

CANADIAN MASTERS WEIGHTLIFTING FEDERATION HALTÉROPHILIE CANADIENNE ANTI-DOPING POLICY 2018



Anti-Doping Policy

Adopted by the Canadian Masters Weightlifting Federation (CMWFHC), September 12, 2018
Grammatically adjusted for French language consistency, November 1, 2018

ARTICLE 1 PREAMBLE

1.01 STATEMENT OF PRINCIPLES

The Canadian Masters Weightlifting Federation Haltérophilie Canadienne (CMWFHC) declares the following:

1.01.1 DOPING

Define Doping as the occurrence of one or more of the Anti-Doping Policy Violations as per section 3.06.

1.01.2 GOALS

Through this anti-doping policy, the CMWFHC aims to promote the health and well-being of its athletes as well as maintain the athletes' right to compete on a level-playing field.

1.01.3 REVIEW

The CMWFHC aims to implement the most effective anti-doping policy possible for its athletes. The CMWFHC also understands that doping practices evolve and require a regular review of the anti-doping policy to remain effective in the fight against doping.

ARTICLE 2 GENERAL PROVISIONS

2.01 SUMMARY DESCRIPTION OF THE POLICY

2.01.1 NAME

The CMWFHC anti-doping policy will be referred to, in this document, as the "anti-doping policy".

2.01.2 ANTI-DOPING EDUCATION

The anti-doping policy aims to ensure that all athletes are fully aware of the prohibited list, the testing process as well as the sanctions athletes may face if an anti-doping rule violation is committed.

2.01.3 VIOLATIONS AND SANCTIONS

The anti-doping policy clearly defines the different instances which constitute an anti-doping violation and outlines the steps and sanctions that apply to an athlete or an individual who has committed an anti-doping rule violation.

2.01.4 ATHLETES' RIGHTS

The anti-doping policy outlines athletes' rights with regards to testing and/or accusations involving violation of this policy.

2.02 SCOPE OF APPLICATION

2.02.1 THE FEDERATION

The anti-doping policy applies at all times to CMWFHC athletes and coaches participating in CMWFHC approved competitions.

2.02.2 INDIVIDUALS

All athletes, members and coaches participating in the affairs of the CMWFHC shall be subject to all applicable rules, regulations, and procedures stated in the anti-doping policy along with all applicable sanctions pertaining to such.

2.02.3 SANCTIONED INDIVIDUAL

All CMWFHC members having received a sanction under the anti-doping policy will remain subject to the anti-doping policy, for the duration of the sanction that is being served.

2.02.4 RESPECT OF OTHER RECOGNIZED ANTI DOPING POLICIES

The CMWFHC will respect anti-doping sanctions handed-out by other sport governing bodies having anti-doping policies. All athletes must be clearly aware that a CMWFHC sanctioned athlete may also incur additional and perhaps harsher sanctions from other federations. For example; a CMWFHC sanctioned athlete serving a 2 year ban, may incur a 4 year sanction from the IWF. In such cases, the CMWFHC Anti Doping Committee will review the issue, and decide on the CMWFHC sanction. Since many CMWFHC members compete internationally under WADA regulations, any sanction from an organization following WADA regulations (such as the IWF), will be respected by the CMWFHC (to comply with the non-association rule of the WADA code).

2.03 EFFECTIVE DATE AND AMENDMENT PROCEDURE

2.03.1 EFFECTIVE DATE

The anti-doping policy is in full force immediately.

2.03.2 AMENDMENT PROCEDURE

Amendments to the anti-doping policy may only be made by way of a unanimous decision by the CMWFHC's Board.

2.04 INTERPRETATION

2.04.1 PREAMBLE

The preamble of the present text is an integral part of the CMWFHC's anti-doping policy and may be used for the purpose of its interpretation.

2.04.2 TIME DELAYS

Unless otherwise specified, time periods in this policy are total consecutive days irrespective of weekends or holidays. When a deadline falls on a weekend or holiday, the next business day shall be the deadline.

2.04.3 CHOICE OF FRENCH OR ENGLISH VERSION

The parties involved in the procedure have a right to decide (once, at the beginning of the procedure) if they wish to use the French or the English version of the anti-doping policy.

2.04.4 LANGUAGE DISCREPANCY

In the occurrence there is a discrepancy or inconsistency between the English language version and the French language version of this policy and its content, materials and or/resources, the English version shall prevail, govern and direct.

2.05 RESPONSIBILITY OF THE CMWFHC-ADC

2.05.1 ADC APPOINTMENT

On a tri-annual basis, the CMWFHC Board will appoint an Anti-Doping Disciplinary Committee which will be known under initials ADC. This ADC group will be comprised of three (3) individuals who are not members of the Canadian Masters Weightlifting Federation Haltérophilie Canadienne.

The CMWFHC-ADC will meet, discuss and choose the athletes to be sampled. This task is to be completed no later than 3 weeks prior to an approved drug tested CMWFHC event or targeted selection. The choices will remain confidential and submitted to the sample collection authority no later than 2 weeks prior to an approved drug tested CMWFHC event.

2.05.2 CONFIDENTIALITY

Any information obtained during the course of an investigation that allows the CMWFHC-ADC to reach a decision, must remain confidential until a decision has been rendered either by the ADC, or the appeal committee, in the case where an appeal was called for.

2.05.3 OVERSEEING THE SAMPLE COLLECTING PROCEDURE WITHIN THE ANTI-DOPING POLICY

The CMWFHC-ADC shall coordinate the anti-doping sampling process. The approved third-party sample collection authority will conduct the sampling/tagging/handling/transportation. Member(s) of the CMWFHC may be present during the sampling process.

2.06 RESPONSIBILITIES OF THE CMWFHC ATHLETE

2.06.1 BEING INFORMED

CMWFHC athletes must be aware of the consequences of all violations to the policy, as well as the types of prohibited substances and methods on the approved Prohibited List. Athletes must acknowledge their compliance with the CMWFHC anti-doping policy by signing off on the Membership Anti-Doping Agreement. This Agreement may also be required to compete in any CMWFHC approved competition.

2.06.2 SUBMITTING TO DOPING CONTROL

By becoming an athlete of the CMWFHC, you agree to anti-doping testing and the CMWFHC anti-doping policy.

2.06.3 OBLIGATION TO CONFORM

Every CMWFHC athlete must abide by the anti-doping policy.

ARTICLE 3 SPECIFIC PROVISIONS

3.01 INFORMATION AND ANTI-DOPING EDUCATION

3.01.1 OBJECTIVES

The CMWFHC will provide all athletes and any other individuals participating in the Federations' affairs information and education programs with the goal to preserve the spirit of True Sport.

The primary goal shall be to keep athletes from using prohibited substances and prohibited methods, and to encourage athlete support personnel to do all that is necessary in order to protect athlete's health while promoting a doping-free sport.

3.01.2 ANTI-DOPING EDUCATION COMMITTEE

The Board of the CMWFHC will establish an Anti-Doping Education committee (AEC), composed of the Director of Doping Education, Vice-President, and one member of the Advisory Committee.

The AEC will

- Promote True Sport and encourage all members to join True Sport.
- Ensure that CMWFHC members have access to the Canadian Masters Weightlifting Federation anti-doping policy through the CMWFHC website (or by providing a hardcopy if requested)
- Establish an Anti-Doping Education Program which is provided to all members through the CMWFHC website (or in hardcopy format if requested).
- Ensure that completing the Membership Anti-Doping Agreement is a mandatory part of the annual membership registration. The AEC may recommend to the CMWFHC Board that confirmation of the completion of the Membership Anti-Doping Agreement is a mandatory part for the registration to compete in CMWFHC approved competitions.
- Regularly inform CMWFHC members of substance categories banned in sport and their potentially harmful effects.
- Ensure that athletes and coaches participating in international IWF competitions are aware of the anti-doping regulations governing these events by providing access to the regulations through the CMWFHC website. On the recommendation of the AEC, the CMWFHC Board may require additional anti-doping education for these athletes and coaches.
- Regularly review the anti-doping policy and recommend any necessary changes to the Board.

3.01.3 ANTI-DOPING EDUCATION PROGRAM

The objectives of the Anti-doping Education Program are to

- Encourage CMWFHC athletes to be fully aware of their rights and responsibilities with regards to testing and/or accusations involving violation of the Canadian Masters Weightlifting Federation anti-doping policy.
- Ensure that all CMWFHC athletes are fully aware of the WADA Prohibited List and the testing process.
- Educate CMWFHC members about the various factors which can lead to doping practices.
- Educate CMWFHC members about the steps to be taken if they require medication(s) containing substances included in the WADA Prohibited List.
- Ensure that all CMWFHC athletes and coaches participating in IWF Masters approved events are aware of the doping policies and regulations governing these events as well as the sanctions they may face if a doping rule violation is committed.

The Anti-Doping Education Program will be available through the CMWFHC website and may consist of video tutorials, readings in pdf format, and links to relevant external websites.

The content of the program will be reviewed annually and updated if needed by the AEC.

3.02 WADA LIST OF PROHIBITED SUBSTANCES

3.02.1 PROHIBITED LIST

The prohibited substances and methods of the present anti-doping policy are those established by WADA through the List of Prohibited Substances and Methods. This list may be modified from time to time, in accordance with its own regulations.

3.02.2 PROHIBITED LIST UPDATES

It is the responsibility of the CMWFHC-ADC to make the updated list available to its athletes via a link on the CMWFHC website.

3.03 LABORATORY ANALYSIS

3.03.1 STANDARD

This anti-doping policy recognizes that all samples collected are to be analyzed by a WADA-accredited laboratory.

3.04 MEDICAL REVIEW

3.04.1 DEMAND FOR PROVIDING

A Medical Review application will be requested by the CMWFHC-ADC and considered retroactively should an athlete's sample produce an Adverse Analytical Finding for a prohibited substance or method.

3.04.2 CRITERIA FOR GRANTING EXEMPTION BASED ON MEDICAL REVIEW

A Medical Review will only be granted by ADC and its consultants for a medically justified reason and under the following circumstances:

- The athlete could experience a significant impairment to health if the prohibited substance or prohibited method were to be withheld in the course of treating an acute or chronic medical condition;
- The use of the prohibited substance or prohibited method would produce no additional enhancement of performance other than that which might be anticipated by a return to a state of normal health following the treatment of a legitimate medical condition; and
- There is no reasonable therapeutic alternative or any alternative is inefficient.

3.04.3 MEDICAL REVIEW PROCEDURE

1. The Anti-Doping Disciplinary Committee grants a Medical Review for an Adverse Analytical Finding as per 3.04.1 and .2.
2. The CMWFHC Board will appoint a medical doctor to conduct the Medical Review as per 3.04.3.
3. The medical doctor conducting the Review will recommend to the ADC that they:
 - Proceed with sanctioning the athlete as per 3.07 OR
 - Accept the validity of the athlete's explanation and defense and inform the athlete of their decision.

3.05 SAMPLE COLLECTION

3.05.1 RESPONSIBILITY

All procedures related to the testing process are based on the relevant provisions of the sample collection authority for testing and investigations with cooperation from CMWFHC – ADC.

The doping control process begins by the selection of the athlete who will be required to undergo a doping control and ends with the sample collection authority analysis of the samples. Athletes may be requested to provide a urine and/or blood sample(s).

3.05.2 ADMINISTRATION OF DRUG TESTING AT COMPETITIONS

Testing administered by a sample collection authority representative may be conducted at any approved CMWFHC competition.

3.05.3 CONFIDENTIALITY

The information provided by the athlete shall not be disclosed beyond the CMWFHC Board, Anti-Doping Committee, and any external organization approved by the Executive.

3.06 ANTI-DOPING POLICY VIOLATIONS

3.06.1 PRESENCE IN SAMPLE

The presence of a Prohibited Substance or its Metabolites or Markers in an athlete's bodily sample is an anti-doping rule violation.

Excepting those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List, the detected presence of any quantity of a prohibited substance or its metabolites or markers in an athlete's sample shall constitute an anti-doping rule violation.

As an exception to the general rule for this anti-doping rule violation, the Prohibited List may establish special criteria for the evaluation of prohibited substances that can also be produced naturally by the body.

3.06.2 USE OF PROHIBITED METHOD

The use of a Prohibited Method by an athlete is an anti-doping rule violation.

3.06.3 REFUSAL TO COMPLY

Refusing, or failing without compelling justification, to submit to sample collection after notification as authorized in applicable anti-doping procedures and rules or otherwise evading sample collection is an anti-doping rule violation.

3.06.4 TAMPERING OR ATTEMPTED TAMPERING

Tampering, or attempting to tamper, with any part of doping control is an anti-doping rule violation.

3.07 SANCTIONS

3.07.1 DOPING VIOLATION

The ADC may determine that there is a doping violation only if regulation(s) in section 3.06 are violated.

3.07.2 ATHLETE NOTIFICATION OF ADVERSE ANALYTICAL FINDING

The CMWFHC-ADC must immediately inform the athlete of an adverse analytical finding or positive test and request that the athlete provides a completed Medical Review. An athlete that has, by such athlete's actions, given reason to the CMWFHC-ADC to believe such individual has caused an anti-doping policy violation, may be asked to provide an explanation to the ADC, based on the pending evidence.

3.07.3 DECISION

The CMWFHC-ADC will determine the validity of the explanation and/or information provided by the athlete. The CMWFHC-ADC will render a written decision within five (5) working days of receiving the written explanation. A copy of this decision will be given to the athlete as well as the sample collection authority.

3.07.4 NOTIFICATION OF DECISION

If an athlete is determined to have committed an anti-doping rule violation, after the ADC has reviewed the explanation and/or information provided, the ADC will:

- Notify the athlete in writing;
- Confirm the handed-out sanction;
- Identify the duration of the sanction;
- Inform the athlete of the right to appeal the decision and the process, cost and timelines for doing so (in accordance to article 3.08);
- Inform the athlete of the right to have their B sample analysed and the process, including cost and timelines for doing so (in accordance to article 3.07.6);
- Inform the athlete of the consequences pertaining to the violation of the anti-doping policy, advise him/her that the IWF anti-doping authorities will be informed of the violation and of the possible consequences thereafter.

3.07.5 REQUEST FOR B SAMPLE EXAMINATION AND ANALYSIS

The ADC's decision to sanction an athlete may consider the results of a B sample analysis upon the athlete's request in accordance with 3.07.6.

3.07.6 B SAMPLE EXAMINATION AND ANALYSIS

- 3.07.6.1 An athlete may request that his/her B sample be examined and analyzed within three (3) working days after receiving the written notice detailing the athlete's adverse analytical finding. The athlete's request must be made in writing and must be accompanied by a payment to the CMWFHC in an amount set annually by the CMWFHC Board to cover the costs of sample examination and analysis.
- 3.07.6.2 A request for an examination and analysis of the B sample submitted to the CMWFHC must be reported to the sample collection authority. The authority will act to facilitate such requests between the accredited laboratory and the CMWFHC.
- 3.07.6.3 The examination and analysis of the B sample must follow the procedure established by the sample collection authority.
- 3.07.6.4 If the certificate of analysis for the B sample reveals a result that is inconsistent with the results obtained from the A sample, the CMWFHC-ADC will determine the adverse analytical finding void and the athlete will be exonerated from all presumed violations which were based on the certificate of analysis of the A sample.
- 3.07.6.5 When the CMWFHC ADC determines the adverse analytical finding void, the fee paid by the athlete will be refunded by the CMWFHC.

3.07.7 SANCTIONS

- 3.07.7.1 Once the CMWFHC-ADC has determined that an athlete has committed an anti-doping rule violation involving the presence or use of a prohibited substance or prohibited method (as per article 3.06.1), the athlete will be sanctioned (prohibited from competing in any approved CMWFHC competition) according to the following;
- **First infraction: ineligible for up to 2 years for membership in the CMWFHC.**
 - **Second infraction: ineligible for up to 4 years for membership in the CMWFHC.**
 - **Third infraction: ineligible for up to 6 years for membership in the CMWFHC.**
- 3.07.7.2 Beginning of the suspension: An athlete remains eligible to compete in an approved CMWFHC events until a final decision has been reached by the CMWFHC-ADC, or in the case of an appeal (under article 3.08 of the present policy), by the CMWFHC ADC.

3.08 ADC APPEAL PROCEDURE

3.08.1 RIGHT OF ATHLETE TO REQUEST AN APPEAL

The ADC decision which determines that an athlete has committed an anti-doping rule violation may be appealed by the athlete to the CMWFHC-ADC. The CMWFHC-ADC may, at their discretion, request that the Board appoint an Appeals Committee to listen and study the appeal before rendering a decision. The athlete who wishes to appeal the ADC's decision may do so by submitting a written notice in the ten (10) days following the rendering of the decision by the ADC. The athlete must send a non-refundable payment of \$400 to the CMWFHC, along with written notice.

3.08.2 APPEAL PROCEDURE PRINCIPLES

The appeals process must adhere to the following fundamental principles:

- A hearing must be held within sixty (60) days of receiving the athlete's written notice and payment;
- People appointed to the Appeals Committee must be free of conflict of interest, perceived or otherwise;
- An athlete has the right to be represented by a lawyer or other representative at the athlete's expense;
- An athlete has the right to explain his/her actions and defend himself/herself against the accusations that such athlete committed an anti-doping rule violation;
- Each party has the right to introduce and submit evidence, including the right to call witnesses;
- A written decision by the CMWFHC ADC must be provided to the athlete within a reasonable period.

3.08.3 COMMITTEE

The Appeals Committee is appointed by the President or Vice-President and is composed of two (2) Secretaries and one Board member, none of whom are themselves under investigation.

3.09 PUBLIC DISCLOSURE FOLLOWING A SANCTION

Should the athlete decline an appeal, or have an appeal denied, his/her sanction will be publicly disclosed on the CMWFHC website.

Flow chart for process following an adverse analytical finding

