

# ANTI-DOPING REGULATIONS

*As amended by the Council on 07.11.2016, 26.11.2020*

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## 1. Introduction

Doping has become a constant preoccupation of national and international sports organisations and national governments.

The Executive Board of the Malta Football Association has resolved to implement an anti-doping programme to ensure that players of Member Clubs and others associated with association football subject to the jurisdiction of the Malta Football Association are not involved in the use of prohibited substances and/or prohibited methods as defined in these Regulations. Such regulation of doping practices is in accordance with the regulation and policies of FIFA, UEFA, and the World Anti-Doping Agency (WADA).

These Regulations are enacted pursuant to the relevant provisions of the Competition Rules of the Association.

## 2. Definitions

In these Regulations, unless the context otherwise requires, the following expressions shall have the following meanings:-

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| “agreed representative”              | An accredited official of a person’s club, or an accredited official of the recognized football body with which a person is involved, or a person’s parent or guardian. |
| “adjudicating body”                  | The Control and Disciplinary Board or the Appeals Board or the Independent Arbitration Tribunal, as the case may be   |
| “Appeals Board”                      | The Appeals Board of the Association established by the MFA Statute   |
| “the rules”                          | The rules and regulations of the Malta Football Association.  |
| “assisting person”                   | A person assisting or inciting any player to use a prohibited substance or prohibited method.   |
| “the Association”                    | The Malta Football Association.   |
| “association football”               | Any football played under the jurisdiction of FIFA and in accordance with the Laws of the Game as determined by the International Football Association Board.           |
| “the Regulations”                    | These Anti-Doping Regulations of the MFA as amended from time to time.  |
| “the Control and Disciplinary Board” | The Control and Disciplinary Board of the Association established by the MFA Statute.   |
| “the Executive Board”                | The Executive Board of the Association established by the MFA Statute.  |
| “DCCF”                               | Doping Control Collection Form.   |
| “doping”                             | The taking of any prohibited substance.   |
| “doping methods”                     | The use of any prohibited method.   |
| “Doping Official”                    | The General Secretary of the Association and/or any other person or persons appointed by him with authority to request a sample from a player.                          |
| “FIFA”                               | Fédération Internationale de Football Association.  |
| “FIFA Anti Doping Regulations”       | The FIFA Anti Doping Regulations as amended from time to time.  |
| “IOC”                                | The International Olympic Committee.  |
| “Independent Arbitration Tribunal”   | The Independent Arbitration Tribunal established by the MFA Statute   |
| “SO”                                 | Sampling Officer, being a medical officer or any other accredited   |

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|  | person appointed by the Association for the purposes of administering the sample collection procedures and ensuring the transfer of the sample by means of a secure chain of custody to a WADA accredited laboratory.   |
| “life suspension”                            | Permanent preclusion from taking any part whatsoever in association football.   |
| “match”                                      | A competitive football match played under the jurisdiction of the Association.  |
| “The MFA”                                    | The Malta Football Association.   |
| “the Medical Committee”                      | The Medical Committee of the Association as nominated by the Executive Board.   |
| “negative result”                            | A report from a WADA accredited laboratory indicating that the use of a prohibited substance or prohibited method has not been detected in the tested player by virtue of the test or the reserve test.   |
| “player support personnel”                   | any coach, trainer, manager, agent, team staff, Official, medical or paramedical personnel, parent or any other Person working with, treating or assisting a Player participating in or preparing for sports competition.   |
| “positive result”                            | A report from a WADA accredited laboratory indicating that the use of a prohibited substance or prohibited method has been detected in the tested player by virtue of the test or the reserve test;   |
| “prohibited substances and methods”          | Prohibited substances and methods comprise everything on the Prohibited List published by WADA from time to time. The Prohibited List is available on WADA’s website at <a href="http://www.wada-amg.org">www.wada-amg.org</a> . The MFA will notify its Member Clubs and Member Associations of any amendments to the Prohibited List in due time by means of a circular letter. |
| “registered testing pool”                    | a pool of high-priority Players established separately by FIFA, the Associations or the NADOs that is subject to focused In-Competition and Out-of-Competition Testing as part of FIFA’s, the Association’s or the NADO’s test distribution plan.   |
| “the reserve test”                           | A further test to be carried out on the sample taken from the tested player by an SO for the detection of the use of a prohibited substance or prohibited method in accordance with the same procedures used in the test.   |
| “sample”                                     | A sample of urine to be provided by a player for the purposes of the test and the reserve test.   |
| “suspension from association football”       | Temporary preclusion from taking any part whatsoever in association football.   |
| “target testing or target test”              | Selection of specific Players for Testing based on criteria set forth in the International Standard for Testing and Investigations.   |
| “the test”                                   | A test to be carried out on a sample which has been collected from a player by a SO by means of testing the sample as appropriate in a laboratory and in accordance with the Charter and techniques approved by the Malta Football Association from time to time, for the detection of the use of a prohibited substance or a prohibited method.                                  |
| “tested player”                              | A player on whom the test was carried out.  |
| “therapeutic use exemption (TUE)”            | An exemption may be granted to a player in accordance with the criteria established in Schedule A - Therapeutic Use Exemptions. Such approval shall be granted by means of a certificate established in Schedule B - Certificate of Approval for Therapeutic Use Exemption (TUE).   |
| “therapeutic use exemption committee (TUEC)” | The MFA Committee responsible for examining applications and for  |

granting or denying a Therapeutic Use Exemption (TUE) to a player

“UEFA”

Union of European Football Association;

“WADA”

World Anti-Doping Agency

Unless the context otherwise requires words referring to the singular only shall include the plural and vice versa, words importing any gender shall include all genders and words importing natural persons shall include legal persons.

### 3. The MFA Statement of Policy

The Association believes in the principles of natural fitness and fair play in all aspects of association football. The Association condemns the use of doping or doping methods by participants to enhance performance as being contrary to these fundamental principles.

The fundamental aims of these Regulations are:

- to uphold and preserve the ethics of sport;
- to safeguard the physical health and mental integrity of football players;
- to ensure that all competitors have an equal chance; and
- to ensure that the results of matches in the competitions organised by the Association are a fair reflection of the strength of the contenders.

Thus no recognized football body, club, official, player, referee, trainer, coach, manager, physiotherapist, doctor or any other person subject to the jurisdiction of the Association should engage in, facilitate or instigate doping or doping methods.

Therefore any player participating in association football may at any time be subject to a doping test. If a test for drugs is found to be positive, subject to the rules established in these Regulations, the player, his Club and/or his team and other persons subject to the jurisdiction of the Association who were knowingly involved in assisting or inciting such practices and/or in the evasion of the provisions of these Regulations contrary to the provisions of these Regulations will be liable to severe disciplinary action as established in the relevant provisions of these Regulations.

The Association may in its discretion report a case of doping which comes to its knowledge to the Commissioner of Police for any criminal action which he may deem fit to take. In so doing, the Association shall provide the Commissioner of Police with all the evidence it may have in its possession.

The latest FIFA Anti Doping Regulations are duly incorporated into these Regulations, which Regulations give FIFA test jurisdiction over all clubs and their Players who are affiliated to the Association or who participate in any Match or Competition organised by FIFA. Additionally, these Regulations include the necessary procedural regulations to implement the latest FIFA Anti Doping Regulations. In the event of a discrepancy between these Regulations and the latest FIFA Anti Doping Regulations, the latest FIFA Anti Doping Regulations shall prevail and apply to the case at hand. The MFA shall report to FIFA each and every case of a player who tests positive for a prohibited substance or prohibited method whilst giving it all the relevant details, including decisions taken by the NADO duly translated into an official FIFA language.

In order that the MFA may carry out properly all its rights and duties as specified in these Regulations, every person registered as a player of the Malta Football Association and any other person subject to the jurisdiction of the Association is deemed for all intents and purposes of Maltese law, particularly the Data Protection Act (Chapter 586 of the Laws of Malta), to have waived his right to confidentiality in his personal and private affairs as he may be entitled to under Maltese law and exempts the Association, its officers, officials, Executive Board Members, members of MFA Committees and any other person in the employ of the Association and/or who carries out a function on behalf of the Association, including the officials and the members of the Management Committee of Member Clubs and any other person performing a function on behalf of Member Clubs in accordance with the provisions of these Regulations, from any liability whatsoever in the proper exercise by them of the rights and duties under the provisions of these Regulations. Furthermore, any player and any other person concerned, unconditionally gives the Association the right to keep and store any information obtained from a doping test and/or any other information related to any exemption given under these Regulations in any manner in which it may deem fit and proper and authorises the Association to share any such information with the Commissioner of Police and FIFA and to divulge publicly the results of any doping test or any investigation carried out under the provisions of these Regulations.

#### 4. The MFA Doping Regulations

##### Use of Prohibited Substance and Prohibited Methods

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1. Doping is strictly forbidden under these Regulations.
2. Doping is the occurrence of one or more of the anti-doping rule violations set forth in these Regulations.
3. Players and other Persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included in the Prohibited List.
- 2.1. No player shall use or attempt to use or take advantage or attempt to take advantage of a prohibited substance or a prohibited method. It is each player's duty to ensure that no prohibited substance enters his body. Accordingly, it is not necessary that intent, fault or 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 prohibited method.
- 2.2. No player shall tamper or attempt to tamper with any part of doping control or do anything or attempt to do anything intended to avoid any of the other provisions of these Regulations contrary to the provisions of these Regulations. Tampering shall include, without limitation, intentionally interfering or attempting to interfere with a Doping Control official, providing fraudulent information to an Anti-Doping Organisation or intimidating or attempting to intimidate a potential witness.
- 2.3. No person subject to the jurisdiction of the association shall sell, give, transport, send, deliver or distribute (or Possess for any such purpose) a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by a Player, Player Support Personnel or any other Person subject to the jurisdiction of the association to any third party; provided, however, this definition shall not include the actions of "bona fide" medical personnel involving a Prohibited Substance used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.
- 2.4. No player shall associate in any manner with any Player Support Personnel:
  - a. who If subject to the authority of an Anti-Doping Organisation, is serving a period of Ineligibility; or
  - b. If not subject to the authority of an Anti-Doping Organisation and where Ineligibility has not been addressed in a results management process pursuant to these Regulations, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or
  - c. Is serving as a front or intermediary for an individual described in regulation 2.5 (a) or (b) above;

In order for regulation. 2.5 to apply, it is necessary that the Player or other Person has previously been advised in writing by the Association, or another Anti-Doping Organisation with jurisdiction over the Player or other Person, or by WADA, of the Player Support Personnel's disqualifying status and the potential consequence of prohibited association and that the Player or other Person can reasonably avoid the association. The Anti-Doping Organisation shall also use reasonable efforts to advise the Player Support Personnel who is the subject of the notice to the Player or other Person that the Player Support Personnel may, within 15 days, come forward to the Anti-Doping Organisation to explain that the criteria described in regulation 2.5 (a) or (b) do not apply to him.

The burden shall be on the Player or other Person to establish that any association with Player Support Personnel described in regulation 2.5 (a) or (b) is not in a professional or sport-related capacity.

If M.F.A is aware of any Player Support Personnel who meet the criteria described in regulation 2.5 (a), (b) or (c) MFA shall submit that information to WADA

- 2.5. The success or failure of a prohibited substance or prohibited method is not material. It is sufficient that the prohibited substance or prohibited method was used or intended to be used for an offence to be committed. Furthermore, 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 any prohibited substance which is prohibited out of competition constitutes an anti-doping violation unless the player establishes that the possession is in pursuant to a Therapeutic Use Exemption granted in accordance with these regulations or other acceptable justification.

- 3.1 Should a player admit to having used or taken advantage of prohibited substance or prohibited method at any time and there is enough proof so as to corroborate such a statement, then the Control and Disciplinary Board of the Association may impose such penalty as is provided for in these Regulations.
- 3.2 In the case that a player tampers or attempts to tamper with any part of doping control or otherwise does anything or attempts to do anything intended to avoid any of the other provisions of these Regulations contrary to the provisions of these Regulations, the Control and Disciplinary Board of the Association may impose such penalty as is provided for in these Regulations.
- 4.1. The Doping Official whether as a result of target testing or drawing by lots may request a player to provide a sample and, if requested, a blood Sample, to undergo any medical examination that the Doping Official deems necessary and to cooperate with the latter in this respect, at any match or squad gathering of players.
- 4.2. A player so requested at a match shall provide a sample after the end of the match or as soon as practicable after in accordance with the procedures established in these Regulations for the giving of samples.
- 4.3. A player so requested at a squad gathering of players shall provide a sample after the end of the squad gathering or as soon as practicable thereafter as in accordance with the procedures established in these Regulations for the giving of samples.
- 4.4. The procedures established in these Regulations shall in all respects be followed in relation to the giving of samples.
- 4.5. Each player who has provided a sample shall allow that sample to be submitted to the test and every Club shall permit any or all of its players to submit a sample when requested.
- 4.6 A player so requested shall have the obligations to remain within direct observation of the Doping Official, or his assistant at all times from the point of notification until completion of the Sample collection; comply with Sample collection procedures (the Player shall be advised of the possible consequences of failure to comply); and report immediately for a test, unless there are valid reasons for a delay, as determined in accordance with Section 5 B of these Regulations
5. Notwithstanding Regulation 4 above, no player under the age of 16 shall be requested to provide a sample without the consent of one of the player's parents or that player's legal guardian.
6. Any player who refuses to provide a sample or refuses to permit that sample to be submitted to the test or, where appropriate, whose parent or legal guardian refuses to consent to a request being made to that player to provide a sample or whose parent or guardian refuses to permit that sample to be submitted to the test, shall be deemed to have failed the test and shall be in breach of Regulation 2.
7. The samples will be sent to a WADA accredited laboratory by means of a secure chain of custody as may be decided by the Executive Board and this as soon as possible after collection. The choice of the laboratory shall be made by the Executive Board.
8. In cases where a negative result is received, such a finding shall be notified to the Executive Board and no further action shall be taken except that the tested player and his Club shall be informed. However, The Association shall be entitled to issue a public statement advising that the tested player had been found not to be in breach of Regulation 2.
- 9.1 If a positive result is received the General Secretary shall immediately notify the President of such finding.
- 9.2 When the President is informed by the General Secretary that a positive result has been received, the President or the General Secretary shall temporarily suspend the player from all football activities. Such temporary suspension shall also be effective even in the case that the player and/or the Club concerned may intimate or may have already intimated that a reserve test will be required to be conducted.
- 9.3 The temporary suspension shall have immediate effect and shall continue to be in force until the competent disciplinary body either clears the player of any wrongdoing or else converts the temporary suspension into a definite suspension. In the case that such temporary suspension is converted into a definite suspension, such suspension, including a life suspension, shall continue to be in force until the expiry of such a definite suspension or the removal of such suspension, as the case may be.
- 9.4 Any temporary suspension imposed in virtue of clause 9.2 above shall be taken into consideration in the case that the player is eventually punished with a definite suspension.
- 9.5 Whenever a temporary suspension is inflicted on a player in virtue of clause 9.2 above, The General

Secretary shall immediately inform the player and his Club of such suspension, and that such suspension has an immediate effect in virtue of clause 9.3 above.

9.6 *Repealed*

- 9.7 When a positive result is received, the General Secretary of the Association shall also notify the tested player and his Club and shall advise them that they may have a reserve test carried out at their expense by informing him of such request in writing within seven (7) days of such notification and by depositing with him, together with such written request, such amount as he himself would have established to cover the expenses connected with the carrying out of the reserve test. Such a written request, if not accompanied with the requested amount and/or is made outside the time-limit herein mentioned will render such request null and void.
- 9.8 However, notwithstanding what is stated in Article 9.7 above, if the positive result is of an atypical nature, that is one that indicates the presence of a substance that can be either endogenous or exogenous (ex. testosterone), the General Secretary shall not notify either the club or the player concerned. However, the accredited laboratory shall be requested to carry out further investigations on the B sample so as to decide whether the substance mentioned is of an endogenous or exogenous nature. If it results that it is of an endogenous nature the player shall be informed but no further action shall be taken. However, if it results that it is of an exogenous nature, both the club and the player shall be informed and the procedures according to Article 9.1 *et. seq.* shall follow.
- 10.1 If the tested player and/or his Club lodges a request to have a reserve test carried out and deposits the required amount within seven (7) days of being notified of the original positive result, the General Secretary of the Association shall arrange for the reserve test to be conducted as soon as possible after the request.
- 10.2. The tested player and/or his Club shall have the right to be present or be represented at the reserve test together with any other agreed representative whom the player and/or his Club may have requested to attend in accordance with the provisions of these Regulations. The expenses incurred by the player and/or his Club in this regard shall be borne by the player and/or his Club and shall not be refunded even if the result of the reserve test is negative.
- 10.3. Failure to attend the reserve test by the tested player and/or his Club and/or his/their agreed representative shall in no way invalidate the reserve test.
- 10.4. The President shall be notified by the General Secretary of the result of the reserve test immediately after it is known. The President shall then notify the Executive Board of such result at the first Executive Board meeting following the receipt of the result of the reserve test.
- 11.1. If a negative result is received on the reserve test then no further action shall be taken except that any temporary suspension shall be immediately lifted by the President or the General Secretary and both the tested player and his Club shall be informed. However, the Association shall thereafter be entitled to make a public statement to the effect that in relation to the tested player a positive result was received on the test, a negative result was received on the reserve test and that no further action has been taken.
- 11.2. In such a case, The Association shall refund to the tested player and/or his Club, as the case may be, the amount deposited with the General Secretary of the Association together with the written request to carry out the reserve test.
- 12.1. If a positive result on the test is received and no request to carry out a reserve test has been received, or if a valid request to carry out a reserve test has been received and as a result of this test another positive result is received, the General Secretary of the Association shall inform the President and shall refer the matter to the Medical Committee to carry out such investigation as it deems necessary to establish whether a breach of Regulation 2 has occurred.
- 12.2. Without prejudice to the generality of the foregoing, for the purposes of this investigation, the tested player and/or the Club shall be entitled to make representations in relation to the circumstances leading to the positive result and lead the evidence of experts in the interpretation of the test, and if carried out, of the reserve test.
- 12.3. The Medical Committee shall submit a written report of the findings of the investigation, which shall include an opinion as to whether a breach of Regulation 2 had occurred, to the General Secretary.
- 12.4. The General Secretary shall act on the findings of the Medical Committee's investigation and if the investigation indicates that a breach of these regulations has occurred the General Secretary shall refer the matter to the Control and Disciplinary Board of the Association.
- 12.5. The presence of a prohibited substance and/or the use of a prohibited method according to these regulations and resulting from the findings of the laboratory shall constitute prima facie evidence of an act of doping in breach of Regulation 2. It is up to the player and/or the other parties concerned to produce evidence proving the contrary, that is that breach of Regulation 2 was not caused intentionally or negligently. Therefore, sufficient proof of an anti-doping violation 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.

- 12.6 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 act of doping in breach of Regulation 2.
- 12.7 As an exception the Prohibited List or International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.
- 12.8. If the Control and Disciplinary Board, on the basis of the report of the Medical Committee, and after having given the possibility to the player and/or his representative and the Club of the Player to make their representations, concludes that a breach of Regulation 2 had occurred, it shall impose a penalty on the tested player and on his team and/or Club, but in so far as the Club is concerned, only in the case that the test was carried out in connection with a competitive match, and in so far as the team is concerned, only if the tested player had taken part in the match and, in so far as the result of the match of the team is concerned, only if the conditions mentioned in the relative provisions of these Regulations for punishing the team concur.
- 12.9. If the Control and Disciplinary Committee, on the basis of the report of the Medical Committee, and after having given the possibility to the player and/or his representative and the Club of the Player to make their representations, concludes that no breach of Regulation 2 had occurred, it shall immediately lift any temporary suspension imposed on the player.
- 12.10. Any decision taken by the Control and Disciplinary Committee pursuant to these regulations may be appealed by the player and/or the team and/or the Club, and or FIFA and/or WADA, to the Appeals Board of the Association. Appeals are regulated by the relative provisions of the Appeals Board found in the Association's Statute. Pending the appeal procedure, any sanction imposed on the player shall remain in effect but any sanction imposed on the team and/or Club shall be held in abeyance until the decision of the Appeals Board. The decision of the Appeals Board on any such appeal shall be final and binding on all those concerned unless a reference to the Court of Arbitration for Sport of Lausanne, Switzerland has been made. In the latter case the decision of the Court of Arbitration for Sport shall be final and binding.
- 12.11. If no appeal has been made, the Association shall thereafter be entitled to make a public statement advising that the investigated player and, in the appropriate case, his Team and/or Club, have been found guilty of an offence against these Regulations and of any penalty imposed. If an appeal has been made, after such appeal has been decided, the Association shall be entitled to make a public statement informing whether such an appeal had been rejected or upheld and, in the latter case, the grounds on which such an appeal was upheld and this notwithstanding that a reference to the Independent Arbitration Board could be made or had already been made.
13. Every Player/team that has been identified for inclusion in a national or international Registered Testing Pool is obliged to provide whereabouts information as set forth in Annexe C of the FIFA Anti Doping Regulations. Players may delegate the whereabouts provision to a designated team representative. Regardless of such delegation, Players remain personally responsible for duly filing complete and accurate whereabouts information. Failure to do so may lead to the consequences mentioned in art. 9 of the FIFA Anti Doping Regulations as well as their Annexe C.
14. WADA's determination of the Prohibited Substances and Prohibited Methods that will be included in the Prohibited List, the classification of substances into categories in the Prohibited List and the classification of a substance as prohibited at all times or In-Competition only, is final and shall not be subject to challenge by a Player or other Person based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

#### **Assistance etc. in the use of prohibited substances and prohibited methods**

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15. No recognized football body, club, official, coach, doctor, physiotherapist, masseur, player, referee, or any other person subject to the jurisdiction of the Association shall assist or incite in any manner whatsoever any player to make use of or to take advantage of any prohibited substance and/or a prohibited method and/or administers or attempts to administer a prohibited substance to a player and/or involves himself in the use by a player of a prohibited method and/or knowingly involves himself in any manner whatsoever in the evasion or attempted evasion by a player of any of the other provisions of these Regulations contrary to the provisions of these Regulations. In the latter case, such person shall also be deemed to be an assisting person.
- 16.1. If there is reason to consider that a breach of Regulation 15 may have taken place, except in the case of a person who knowingly involves himself in any manner whatsoever in the evasion or attempted evasion by a player of the provisions of these Regulations contrary to the provisions of these Regulations, the Executive



Board shall refer the matter to the Medical Committee to carry out such investigations as it deem necessary to establish whether or not a breach of Regulation 15 had occurred. In the case of a person who knowingly involves himself in any manner whatsoever in the evasion or attempted evasion by a player of the provisions of these Regulations contrary to the provisions of these Regulations, the Executive Board shall refer the matter to the Control and Disciplinary Board to deal with the case in accordance with the provisions of these Regulations and the other rules and regulations of the Association.

- 16.2. Without prejudice to the generality of the foregoing, for the purposes of such an investigation, the alleged assisting person shall be entitled, along with his agreed representative, to make representations in relation to the circumstances surrounding the alleged assistance or incitement and lead evidence in relation to the alleged assistance or incitement.
- 16.3. The Medical Committee shall report in writing the findings of such an investigation, including its opinion as to whether a breach of regulation 15 had occurred, to the Executive Board.
17. The Executive Board shall act on the findings of the Medical Committee's investigation and if the investigation indicates that a breach of these regulations has occurred it shall refer the matter to the Control and Disciplinary Board of the Association to deal with the case in accordance with the provisions of these Regulations and the other rules and regulations of the Association.
- 18.1. If the Control and Disciplinary Board, after having given the opportunity to the alleged assisting person and/or his representative to make their submissions, concludes that a breach of Regulation 15 had not occurred, such a finding shall be notified to the person involved and no further action will be taken. However, the Executive Board shall thereafter be entitled to issue a public statement advising that the investigated person had been found not to be in breach of Regulation 15.
- 18.2. If the Control and Disciplinary Board, after having given the opportunity to the alleged assisting person and/or his representative to make their submissions, concludes that a breach of Regulation 15 had occurred, it may impose such penalty as is provided for in these Regulations and shall advise the assisting person of the penalty imposed on him.
- 18.3. If an assisting person who is found guilty is a member of a Club's Management Committee or a coach or a medical doctor or a physiotherapist or a masseur of a Club with which the assisted player is registered or on loan, or such assisting person has any other official or *de facto* function with the Club with which the assisted player is registered or on loan, such Club shall be deemed to be guilty of an offence against these Regulations and a penalty may be imposed on such Club. But before any such penalty is imposed, the Club shall be given the opportunity to make submissions in its defence only with regards to the penalty.
- 18.4. Both the assisting person and/or the Club may appeal to the Appeals Board of the Association. Appeals are regulated by the relative provisions of the Appeals Board found in the Association's Statute. Pending the appeal procedure, any sanction imposed on an individual shall remain in effect. However, any sanction imposed on a Club shall be held in abeyance until the decision of the Appeals Board. The decision of the Appeals Board on any such appeal shall be final and binding on all those concerned unless a reference to the Independent Arbitration Tribunal established under the Association's Statute has been made. In the latter case the decision of the Independent Arbitration Tribunal shall be final and binding.
- 18.5. If no appeal has been made, the Executive Board shall thereafter be entitled to make a public statement advising that the investigated person and, in the appropriate case, his Club, have been found guilty of an offence against these Regulations and of any penalty imposed. If an appeal has been made, after such appeal has been decided, the Executive Board shall be entitled to make a public statement informing whether such an appeal has been rejected or upheld and, in the latter case, the grounds on which such an appeal was upheld and this notwithstanding that a reference to the Independent Arbitration Board could be made or had been made.
19. In the event of any conflict between Regulation 1 to 18 and any other provision contained within these Regulations (other than those provision relating to "Definitions" of terms), Regulations 1 to 18 shall prevail.

## **5. The MFA doping procedures**

### **A. Selection of matches at which tests will be carried out**

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1. Testing may be carried out at any competitive match in a competition organised by the Association.
2. Any match at which a test is to be carried out shall be selected at random by the Doping Official. Only the President of the Association, the General Secretary of the Association if he is not the Doping Official, and the selected SO shall be informed of the selection before the time prescribed in clauses 4 and 5 hereunder.
- 3.1. In the case of competitive matches of the first teams of Member Clubs, the Club Medical Doctor or another responsible official of each team shall fill a form (Schedule C) indicating any medication or treatment which

has been administered in the seven (7) days prior to the day of the match to each player named in the Referee's Official Report Form as being selected for participation or included as a substitute in the match. For the purpose of this rule, any change to the Referee's Official Report Form made in accordance with the relative provisions of the Competition Rules of the Associations shall be deemed to be part and parcel of the Referee's Official Report Form.

- 3.2. The Form Schedule C, to be provided by the Association, shall be filled in three copies and shall be signed in each case by the Club Medical Doctor or another responsible official of the team in attendance. The original and the first copy shall be handed to the Referee together with the Referee's Official Report Form prior to kick-off. The other copy shall be retained by the Club.
- 3.3. The Referee shall send the original and the first copy together with the Referee's Official Report Form. However, in the case that a match has been selected for a test to be conducted, the referee shall hand the original and the first copy to the Doping Official or the selected SO.
- 3.4. If a team fails to give to the referee the Form Schedule C, the Referee shall indicate this matter on his Official Report Form.
- 4.1. In the case of competitive matches of the first team of Member Clubs, the Doping Official and/or a person or persons appointed by him with authority to request a sample from a player, shall notify the Secretary or other responsible official in attendance with the teams concerned that the match has been selected for the purposes of conducting a test, and this either during the half-time interval of the match itself or as soon as possible after the kick-off of the second half of the match.
- 4.2. At the same time the Secretary or other responsible official in attendance of the teams concerned shall be provided with the Form Schedule D confirming that the match has been selected for the purposes of conducting a test and inviting the Secretary or other responsible official in attendance with the team to attend the drawing of lots to select the players to be tested.
- 4.3. The Form Schedule D, to be provided by the Association, shall be in three copies and shall be signed by the Doping Official or the person appointed by him with authority to request a sample from a player and by the Secretary or other responsible official in attendance with the team acknowledging to have received such information and invitation. The original shall be handed to the Secretary or other responsible official in attendance with the team and the two copies shall be retained by the Doping Official or the person appointed by him with authority to request a sample from a player.
- 5.1. In the case of competitive matches of the other teams of Member Clubs, in the case of a selected match, the Doping Official and/or a person or persons appointed by him with authority to request a sample from a player shall notify the Secretary or other responsible official in attendance with the teams concerned that the match has been selected for the purpose of conducting a test and this as early as possible before the scheduled kick-off time of the match but not earlier than thirty minutes prior to the scheduled kick-off time of the match.
- 5.2. At the same time, the Secretary or other responsible official in attendance of the teams shall be provided with the Form Schedule C on which each club shall be requested to indicate any medication or treatment which has been administered in the seven (7) days prior to the date of the match to each player named in the Referee's Official Report Form as being selected for participation or included as a substitute in the match and with Form Schedule D confirming the selection of that match for a test to be conducted and inviting the Secretary or other responsible official in attendance with the team to attend the drawing of lots to select the players to be tested.
- 5.3. The Form Schedule C, to be provided by the Association, shall be filled in three copies and shall be signed in each case by the Club Medical Doctor or another responsible official of the Team in attendance.
- 5.4. The original and the first copy shall be handed to the Referee together with the Referee's Official Report Form prior to kick-off. The other copy shall be retained by the Club. The Referee shall hand the original and the first copy to the Doping Official or the selected SO.
- 5.5. The Referee shall indicate on his Official Report Form that the match has been selected to conduct a test.
- 5.6. The Form Schedule D, to be provided by the Association, shall be in three copies and shall be signed by the Doping Official or the person appointed by him with authority to request a sample from a player and by the Secretary or other responsible official in attendance with the team acknowledging to have received such information and invitation. The original shall be handed to the Secretary or other responsible official in attendance with the team and the two copies shall be retained by the Doping Official or the person appointed by him with authority to request a sample from a player.
- 6.1. The failure or refusal by the Club Medical Doctor and/or Secretary or other responsible official in attendance with a team to fill in and/or sign any of the Forms Schedule C or D, or in case that incorrect information, even though through a genuine mistake, is given on the Form Schedule C, shall not invalidate a test or a reserve test and shall in no way prejudice the right of the Medical Committee and/or the Executive Board

to find guilt in accordance with the relevant provisions of these Regulations.

- 6.2. The failure or refusal to fill in and/or sign any of the Forms Schedule C or D or knowingly giving false information on the Form Schedule C when the filling and/or signing of any form as specified and/or required by these regulations or by the Doping Official and/or another person or persons appointed by him with authority to request a sample from a player, shall constitute an offence.

#### **B. Selection of players to undergo tests at matches**

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- 1.1. In the case of a match at which samples from players are to be taken, the Doping Official shall, after having complied with the provisions under the previous title (Selection Of Matches At Which Tests Are To Be Carried Out), during the half-time interval of a match or as soon as possible after the commencement of the second half of the Match, at a location to be chosen by the Doping Official and in the presence of the Secretary or other responsible official in attendance of the teams, if they so desire, select by the drawing of lots three numbers from each of two bags containing the numbers on the shirts of the players selected to play in accordance with the Referee's Official Report Form. He shall place the numbers drawn in envelopes which have been prepared in advance, but neither he nor any other person shall look at the numbers. The first two players drawn from each lot shall be summoned to undergo the test whilst the other player drawn will be considered as a reserve.
- 1.2. If a player sustains serious injury which necessitates that he undergoes hospital treatment immediately, his number will not be included in the draw. If such a situation occurs after the draw, the third player shall replace the one injured. If there is serious doubt regarding the seriousness of the latter's injury, the SO shall, at the request of the Doping Official, take a decision.
- 1.3. A player who has been selected to play may not leave the venue of the match earlier than the end of the match unless for the reason stated in para. 1.2. above. if a player has been selected to undergo a test he may not leave the venue of the match before he has undergone the test. If such a player leaves the venue of the match earlier than the times mentioned in this paragraph and such player is selected or has been selected to undergo a test, then such player will be deemed to have failed the test. In any such case, the third player drawn will undergo the test. If the reserve player is required to undergo a test and he leaves the venue of the match without having undergone the test, then also he will be deemed to have failed the test.
- 1.4. The Doping Official shall keep the numbers of the players selected in separate sealed envelopes and shall open the two envelopes containing the numbers of the first two drawn players from each team and the two envelopes containing the number of the reserve player from each team fifteen minutes before the end of the match in the presence of the Secretary or other responsible official in attendance of the teams, if they so desire.
- 1.5. A player so requested shall have the right to have the team doctor or other representative present and be informed and ask for additional information about the Sample collection process.
- 2.1. Immediately after the names of the players to be tested are known, the Doping Official shall give to the Secretary or other responsible official present from each team a written notice by means of Schedule E containing the names of the selected players of his team to be tested and requesting that such players report directly to the designated area for the purpose of undergoing a test as soon as the match ends. However, if a selected player is still playing when his name is known but he leaves definitely the field of play before the end of the match, the Club shall inform such player to report directly to the designated area for undergoing a test immediately after such player leaves the field of play.
- 2.2. Schedule E shall be provided by the Association and shall be made out in three copies and shall contain a notice that if a player fails to undergo the test he shall be deemed to have failed the test.
- 2.3. Schedule E shall be signed by the Doping Official and by the Secretary or other responsible official of the team acknowledging that the Club has received the intimation. The original shall be handed to the Club Official, the first copy shall be retained by the Doping Official and the second copy shall be handed to the SO.
- 2.4. If the Club Official who signs Schedule E fails to inform any selected player of his Club to undergo the test, such person shall be deemed to have committed a very serious offence and shall be dealt with as the Executive Board of the Association shall deem fit. Furthermore, his Club shall be held fully responsible and shall incur those penalties which a Club may incur if its players have been found guilty to have used a prohibited substance or a prohibited method.
- 2.5. When a selected player goes for a test he must produce his MFA Identification Card or Government Identity Card or Passport so that his identity may be ascertained.
- 3.1. If at any time during or after the end of a match, the Doping Official suspects that there may have been use of a prohibited substance or prohibited method by any player other than those drawn by lot, the Doping Official may decide that such player/s should also undergo a target test. In this case, the Doping Official shall request the Secretary or other responsible official present from the Club of such player/s to request

such player/s to undergo a test.

- 3.2. In this case, the procedure prescribed in clause 2 above shall be followed.

#### **C. Selection of players to undergo out of competition testing at squad gatherings**

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- 1.1. Testing may be carried out at all squad gatherings of players of a Member Club that participates in association football played under the jurisdiction of the Association.
- 1.2. Such testing shall be conducted for those substances and methods which are even prohibited out of competition in accordance with the current list of prohibited substances and methods published by WADA.
- 1.3. Any squad gathering at which a test is to be carried out shall be selected at random by the Doping Official. Only the President of the Association, the General Secretary of the Association if he is not the Doping Official, and the selected SO shall be informed beforehand that a test at a squad gathering will be held.
- 1.4. Such test will be conducted by identifying individual players to be tested by the drawing of lots at random from a list of individual registered players maintained by the Association and thereafter testing such players at any squad gathering in which they participate.
- 2.1. The Doping Official shall notify the Secretary or other responsible official in attendance of the Club concerned, including the coach, that a player participating in the squad gathering, whether he is a player of that club or not, has been selected for the purposes of conducting a test immediately on arrival at the location of the squad gathering.
- 2.2. The Doping Official shall request the Secretary or other responsible official of the Club in attendance, including the coach, to ensure that the players selected report to the designated testing area immediately after the end of the squad gathering for the purpose of undergoing a test.
- 2.3. The details of any test carried out shall be recorded on the DCCF (Schedule F) in four copies and the player who undergoes a test shall be given a copy of that record.
- 2.4. If at any time during or after the end of the squad gathering the Doping Official suspects that there may have been a case of a use of a prohibited substance or prohibited method, the Doping Official may decide that other players apart from those drawn by lot should also be requested to undergo a test, and in such circumstances the Doping Official shall request the Secretary or other responsible official of the clubs in attendance to ensure that the players intimated to him prior to the end of the squad gathering and those players intimated to him after the end of the squad's gathering report to the designated testing area immediately.

#### **D. Sample collection procedures**

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1. On reporting to the designated testing area after the end of the match or squad gathering, as the case may be, each player shall identify himself to the Doping Official who will advise him of the procedure which is to be followed. The procedure operated during the testing shall be as follows:-
  - (i) The time of arrival of the player at the designated testing area will be noted on the DCCF (Schedule F).
  - (ii) The player shall hand to the SO his copy of the Form Schedule E. The SO shall verify the identity of the player from the player's MFA Identity Card or Government Identity Card or Passport, as well as the identity of any accompanying person whom the player wishes to be present. This information shall be noted on the DCCF.
  - (iii) The Sample collection procedures will be explained to the player.
  - (iv) When ready to provide a urine sample the player will select a collecting vessel which will be contained in a sealed plastic wrapper in the testing area. These vessels should be individually wrapped in plastic and should be disposed of after use. New collection vessels should be used to obtain partial samples.
  - (v) The player will accompany an SO of the same gender to the room where the sample is to be given.
  - (vi) The player will urinate into the collecting vessel under the observation of an SO of the same gender. A minimum of ninety milliliters (90ml.) is required.
  - (vii) To ensure authenticity of the Sample the SO may require such disrobing as is necessary to confirm the urine has been correctly issued by the player. This means exposure of the body from the middle of the back to below the knees. If the SO has reason to believe the sample given is not a true sample a further sample will be required.

- (viii) The player shall return to the administration area of the designated testing area and shall choose a pair of bottles marked A and B. These bottles will have been delivered to the designated testing area by the SO, still with the unique sealing. The seals of the packs must remain intact until the bottles are required for use.
  - (ix) The SO will, in the presence of the player and an accompanying person, if any present, will distribute the sample between the A and B bottles as follows: two-thirds ( $\frac{2}{3}$ ), that is sixty milliliters (60ml.), into the A bottle and one-third ( $\frac{1}{3}$ ), that is thirty milliliters (30ml.), into the B bottle. Both bottles shall bear the code number.
  - (x) The bottles will be properly sealed by the SO using special seals and afterwards tested by inverting the bottles in the presence of the player and an accompanying person, if any. The SO will give the opportunity to the player and the accompanying person, if any, to check that the bottles have been correctly sealed.
  - (xi) The numbers of the bottles shall be noted on the DCCF. The player, the accompanying person, if any, and the SO will check the bottle numbers against the numbers recorded on the DCCF.
  - (xii) The SO shall carry out a pH test and check the specific weight using the last drops of urine in the collecting vessel. Suitable specific gravity (1.010 with sticks) is required.
  - (xiii) The player will be asked to declare any drugs or medications taken within the last seven (7) days prior to the day of the match and on the day of the match, including during the match and during the half-time of the match, and to indicate, where applicable, who advised him or induced him to take the medication, if any such medication is indicated. The names of the medication/s and/or treatments and the approximate dosages, and where applicable, who advised him or induced him to take the medication and/or treatment in question, will be noted under "Other Remarks" on the DCCF. The pH test result and specific weight of the urine specimen shall also be filled in on the DCCF.
  - (xiv) The player will certify, by signing the DCCF, that he is satisfied with the sample collection procedure. The DCCF shall also be signed by any accompanying person, the SO and the Doping Official.
  - (xv) Any irregularities identified by the player or accompanying person should be indicated under "Remarks" on the DCCF before signature.
  - (xvi) The DCCF consists of one (1) original (white) and three (3) copies (blue, yellow, green). The original (white) will be retained by the SO for onward transmission to the Malta Football Association, the first (blue) copy will be retained by the SO, the second (yellow) copy will be sent with the collected samples to the laboratory and the third (green) copy will be handed to the player.
  - (xvii) If the player provides insufficient urine, the partial sample shall be stored in the A bottle which shall bear a coded number and sealed in the manner mentioned point (x) above. The number will be confirmed by the player and noted on the DCCF. When the player is ready to provide more urine, a further collecting vessel shall be selected and the sample provided under observation. The player will check the seal on the bottle before the seal is broken. If the sample is still insufficient, the sealing and recording procedures are repeated. However, when sufficient urine has been provided (minimum ninety millilitres - 90ml.), one-third ( $\frac{1}{3}$ ) will be poured in the B bottle and the procedure continued from point (ix) above.
  - (xviii) The player should remain in the designated testing area until the sample collection procedures are completed. However, the player may leave the designated testing area provided that he is accompanied by the Doping Official or by a person nominated by the Doping Official or by the SO and may change clothes if he so wishes. He may also drink beverages of his choice and provided by the Association and which must be consumed from the original sealed bottles or packages. If a player wishes to take his own food and drinks to the test, he may do so entirely at his own responsibility. In the latter case such occurrence must be specified under "Other Remarks" on the DCCF.
  - (xix) If a player refuses to give a sample, the possible consequences shall be pointed out. If the player still refuses, the fact shall be noted under "Other Remarks" on the DCCF. The form shall be signed by all persons specified to be present in the foregoing paragraphs and the form distributed as in point (xv) above.
2. At the end of the sample collection, as provided for in points (i) to (xviii) above, the A and B containers will be placed in a transport bag for transportation to the laboratory together with a sealed envelope containing the laboratory (yellow) copy of the DCCF. The envelope will be labeled "Confidential" and contain details of the number of A and B Sample containers enclosed together with the code numbers. The transport bag will also be sealed.
  3. The SO will complete an SO Report indicating the number of A and B Samples collected, the selection



procedure, the Clubs' co-operation, the players' and accompanying persons' co-operation, unusual circumstances and details of any matters which might need to be brought to the attention of the Malta Football Association. If a player fails to report to the designated area within the time-limit mentioned in these regulations (that is immediately after he leaves the field of play in the case of a competitive match - including the case when a player has been shown the red card and in which case he shall remain in the company of the Doping Official or another person nominated by the Doping Official until the test commences- or immediately after the training session comes to an end in the case of an out of competition testing) or if he attends he refuses to give a sample, shall be mentioned in the report. A copy of the team's lists on the Referee's Official Report Form, in the case of a competitive match, and the Forms required by these regulations and required to be sent to the Malta Football Association (Schedules C, D and E), shall be appended to this report. The SO's report together with the original (white) DCCF will be forwarded to the Malta Football Association.

4. The samples will be returned to the laboratory by the SO as soon as possible after collection by a secure chain of custody as may be decided by the Executive Board. In the case of any delay, cold storage of the samples should be ensured. The samples must be intact on delivery with plastic clip seals unbroken.
5. While this procedure must be followed as far as is reasonably practicable, a departure or departures from the procedure as above stated shall not invalidated the finding of a prohibited substance or use of a prohibited method unless it is sufficient to cast real doubt on the reliability of the finding.

#### **E. Testing of the samples (analysis procedure)**

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1. Analysis of the Samples shall be carried out in WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA- accredited laboratory (or other laboratory or method) used for the Sample analysis shall be determined exclusively by the FIFA Anti-Doping Unit.
2. Samples shall be analysed to detect Prohibited Substances and Prohibited Methods identified in the Prohibited List and other substances as may be directed by WADA pursuant to its monitoring programme;
3. Samples used for purposes other than described in the previous paragraph shall have any means of identification removed such that they cannot be traced back to a particular Player.
4. The Head of the Laboratory appointed to carry out the analyses shall be the person responsible for the analysis.
- 5.1. When they arrive at the laboratory, the package containing the glass bottles and the bottles themselves holding the samples A and B must be checked by the chemist responsible for the analysis. In so doing, he must ensure that their plastic clip seals are still intact. He shall confirm this in writing to the MFA when sending his reports.
- 5.2. Sample A will be analysed immediately, while Sample B will be locked in a refrigerator, unopened and will not be accessible to unauthorized persons.
6. The analysis will be carried out as follows:
  - (i) Screening. Gas-liquid Chromatography (GLC) will be used to detect volatile and non-volatile compounds.
  - (ii) Identification. A computerised system of gas-liquid chromatography and mass spectrometry (GLC-MS) will be used for identification.
7. Only the SO and the representative of the Association, if any of them is present at the laboratory, will be granted access to the laboratory premises.
- 8.1 If a Player or other Person retires while MFA is conducting the results management process, MFA retains jurisdiction to complete its results management process.
- 8.2 If a Player or other Person retires before any results management process has begun, and MFA would have had results management authority over the Player or other Person at the time the Player or other Person committed an anti-doping rule violation, MFA has authority to conduct results management in respect of that anti-doping rule violation.

#### **F. The result and the reserve test**

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1. On receipt of a laboratory report containing a negative result in the A sample, no further action will be taken, except that the tested players and their Clubs are informed accordingly. This information may be also given to the Executive Board and to the public.



2. On receipt of a laboratory report containing a Positive Result in the A sample, the General Secretary of the Association will immediately notify the player concerned and his Club in writing that doping or doping methods have been found in the A Sample. In so doing, the General Secretary of the Association shall provide copies of the data of the laboratory, shall invite the player to provide an explanation of the finding for the attention of the Medical Committee and shall advise the player and the Club of their right to ask for a reserve test to be carried out as provided in clause 9.2. of Section 4 of these Regulations. This procedure shall be without prejudice to the right of the Executive Board to suspend the player temporarily.

#### **G. The investigation**

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- 1.1. If no analysis of sample B takes place or if the analysis of sample B confirms the presence of doping or doping methods or if the player otherwise admits to the use of a prohibited substance or prohibited method, the Medical Committee shall conduct an investigation in terms of Regulation 12 of Section 4 of these Regulations to which the player and/or his agreed representative will be invited.
- 1.2. The player shall be entitled to be represented by an agreed representative if he so wishes.
- 2.1. If there is reason to consider that there may have been a breach of Regulation 13 of Section 4 of these Regulations regarding assisting or inciting the use of a prohibited substance or a prohibited method, the Medical Committee shall conduct an investigation in terms of Regulation 14 and to which the alleged assisting person and /or his agreed representative will be invited.
- 2.2. The alleged assisting person will be entitled to be represented by an agreed representative if he so wishes.
3. Following any such investigations, and subject to the observance of the relevant provisions of these Regulations, the Control and Disciplinary Board of the Association may impose such penalties on players, other persons, teams and Clubs as is provided for in these Regulations.
4. When a decision involving guilt becomes final and binding, if in the opinion of the Executive Board the use of the prohibited substance or prohibited method involved is also prohibited or restricted in accordance with the Laws of Malta, the Executive Board may in its discretion send a report of the action taken in a particular case, including a copy of the findings of the investigation and all the available evidence, to the Commissioner of the Executive Police for his use and perusal.
- 5.1 When a decision involving guilt becomes final and binding, the Executive Board shall send to FIFA a report about the findings of the investigation, including any available evidence, and the action taken against a player and/or any other individual and/or Club concerned.
- 5.2 All available information may be sent to FIFA even in the case that the test on sample 'A' provides a positive result whilst the test on sample 'B' provides a negative result and also in the case that in spite of a positive result no sanction has been imposed.

#### **6. Penalties**

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- 1.1. In the case of a player who is found guilty of having intentionally or negligently used a prohibited substance or prohibited method, the Control and Disciplinary Board of the Association, after having taken all the relevant circumstances of a particular case into account, shall impose on such a player the following penalties:

- (a) a suspension for forty-eight (48) months in the case of the first doping offence;
- (b) a suspension for ninety-six (96) months in the case of a second doping offence; and
- (c) a suspension for more than ninety-six (96) months or for life in the case of subsequent doping offences.

As used in this article, the term "intentionally" is meant to identify those Players who cheat. The term therefore requires that the Player or other Person engaged in conduct which he knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk.

- 1.2 However, the penalties mentioned in clause 1.1 above, in particular circumstances, may be either scaled down or extended.

In regard to scaling down the penalty, this shall only apply to 'specified substances' in the WADA List (all prohibited substances are 'specified substances' except, Anabolic Agents, Hormones (e.g. EPO), certain stimulants and hormone antagonists and modulators identified on the WADA List). Furthermore, only where a player can establish how a specified substance entered his body or came into his possession and that the specified substance was not intended to enhance the player's performance or mask the use of a performance-enhancing substance, may the penalty be scaled down. In such cases, the period of suspension mentioned in sub-article 1.1 may be replaced with the following:

- (a) First violation: as a minimum, a twenty-four (24) months' suspension, and as a maximum, forty-eight (48) months' suspension.

To justify any reduction of suspension, the player must produce corroborating evidence in addition to his word which establishes to the comfortable satisfaction of the adjudicating body the absence of 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 suspension.

(b) No fault or negligence

If a player establishes in an individual case that he bears no fault or negligence, the otherwise applicable period of suspension is lifted. In such case, the doping violation concerned shall not be taken into consideration in the case of other doping violations committed by the same player. When a prohibited substance or its markers or metabolites is detected in a player's sample, the player must also establish how the prohibited substance entered his system in order to have his suspension lifted.

(c) No significant fault or negligence

If a player establishes in an individual case that he bears no significant fault or negligence, then the otherwise applicable period of suspension may be reduced, but the reduced period of suspension may not be less than half of the period of suspension otherwise applicable. If the otherwise applicable suspension is a life ban, the reduced period under this sub-article may be no less than ninety-six (96) months. When a prohibited substance or its markers or metabolites is detected in the player's sample, the player must also establish how the prohibited substance entered his system in order to have the period of suspension reduced.

In regard to the extension of the penalty, if the adjudicating body establishes in an individual case involving an anti-doping rule violation that aggravating circumstances are present which justify a period of suspension greater than the standard penalty, then the period of suspension otherwise applicable shall be increased up to a maximum of forty-eight (48) months unless the player can prove to the comfortable satisfaction of the adjudicating body that he did not knowingly violate the anti-doping rule. A player can avoid the application of this rule by admitting the alleged anti-doping rule violation promptly after being confronted with the anti-doping violation by the Medical Committee.

- 1.3 In the case of a player who is deemed to have failed the test because he refuses to submit to a test or who is found guilty of having tampered or attempted to tamper with a doping test or who is found guilty of having evaded any of the other the provisions of these Regulations contrary to the provisions of these Regulations, such player shall be liable to the punishments mentioned in clause 1.1 above.
- 1.4 If a player is found guilty and punished, the Club of the player shall be fined a sum not exceeding two thousand euro (€2000) for every such player, depending on the circumstances of the case, unless the Club proves to the satisfaction of the Control and Disciplinary Board that it was not in any way involved in the doping offence concerned and provided that it proves to the satisfaction of the Control and Disciplinary Board that it had taken all the possible measures to prevent the player from using a prohibited substance and/or prohibited method.
- 2.1 If any other person is found to have been knowingly involved in assisting or inciting such a player in the use of a prohibited substance or prohibited method, the Control and Disciplinary Board shall suspend such person for a minimum period of forty-eight (48) months or for life depending on the gravity of the offence and in the case of similar subsequent offence shall ban such person for life.
- 2.2 In the case of a person subject to the jurisdiction of the association who is found guilty of trafficking in breach of regulation 2.3 of Section 4 of these Regulations such person shall be liable to a suspension of not less than forty-eight (48) months and not more than life suspension depending on the seriousness of the violation.
- 2.3 In the case of a person subject to the jurisdiction of the association who is found guilty of prohibited association in breach of regulation 2.4 of Section 4 of these Regulations such person shall be liable to a suspension of not less than twenty four (24) months subject to reduction down to a minimum of twelve (12) months, depending on the accused' or other Person's degree of Fault and other circumstances of the case.
- 2.4 If a person is found guilty as provided for in clause 2.1. or 2.2 above and such person is one of those persons mentioned in clause 13 of Section 4 of these Regulations, the Club of such person may be punished with a fine not exceeding two thousand euro (€2000) for every such person.
- 2.5 If a person is found guilty of having advised or incited a player not to take a test or of having advised a player in the evasion or attempted evasion of the provisions of these Regulations contrary to the provisions of these Regulations, such person shall be suspended for a minimum period of twenty-four (24) months and for a maximum period of forty-eight (48) months. In the case of a similar subsequent offence such person shall be banned for life. If such a person is one of those mentioned in clause 12 of Section 4 of these Regulations, the Club of such person may be punished with a fine not exceeding one thousand euro (€1000).
- 2.6 However, the penalties mentioned in clause 2.1 and 2.2 above, in particular circumstances, may be either

scaled down or extended.

In regard to scaling down the penalty, where such person can establish how a 'specified substance' in the WADA List (all prohibited substances are 'specified substances' except, Anabolic Agents, Hormones (e.g. EPO), certain stimulants and hormone antagonists and modulators identified on the WADA List) entered a player's body or came into his or the player's possession and that this specified substance was not intended to enhance the player's performance or mask the use of a performance-enhancing substance, the period of suspension mentioned in sub-article 1.1 shall be replaced with the following:

- (a) First violation: as a minimum, a twenty-four (24) months' suspension, and as a maximum, forty-eight (48) months' suspension.

To justify any lifting or reduction of suspension, such person must produce corroborating evidence in addition to his word which establishes to the comfortable satisfaction of the adjudicating body the absence of intent to enhance the player's sport performance or mask the player's use of a performance-enhancing substance. Such person's degree of fault shall be the criterion considered in assessing any reduction of the period of suspension.

- (b) No significant fault or negligence

If such person establishes in an individual case that he bears no significant fault or negligence, then the otherwise applicable period of suspension may be reduced, but the reduced period of suspension may not be less than half of the period of suspension otherwise applicable. If the otherwise applicable suspension is a life ban, the reduced period under this sub-article may be no less than ninety-six (96) months.

In regard to the extension of the penalty, if the adjudicating body establishes in an individual case involving an anti-doping rule violation that aggravating circumstances are present which justify a period of suspension greater than the standard penalty, then the period of suspension otherwise applicable shall be increased up to a maximum of ninety-six (96) months unless such person can prove to the comfortable satisfaction of the adjudicating body that he did not knowingly violate the anti-doping rule. Such person can avoid the application of this rule by admitting the alleged anti-doping rule violation promptly after being confronted with the anti-doping violation by the Medical Committee or the first adjudicating body as the case may be. However, if the anti-doping rule violation refers to a minor or involves trafficking and administration, the violation is always deemed to be an aggravating circumstance.

- 3.1 If two players who have actually taken part in a match are found to have used a Prohibited Substance or Prohibited Method and the team of such players had won the match or had drawn the match at which a test was made, the match shall be declared to have been won by the other team and a result of 2 - 0 for such other team shall be registered provided that the other team did not have two players who had taken part in that match and who are found to have used a Prohibited Substance or a Prohibited Method or there is another reason according to the rules and regulations of the Association for which such team should not be declared the winner of the match. In the latter cases, the match in question shall be declared to have been lost by both teams.
- 3.2. The provisions of clause 3.1. above shall only apply if, when the decision has become final and binding, in the case of a match played on a league basis, the relative league has not yet come to an end and/or another phase of the relative league has not yet started, and in the case of a match played on a knock-out basis, the team/s concerned has/have not already played its/their next match in the relative competition or if the competition has finished.
- 3.3. In case that the penalty mentioned in clause 3.1. above cannot be applied either due to the circumstances mentioned in clause 3.2. above or due to the fact that the team concerned has lost its match, the Club concerned shall be fined a minimum of one thousand and five hundred euro (€1500) and a maximum of three thousand euro (€3000). Furthermore, in the case of a competition played on a knock-out basis, the Club concerned shall be barred from entering the same or a similar competition in the following season.
- 4. Failure or refusal to fill in and/or sign any of the forms as required by these regulations or a refusal to answer to questions put in accordance with these regulations or knowingly giving false information in any of the Forms required to be submitted by these regulations or knowingly giving false answers to questions put in accordance with these regulations shall be punished as follows:
  - (i) In the case of a Club and in the case of an individual other than a player, a fine not exceeding two hundred and fifty euro (€250) for every such offence committed; and
  - (ii) in the case of a player, as a minimum, a suspension of twelve months and as a maximum a suspension of twenty-four (24) months.

- 5.1 The period of suspension imposed on a player or any other person in breach of these Regulations shall start

as soon as the decision providing for suspension is communicated to the Player or other Person concerned.

- 5.2 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 MFA Disciplinary Board may decide that the period of suspension shall start 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. All competitive results achieved during the period of suspension, including retroactive suspension, shall be disqualified.
- 5.3 Where the Player or other Person promptly (which, in all events, for a Player means before the Player competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by MFA, the period of suspension 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 suspension 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, the date of the communication of the decision imposing a sanction, or the date the sanction is otherwise imposed.
- 6.1 No Player or other Person who has been suspended may, during the period of Ineligibility, participate in any capacity in a Competition or activity (other than authorised anti-doping education or rehabilitation programmes) authorised or organised by MFA, FIFA or any Association, a club or other member organisation of an Association, or in Competitions authorised or organised by any professional league or any international or national-level Competition organisation or any elite or national-level sporting activity funded by a governmental agency.
- 6.2 Where a Player or other Person who has been suspended violates the prohibition against participation during suspension as described in regulation 6.1 above, a new period of suspension equal in length up to the original period of suspension shall be added to the end of the original period of suspension. The new period of suspension may be adjusted based on the Player or other Person's degree of Fault and other circumstances of the case. The determination of whether a Player or other Person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by MFA Disciplinary Board. This decision may be appealed as provided in these Regulations.

MALTA FOOTBALL ASSOCIATION  
MFA ANTI-DOPING REGULATIONS  
SCHEDULE A

**THERAPEUTIC USE EXEMPTIONS**

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## PART ONE: INTRODUCTION, WADA CODE PROVISIONS AND DEFINITIONS

### 1.0 Introduction and Scope

The Anti-Doping Regulations of the Malta Football Association permits players and their physicians to apply for therapeutic use exemptions (TUE) i.e. permission to use, for therapeutic purposes, substances or methods contained in the List of Prohibited Substances or Methods whose use is otherwise prohibited.

This Schedule (Schedule A of the MFA Anti-Doping Regulations regarding Therapeutic Use Exemptions - TUE) includes criteria for granting a TUE, confidentiality of information, the formation of a Therapeutic Use Exemptions Committee and the TUE application process.

This Standard applies to all football players under the jurisdiction of the Malta Football Association.

### 2.0 Relevant WADA Code Provisions

The following articles of the WADA Code directly address the International Standard for TUE and are applicable to these Anti-Doping Regulations of the Malta Football Association:

WADA, on its own initiative, may review at any time the granting of a therapeutic use exemption to any international-level athlete or national level athlete who is included in his or her National Anti-Doping Organization's Registered Testing Pool. Further, upon the request of any such Athlete who has been denied a therapeutic use exemption, WADA may review such denial. If WADA determines that such granting or denial of a therapeutic use exemption did not comply with the International Standard for Therapeutic Use Exemptions, WADA may reverse the decision.

Presence of a Prohibited Substance or its Metabolites or Markers, Use or Attempted Use of a Prohibited Substance or a Prohibited Method, Possession of Prohibited Substances and Prohibited Methods or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method consistent with the provisions of an applicable therapeutic use exemption issued pursuant to the International Standard for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.

#### **Appeals from Decisions Granting or Denying a Therapeutic Use Exemption**

Decisions by WADA reversing the grant or denial of a therapeutic use exemption may be appealed exclusively to CAS by the player or the Malta Football Association whose decision was reversed. Decisions by the Malta Football Association other than WADA denying therapeutic use exemptions, which are not reversed by WADA, may be appealed by an international-level player to CAS and by other players to the Appeals Board of the Malta Football Association, whose decision shall be final and binding. If the Appeals Board of the Malta Football Association reverses the decision to deny a therapeutic use exemption, that decision may be appealed to CAS by WADA.

When the relevant body of the Malta Football Association fails to take action on a properly submitted therapeutic use exemption application within a reasonable time, such relevant body's failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

#### ***Doping Control Information Clearinghouse***

WADA shall act as a central clearinghouse for Doping Control Testing data and results for international-level athletes and national-level athletes who have been included in their National Anti-Doping Organization's Registered Testing Pool. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in testing by the various Anti-Doping Organizations, the Malta Football Association shall report all in-competition and out-of-competition tests on such players to the WADA Clearinghouse as soon as possible after such tests have been conducted. This information will be made accessible to the player, the Malta National Olympic Committee, the Malta Anti-Doping Agency, FIFA and the International Olympic Committee.

To enable it to serve as a clearinghouse for Doping Control Testing data, WADA has developed a database management tool, *ADAMS*, that reflects emerging data privacy principles. In particular, WADA has developed *ADAMS* to be consistent with data privacy statutes and norms applicable to WADA and other organizations using *ADAMS*.

### 3.0 Terms and Definitions

#### 3.1 Defined Terms from the WADA Code

**ADAMS:** The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation.

**Adverse Analytical Finding:** A report from a laboratory or other WADA approved entity that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.



**Athlete:** Any Person who participates in sport at the international level (as defined by each International Federation), the national level (as defined by each National Anti-Doping Organization, including but not limited to those Persons in its Registered Testing Pool), and any other competitor in sport who is otherwise subject to the jurisdiction of any Signatory or other sports organization accepting the Code. All provisions of the Code, including, for example, Testing and therapeutic use exemptions, must be applied to international- and national-level competitors. Some National Anti-Doping Organizations may elect to test and apply anti-doping rules to recreational level or masters competitors who are not current or potential national calibre competitors. National Anti-Doping Organizations are not required, however, to apply all aspects of the Code to such Persons. Specific national rules may be established for Doping Control for non-international-level or non-national level competitors without being in conflict with the Code. Thus, a country could elect to test recreational-level competitors but not require therapeutic use exemptions or whereabouts information. In the same manner, a Major Event Organization holding an Event only for masters-level competitors could elect to test the competitors but not require advance therapeutic use exemptions or whereabouts information. For purposes of Article 2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

*[Comment: This definition makes it clear that all international- and national-caliber Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international- and national-level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations, respectively. At the national level, anti-doping rules adopted pursuant to the Code shall apply, at a minimum, to all persons on national teams and all persons qualified to compete in any national championship in any sport. That does not mean, however, that all such Athletes must be included in a National Anti-Doping Organization's Registered Testing Pool. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping program beyond national-caliber Athletes to competitors at lower levels of competition. Competitors at all levels of competition should receive the benefit of anti-doping information and education.]*

**Code:** The World Anti-Doping Code.

**Competition:** A single race, match, game or singular athletic contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a Competition and an Event will be as provided in the rules of the applicable International Federation.

**Doping Control:** 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, Sample collection and handling, Athletes designated by one or more International Federations as being within the Registered Testing Pool for an International Federation, laboratory analysis, therapeutic use exemptions, results management and hearings.

**In-Competition:** Unless provided otherwise in the rules of an International Federation or other relevant Anti-Doping Organization, "In-Competition" means the period commencing twelve hours before a Competition in which the Athlete is scheduled to participate through the end of such Competition and the Sample collection process related to such Competition.

**International-Level Athlete: International Standard:** A standard adopted by WADA in support of the Code. Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly. International Standards shall include any Technical Documents issued pursuant to the International Standard.

**Anti-Doping Organization:** The Malta Football Association and any other anti-doping organization set up in accordance with the Laws of Malta.

**National Event:** A sport Event involving international- or national-level Athletes that is not an International Event.

**Out-of-Competition:** Any Doping Control which is not In-Competition.

**Prohibited List:** The List identifying the Prohibited Substances and Prohibited Methods.

**Prohibited Method:** Any method so described on the Prohibited List.

**Prohibited Substance:** Any substance so described on the Prohibited List.

**Registered Testing Pool:** The pool of top-level athletes established separately by FIFA and/or UEFA and the Maltese National Anti-Doping Organisation who are subject to both In-Competition and Out-of-Competition Testing as part of FIFA and/or UEFA or the Maltese National Anti-Doping Organisation's test distribution plan. The names of these players shall be published in a list which identifies such athletes in the Registered Testing Pool either by name or by clearly defined, specific criteria.

**Signatories:** Those entities signing the WADA Code and agreeing to comply with the Code, including the International Olympic Committee, International Federations, International Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Event Organizations, National Anti-Doping Organizations, and WADA.

**Testing:** The parts of the Doping Control Process involving test distribution planning, sample collection, sample handling, and sample transport to the laboratory.

**Use:** The utilization, application, ingestion, injection or consumption by any means whatsoever of any Prohibited Substance or Prohibited Method.

**WADA:** The World Anti-Doping Agency.

### 3.2 Defined Terms from the International Standard for TUEs

**Retroactive TUE:** Therapeutic Use Exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file after a laboratory has reported an Adverse Analytical Finding (AAF).

**Therapeutic:** Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

**TUE:** Therapeutic Use Exemption approved by a Therapeutic Use Exemption Committee based on a documented medical file before the *Use* of the substance in sports.

**TUEC:** Therapeutic Use Exemption Committee is the Panel established by the Medical Committee of the Malta Football Association.

**WADA TUEC:** WADA Therapeutic Use Exemption Committee is the Panel established by WADA.

## PART TWO: STANDARDS FOR GRANTING THERAPEUTIC USE EXEMPTIONS

### 4.0 General

- a. Any Player who consults a doctor and is prescribed treatment or medication for therapeutic reasons shall enquire whether the prescription contains Prohibited Substances and/or Prohibited Methods. If so, the Player shall request alternative treatment.
- b. If there is no alternative treatment, the Player with a documented medical condition requiring the use of a Prohibited Substance and/or a Prohibited Method must first obtain a TUE. However, TUEs will only be granted in cases of clear and compelling clinical need where no competitive advantage can be gained by the Player.
- c. The application for and approval of a TUE strictly follow the procedure laid out in the WADA International Standard for Therapeutic Use Exemption and in these Regulations.
- d. Players who have been included in the FIFA International Registered Testing Pool may only obtain TUEs in accordance with the rules stipulated by FIFA. FIFA publishes a list of those International Competitions for which a TUE from FIFA is required. Details of the application procedure shall be found in Annexe B of the FIFA Anti Doping Regulations. TUEs granted by FIFA under the FIFA Anti Doping Regulations rules shall be reported to the Player's Association and to WADA.
- e. Players who have been identified or included in a national Registered Testing Pool must obtain a TUE from their NADO, or from such other body as may be designated by their Association to grant TUEs, or that otherwise has competent authority to grant TUEs in the territory of the Association concerned. Associations shall in all cases be responsible for promptly reporting the granting of any TUEs under these rules to FIFA and WADA.

### 4.1 Criteria for Granting a Therapeutic Use Exemption

A Therapeutic Use Exemption (TUE) may be granted to a player permitting the use of a Prohibited Substance or Prohibited Method contained in the Prohibited List. An application for a TUE will be reviewed by a Therapeutic Use Exemption Committee (TUEC). The TUEC will be appointed by the MFA Medical Committee. An exemption will be granted only in strict accordance with the following criteria:

- 4.1 The player should submit an application for a TUE no less than twenty-one (21) days before he/she needs the approval.
- 4.2 The player would 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.

- 4.3 The therapeutic 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. The use of any Prohibited Substance or Prohibited Method to increase “low-normal” levels of any endogenous hormone is not considered an acceptable therapeutic intervention.
- 4.4 There is no reasonable therapeutic alternative to the Use of the otherwise Prohibited Substance or Prohibited Method.
- 4.5 The necessity for the use of the otherwise Prohibited Substance or Prohibited Method cannot be a consequence, wholly or in part, of prior non therapeutic use of any substance from the Prohibited List.
- 4.6 The TUE will be cancelled by the granting body, if:
- The player does not promptly comply with any requirements or conditions imposed by the Therapeutic Use Exemption Committee (TUEC) or the Anti-Doping Organization granting the exemption.
  - The term for which the TUE was granted has expired.
  - The player is advised that the TUE has been withdrawn by Therapeutic Use Exemption Committee (TUEC) or the Anti-Doping Organization granting the exemption.

*(Each TUE will have a specified duration as decided upon by the TUEC. There may be cases when a TUE has expired or has been withdrawn and the Prohibited Substance subject to the TUE is still present in the player's body. In such cases, the MFA Medical Committee conducting the initial review of an adverse analytical finding will consider whether the finding is consistent with expiry or withdrawal of the TUE.)*

- 4.7 An application for a TUE will not be considered for retroactive approval except in cases where:
- Emergency treatment or treatment of an acute medical condition was necessary; or
  - due to exceptional circumstances, there was insufficient time or opportunity for an applicant to submit, or a TUEC to consider, an application prior to Doping Control; or
  - the conditions set forth under sub-article 7.11 apply.

*[Medical emergencies or acute medical situations requiring administration of an otherwise Prohibited Substance or Prohibited Method before an application for a TUE can be made, are uncommon. Similarly, circumstances requiring expedited consideration of an application for a TUE due to imminent competition are infrequent. The TUEC should have internal procedures which permit such situations to be addressed].*

## **5.0. Confidentiality of Information**

- 5.1 The applicant must provide written consent for the transmission of all information pertaining to the application to members of the TUEC and, as required, to other independent medical or scientific experts, or to all necessary staff involved in the management, review or appeal of TUEs.

Should the assistance of external, independent experts be required, all details of the application will be circulated without identifying the player concerned. The applicant must also provide written consent for the decisions of the TUEC to be distributed to other relevant Anti-Doping Organizations under the provisions of these regulations.

- 5.2 The members of the TUECs and the administration of the Anti-Doping Organization involved will conduct all of their activities in strict confidence. All members of a TUEC and all staff involved will sign confidentiality agreements. In particular they will keep the following information confidential:
- All medical information and data provided by the player and physician(s) involved in the player's care.
  - All details of the application including the name of the physician(s) involved in the process.

Should the player wish to revoke the right of the TUEC or the WADA TUEC to obtain any health information on his/her behalf, the player must notify his/her medical practitioner in writing of the fact. As a consequence of such a decision, the player will not receive approval for a TUE or renewal of an existing TUE.

## **6.0 Therapeutic Use Exemption Committee (TUEC)**

TUEC shall be constituted and act in accordance with the following guidelines:

- 6.1 The TUEC should include at least three (3) physicians with experience in the care and treatment of athletes and

a sound knowledge of clinical, sports, and exercise medicine. In order to ensure a level of independence of decisions, the majority of the members of the TUEC should be free of conflicts of interest or political responsibility within the Malta Football Association.

All members of a TUEC will sign a conflict of interest agreement.

In applications involving players with disabilities, at least one (1) TUEC member must possess specific experience with the care and treatment of Athletes with disabilities.

**6.2** The TUEC may seek whatever medical or scientific expertise they deem appropriate in reviewing the circumstances of any application for a TUE.

**6.3** The WADA TUEC, upon request by a player who have been denied TUEs by the TUEC of the Malta Football Association, will review such decisions with the power to reverse it.

## **7.0 Therapeutic Use Exemption (TUE) Application Process**

**7.1** A TUE will only be considered following the receipt of a completed application form that must include all relevant documents (see Annex 2 - TUE form). The application process must be dealt with in accordance with the principles of strict medical confidentiality.

**7.2** A player may not apply to more than one Anti-Doping Organization for a TUE.

**7.3** The application must list any previous and/or current requests for permission to use an otherwise Prohibited Substance or Prohibited Method, the body to whom that request was made, and the decision of that body.

**7.4** The application must include a comprehensive medical history and the results of all examinations, laboratory investigations and imaging studies relevant to the application. The arguments related to the diagnosis and treatment, as well as duration of validity, should follow the WADA "Medical Information to Support the Decisions of TUECs". For asthma, the specific requirement(s) set out in Annex 1 must be fulfilled.

**7.5** Any additional relevant investigations, examinations or imaging studies requested by the TUEC before approval will be undertaken at the expense of the applicant.

**7.6** The application must include a statement by an appropriately qualified physician attesting to the necessity of the otherwise Prohibited Substance or Prohibited Method in the treatment of the player and describing why an alternative, permitted medication cannot, or could not, be used in the treatment of this condition.

**7.7** The dose, frequency, route and duration of administration of the otherwise Prohibited Substance or Prohibited Method in question must be specified. In case of change, a new application should be submitted.

**7.8** In normal circumstances, decisions of the TUEC should be completed within thirty (30) days of receipt of all relevant documentation and will be conveyed in writing to the player by the MFA Medical Committee. Acceptance by the TUEC of a request for the granting of a TUE should be made by means of certificate (vide Schedule B of MFA Anti-Doping Regulations) whilst a refusal should be made by means of a letter.

In case of a TUE application made in a reasonable time limit prior to a match the TUEC should use its best endeavors to complete the TUE process before the match. Where a TUE has been granted to a player in the Anti-Doping Organization Registered Testing Pool, the player and WADA will be provided promptly with an approval which includes information pertaining to the duration of the exemption and any conditions associated with the TUE.

**7.9** a. Upon receiving a request by a player for review, the WADA TUEC will be able to reverse a decision on a TUE denied by the TUEC. The player shall provide to the WADA TUEC all the information for a TUE as submitted initially to the TUEC accompanied by an application fee. Until the review process has been completed, the original decision remains in effect. The process should not take longer than thirty (30) days following receipt of all the information by WADA.

b. WADA can, on its own initiative, undertake a review at any time.

**7.10** If the decision regarding the granting of a TUE is reversed by WADA upon review, the reversal shall not apply retroactively and shall not disqualify the player during the period that the TUE had been granted and shall take effect no later than fourteen (14) days following notification of the decision to the player.

**7.11** The Use of inhaled Beta-2 Agonists:

- The use of inhaled formoterol, salbutamol, salmeterol and terbutaline reflects current clinical practice. The use of these substances should be declared on ADAMS where reasonably feasible as soon as the product is used and must as well be declared on the Doping Control form at the time of testing. Failure to declare will be taken into account in the result management process in particular in case of application for a Retroactive TUE.

- Players using the substances listed above by inhalation must have a medical file justifying this use and meeting the minimum requirements outlined in Annex 1.

**Depending upon the category of the player, the medical file will be evaluated as follows:**

- For all players included in the FIFA and/or UEFA Registered Testing Pool a regular TUE approved before the use of the substance.
- For players participating in an international match but who are not included in a FIFA and/or UEFA Registered Testing Pool either a TUE, or a Retroactive TUE in the case of an adverse analytical finding, in accordance with the rules of FIFA and/or UEFA.
- For national-level players who are not included in a FIFA and/or UEFA Registered Testing Pool, whether or not they are part of a national Registered Testing Pool, either a TUE, or a Retroactive TUE in the case of an Adverse Analytical Finding, in accordance with the rules of the Anti-Doping Regulations of the Malta Football Association.
- No Retroactive TUE will be granted if the requirements of Annex 1 are not met meaning that any adverse analytical finding reported by the laboratory in these circumstances will result in an anti-doping rule violation.
- Any player may apply for a TUE at any time if they wish.
- Any player who has applied for a TUE or a Retroactive TUE and who was denied such TUE may not use the substance without the prior granting of a TUE (no Retroactive TUE will be permitted).

## **8.0 Declaration of Use Process**

- 8.1** It is acknowledged that some substances included on the List of Prohibited Substances are used to treat medical conditions frequently encountered in the athlete population. For monitoring purposes, these substances, for which the route of administration is not prohibited, will require a simple declaration of use. These are strictly limited to:

Glucocorticosteroids used by non systemic routes, namely intra articular, periarticular, peritendinous, epidural, intradermal injections and inhaled route.

- 8.2** For the mentioned substances, the declaration of use should be done through *ADAMS* where reasonably feasible and in accordance with the WADA Code by the player at the same time as the use starts. This declaration should mention the diagnosis, the name of the substance, the dose undertaken, the name and the contact details of the physician.

In addition, the player must declare the use of the substance in question on the Doping Control form.

## **9.0 Clearinghouse**

- 9.1** The Malta Football Association is required to provide WADA with all TUEs approved for players who are part of a national or international Registered Testing Pool, and all supporting documentation, in accordance with section 7.
- 9.2** The declarations of use should be available to WADA (*ADAMS*).
- 9.3** The Clearinghouse shall guarantee strict confidentiality of all the medical information.

## **ANNEX 1**

### **Minimum requirements for the medical file to be used for the TUE process in the case of asthma and its clinical variants**

The file must reflect current best medical practice to include:

- 1) A complete medical history
- 2) A comprehensive report of the clinical examination with specific focus on the respiratory system
- 3) A report of spirometry with the measure of the Forced Expiratory Volume in 1 second (FEV1)
- 4) If airway obstruction is present, the spirometry will be repeated after inhalation of a short acting Beta-2 Agonist to demonstrate the reversibility of bronchoconstriction
- 5) In the absence of reversible airway obstruction, a bronchial provocation test is required to establish the presence of airway hyperresponsiveness
- 6) Exact name, specialty, address (including telephone, e-mail, fax) of examining physician.



## ANNEX 2

MALTA FOOTBALL ASSOCIATION



Therapeutic Use Exemption Application form

### Therapeutic Use Exemptions (TUE)

Please complete all sections in capital letters or typing

#### 1. Player Information

Surname:

Given names:

Female ☐

Male ☐

Date of Birth (d/m/y):

Address:

City:

Country:

Postcode:

MFA Player's I.D. Card No:

Player's Govt. I.D. Card/Passport No:

Tel.: 00356

E-mail:

International - National Sport Organization: FIFA/UEFA - Malta Football Association

If player with disability, indicate disability:

#### 2. Medical information

Diagnosis with sufficient medical information (see note 1):

If a permitted medication can be used to treat the medical condition, provide clinical justification for the requested use of the prohibited medication

#### 3. Medication details

| Prohibited substance(s):<br><i>Generic name</i> | Dose | Route | Frequency |
|---|------|-------|-----------|
| 1.  |      |       |           |
| 2.  |      |       |           |

|   |  |                                    |                                    |
|---|--|------------------------------------|------------------------------------|
| 3.  |  |                                    |                                    |
| <b>Intended duration of treatment:</b><br>(Please tick appropriate box) |  | once only <input type="checkbox"/> | emergency <input type="checkbox"/> |
|   |  | or duration (week/month): _____    |                                    |

**Have you submitted any previous TUE application:** Yes/No ☐

(Please delete as necessary)

**If Yes:**  
 For which substance? \_\_\_\_\_

To whom? \_\_\_\_\_ When? \_\_\_\_\_

**Decision:** Approved/Not Approved  
 (Please delete as necessary)

**4. Medical practitioner's declaration**

I certify that the above-mentioned treatment is medically appropriate and that the use of alternative medication not on the prohibited list would be unsatisfactory for this condition.

Name: \_\_\_\_\_

Medical specialty: \_\_\_\_\_

Address: \_\_\_\_\_

Tel.: 00356 \_\_\_\_\_ Fax: 00356 \_\_\_\_\_ E-mail: \_\_\_\_\_

Signature of Medical Practitioner: \_\_\_\_\_ Date: \_\_\_\_\_

**5. Player's declaration**

I, \_\_\_\_\_ certify that the information under 1-3 above is accurate and that I am requesting approval to use a Substance or Method from the WADA Prohibited List. I authorize the release of personal medical information to the Malta Football Association (MFA) as well as to WADA staff, to the WADA TUEC (Therapeutic Use Exemption Committee) and to other organizations as mentioned in the MFA Anti-Doping Regulations. I understand that if I ever wish to revoke the right of these organizations to obtain my health information on my behalf, I must notify my medical practitioner and the MFA in writing of that fact.

**Player's signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Parent's/Guardian's signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(if the player is a minor or has a disability preventing him/her to sign this form, a parent or guardian shall sign together with or on behalf of the player)

**6. Note:**

**Note 1 Diagnosis**

*Evidence confirming the diagnosis must be attached and forwarded with this application. The medical evidence should include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies. Copies of the original reports or letters should be included when possible. Evidence should be as objective as possible in the clinical circumstances and in the case of non-demonstrable conditions independent supporting medical opinion will assist this application.*

**Incomplete Applications will be returned and will need to be resubmitted.**  
 Please submit the completed form to the Malta Football Association and keep a copy for your records.

MALTA FOOTBALL ASSOCIATION  
MFA ANTI-DOPING REGULATIONS  
SCHEDULE B

**CERTIFICATE OF APPROVAL OF THERAPEUTIC USE EXEMPTION (TUE)**

Approval N°: \_\_\_\_\_

**The under-mentioned player has been granted approval to use the prohibited substance(s) or the prohibited method listed below under the conditions stipulated in this document**

**Player details**

Surname: \_\_\_\_\_

Given names: \_\_\_\_\_

Nationality: \_\_\_\_\_

Date of birth (day/month/year) \_\_\_\_\_

MFA Player's I.D. Card No: \_\_\_\_\_ Player's Govt. I.D. Card/Passport No: \_\_\_\_\_

**Prohibited substance(s) or Method:**

Dose and method of administration: \_\_\_\_\_

**Duration of approval**

From: \_\_\_\_\_ Until: \_\_\_\_\_

Any specific conditions attached to this approval: \_\_\_\_\_

**To the ATTENTION of the PLAYER**  
**The dose, method and frequency of administration as prescribed by your physician must be meticulously followed!!**

**Authorisation by MFA**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone number: \_\_\_\_\_

**To the ATTENTION of the PLAYER**  
**Please carry a copy of this form with you at all times.**  
**This form should be presented to the Doping Control Officer at the time of testing.**

MALTA FOOTBALL ASSOCIATION

**MFA ANTI-DOPING REGULATIONS**

**SCHEDULE C**

**MEDICAL FORM**

Competition: \_\_\_\_\_ Date: \_\_\_\_\_ Scheduled Kick-Off Time: \_\_\_\_\_

Team: \_\_\_\_\_

The undersigned Team Doctor/Club Official (delete as necessary):

\_\_\_\_\_  
(Name & Surname in Block Letters)

certifies that during the past seven days preceding the day of the match, the Club Doctor:

DR.

\_\_\_\_\_  
(Name & Surname in Block Letters)

**had** prescribed the following medicaments to the participating players, as mentioned below:

| Player No. | Name | Surname | Medicament: description including manufacturer's name | Exact including |
|------------|------|---------|---|-----------------|
|            |      |         |   |                 |
|            |      |         |   |                 |
|            |      |         |   |                 |
|            |      |         |   |                 |
|            |      |         |   |                 |
|            |      |         |   |                 |
|            |      |         |   |                 |
|            |      |         |   |                 |
|            |      |         |   |                 |

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

\_\_\_\_\_  
To be filled in three (3) copies and handed to the Referee together with the Referee's Official Report Form.

MALTA FOOTBALL ASSOCIATION

## **MFA ANTI-DOPING REGULATIONS**

### **SCHEDULE D**

#### **NOTIFICATION TO A CLUB THAT A MATCH HAS BEEN SELECTED FOR DOPING TESTS**

The undersigned, in my capacity as Doping Official of the Malta Football Association is hereby informing you and your Club that the match in which your Club is participating today/the training session which your Club is holding today has been chosen for doping tests to be conducted in accordance with the provisions of the Anti-Doping Regulations of the Malta Football Association.

Thus you or another official of your Club is invited to attend the draw of lots so that two players from your team are selected to undergo the test.

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Signature of the Doping Official: \_\_\_\_\_

The undersigned, on behalf of \_\_\_\_\_ F.C., acknowledge receipt of the Notification Regarding Doping Tests which are being held today after the end of the match in which my Club is taking part.

Name: \_\_\_\_\_ Capacity: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Signature: \_\_\_\_\_ (Name & Surname in Block Letters)

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To be filled by the Doping Official in three (3) copies.

MALTA FOOTBALL ASSOCIATION

## MFA ANTI-DOPING REGULATIONS

### SCHEDULE E

#### NOTIFICATION TO A CLUB THAT ITS PLAYERS HAVE BEEN SELECTED TO UNDERGO A DOPING TEST

To: \_\_\_\_\_ FC

The undersigned, in my capacity as Doping Official of the Malta Football Association, is informing you that the under mentioned players from your Club have been selected to undergo a Doping Test. Immediately after the end of the match, these players are to report directly to the designated area. However, if any of these players leaves definitely the field of play before the end of the match, such player shall report to the designated area immediately after he leaves the field of play.

You are reminded that if a player fails to report for this test he shall be deemed to have failed the test.

#### Players to undergo the test:

|           |       |
|-----------|-------|
| Player N° | Name  |
| _____     | _____ |

|           |       |
|-----------|-------|
| Player N° | Name  |
| _____     | _____ |

#### Substitute player:

|           |       |
|-----------|-------|
| Player N° | Name  |
| _____     | _____ |

|             |             |
|-------------|-------------|
| Date: _____ | Time: _____ |
|-------------|-------------|

Signature of Doping official: \_\_\_\_\_

The undersigned, on behalf of ..... FC,  
declare that my Club has been informed by the Doping Official that the above-mentioned players  
have been selected to undergo a doping test.

|             |             |
|-------------|-------------|
| Date: _____ | Time: _____ |
|-------------|-------------|

|             |                 |
|-------------|-----------------|
| Name: _____ | Capacity: _____ |
|-------------|-----------------|

Signature: \_\_\_\_\_



**MFA ANTI-DOPING REGULATIONS  
SCHEDULE F  
DOPING CONTROL COLLECTION FORM (DCCF)**

Match: \_\_\_\_\_ Date: \_\_\_\_\_

Venue: \_\_\_\_\_

Name of Player: \_\_\_\_\_ N° of Jersey: \_\_\_\_\_

Club: \_\_\_\_\_ Ident. Doc. N° \_\_\_\_\_

Name of the Club Doctor or Representative: \_\_\_\_\_

Name of the MFA Sampling Officer: \_\_\_\_\_ Dr. \_\_\_\_\_

Name of the MFA Doping Official: \_\_\_\_\_

**INFORMATION FOR THE ANTI-DOPING LABORATORY**

The Sampling Procedure started at: ..... Hrs.

The Player gave a urine sample under the strict control of the Sampling Officer of the Malta Football Association on the: ..... at ..... Hrs.

The Player had chosen two bottles "A" and "B" which have been distinctly sealed under the following numbers:-

Code N° "A" \_\_\_\_\_ Code N° "B" \_\_\_\_\_

Code N° of Box "A" \_\_\_\_\_ Code N° of Box "B" \_\_\_\_\_

The Player declares that in the last seven (7) days he has taken the following medications:

In the case of a Certificate Of Approval For Therapeutic Use, to specify Approval N° \_\_\_\_\_

End of the Sampling Procedure at: ..... Hrs.

The Player, the Club Doctor or Representative declares that the whole procedure had taken place in conformity with the provisions of the MFA Anti-Doping Regulations.

Other remarks: \_\_\_\_\_

The Player, in view of the provisions of the MFA Anti-Doping Regulations and in view of the Data Protection Act (Chapter 586 of the Laws of Malta) is hereby unconditionally giving his consent to the MFA to perform all that which is mentioned in the Anti-Doping Regulations even if the same infringe the right to privacy of the Player.

**Signatures:**

Player: \_\_\_\_\_

Club Doctor or Representative: \_\_\_\_\_

MFA Sampling Officer: \_\_\_\_\_

MFA Doping Official: \_\_\_\_\_