
<u>Provisional Hearing</u>	means, for the purposes of Article 14, an expedited abbreviated hearing occurring prior to a hearing under Article 12 that provides the <i>Player</i> with notice and an opportunity to be heard in either written or oral form.
<u>Provisional Suspension</u>	See <i>Consequences of Anti-Doping Rule Violations</i> above.
<u>Recognised Medical Authority</u>	means ASDMAC or an authority recognised by ASDMAC, which may authorise the <i>Use</i> of a <i>Prohibited Substance</i> and/or <i>Prohibited Method</i> for a therapeutic purpose.
<u>Registered Testing Pool</u>	means the pool of <i>Players</i> established separately by each International Federation and <i>National Anti-Doping Organisation</i> who are subject to both <i>In-Competition</i> and <i>Out-of-Competition Testing</i> as part of that International Federation's or <i>National Anti-Doping Organisation's</i> test distribution plan.
<u>Sample/Specimen</u>	means any biological material collected for the purposes of <i>Doping Control</i> .

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<u><i>Specified Substance</i></u>	means substances identified as specified substances in the <i>Prohibited List</i> .
<u><i>Substantial Assistance</i></u> :	For the purpose of Article 15.6.3, a <i>Person</i> providing <i>Substantial Assistance</i> must: (a) fully disclose in a signed written statement all information he or she possesses in relation to <i>Anti-Doping Rule Violations</i> , and (b) 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 <i>Anti-Doping Organization</i> or CFU. 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.
<u><i>Tampering</i></u>	means 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 an <i>Anti-Doping Organisation</i> or to CFU or a <i>Member</i> .
<u><i>Target Testing</i></u>	means selection of <i>Players</i> for <i>Testing</i> where specific <i>Players</i> or groups of <i>Players</i> are selected on a non-random basis for <i>Testing</i> at a specified time.
<u><i>Team</i></u>	means the team from time to time officially selected to represent Australia or any <i>State Cricket Association</i> or <i>Territory Cricket Association</i> during a <i>Competition</i> .
<u><i>Testing</i></u>	means the parts of the <i>Doping Control</i> process involving test distribution planning, <i>Sample</i> collection, <i>Sample</i> handling, and <i>Sample</i> transport to the laboratory.
<u><i>Therapeutic Use Exemption (TUE)</i></u>	means <i>Therapeutic Use Exemption</i> in accordance with the <i>International Standard for Therapeutic Use Exemptions</i> .

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<u>Trafficking</u>	means selling, giving, transporting, sending, delivering or distributing a <i>Prohibited Substance</i> or <i>Prohibited Method</i> (either physically or by any electronic or other means) by a <i>Player</i> , <i>Player Support Personnel</i> or any other <i>Person</i> subject to the jurisdiction of an <i>Anti-Doping Organization</i> to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a <i>Prohibited Substance</i> used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving <i>Prohibited Substances</i> which are not prohibited in <i>Out-of-Competition Testing</i> unless the circumstances as a whole demonstrate such <i>Prohibited Substances</i> are not intended for genuine and legal therapeutic purposes. <u>Use</u> means the utilisation, application, ingestion, injection or consumption by any means whatsoever of any <i>Prohibited Substance</i> or <i>Prohibited Method</i> .
<u>WADA</u>	means the <i>World Anti-Doping Agency</i> .
<u>Whereabouts Failure</u>	means a <i>Missed Test</i> or <i>Filing Failure</i> .