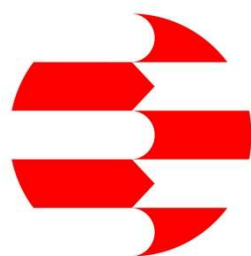


Attachment to the Director  
Decision 1 March 2021 No  
2/2021



**POLADA**  
Polska Agencja Antydopingowa

**REGULATIONS ON ANTI-DOPING CONTROL CONDUCT  
AND RESULTS MANAGEMENT  
POLISH ANTI-DOPING AGENCY**

March 2021

## **§ 1. GENERAL PROVISIONS**

1. Issues not covered by these regulations shall be governed by the World Anti-Doping Code, the POLADA Anti-Doping Rules of 18 November 2020, the International Standard for Therapeutic Use Exemptions, the International Standard for Testing and Investigations and the International Standard for Results Management.
2. The anti-doping rule violation is understood as the fulfilment of the conditions set out in art. 2 of the Anti-Doping Rules of the Polish Anti-Doping Agency, referred to as "ADR".
3. Anti-Doping controls are conducted in order to obtain evidence of the anti-doping rule violation.
4. Anti-Doping controls are carried in- and out-of- competition, including, in particular, during training, training camps, consultations and other activities.
5. The date of the anti-doping controls is not notified to the persons to be subjected to such controls.
6. If an athlete who has achieved a score that set the Polish, European or World record, was not subjected to anti-doping control in the course of such competition, he/she should contact POLADA in order to arrange anti-doping control.
7. If an athlete who has set a Polish, European or World record in a competition, has not undergone doping control in that competition, he/she should contact POLADA in order to arrange for doping control.
8. The doping control referred to in point 7 should be carried out immediately after setting the Polish, European or World record in that competition.
9. Anti-doping controls take place, taking into account the national and international guidelines, especially those issued by the World Anti-Doping Agency (WADA).

## **§ 2. ORGANIZATION OF ANTI-DOPING CONTROLS**

The Department of Anti-Doping Controls and Results Management of POLADA as well as controlling teams are engaged in the processes of planning, conducting, result analysis and result management.

### **§ 3. AGENCY TASKS RELATED TO PLANNING OF ANTI-DOPING CONTROLS**

1. A doping risk assessment in individual sports/sport disciplines (RA) and a Test Distribution Plan (TDP) shall be developed in accordance with Article 4.2.1 of the International Standard for Testing and Investigations.
2. A Test Distribution Plan (TDP) shall be developed based on a doping risk assessment in individual sports/sport disciplines (RA).
3. A doping risk assessment in individual sports/sport disciplines (RA) and a Test Distribution Plan (TDP) shall be revised annually in accordance with Article 4.2.3 of the International Standard for Testing and Investigations.
4. By 31 December every year, the POLADA Director approves the annual Test Distribution Plan for the next year. The Test Distribution Plan is drawn up by the manager of the Department of Anti-Doping Controls and Results Management, taking into account in particular the following information:
  - 1) statistics on doping analyses
  - 2) surveys on doping trends;
  - 3) history of doping in sport and/or a discipline;
  - 4) training plans and the competition calendar;
  - 5) data on doping practices.
5. The Test Distribution Plan lays down the list of sport disciplines subject to anti-doping control.
6. Test Distribution Plan lays down the number of anti-doping samples to be collected, the type thereof and the number and the type of laboratory anti-doping analyses.
7. The Test Distribution Plan may set out additional guidelines on the manner of conducting anti-doping controls.
8. The doping control program shall be implemented in accordance with the TDSSA (technical document for sport specific analysis).
9. The Head of the Doping Control and Results Management Department shall be responsible for adequate implementation of the anti-doping program in accordance with the TDSSA.

#### **§ 4. DOPING CONTROL TEAMS**

1. Persons conducting anti-doping controls act within controlling teams.
2. Persons that have qualifications defined in art. 22.1 of the Act on Combating Doping in Sport of 21 April 2017 may be appointed to the controlling team.
3. The controlling team is composed of the leader and at least one member.
4. In exceptional circumstances, doping control may be conducted only by the head of the team.
5. While conducting the control, the leader and members carry cards issued by the Agency Director.
6. The cards which confirm the powers of the leader and the member of the controlling team are issued for a calendar year.
7. The leader and members of the controlling team are entitled to the remuneration set out in the contracts signed with them.
8. The leader of the controlling team, in particular:
  - 1) is responsible for the correct collection, appropriate protection and delivery of biological samples, accompanied by the relevant documentation, to the laboratory;
  - 2) supervises the place where the anti-doping control is to be conducted and decides whether it is suitable for the purpose;
  - 3) selects athletes for the anti-doping control in accordance to the guidelines received from the Agency or carries out the drawing of such athletes;
  - 4) supervises the process of collecting biological samples;
  - 5) performs the sealing of containers holding biological samples;
  - 6) signs the anti-doping control report;
  - 7) transfers the biological samples collected to the laboratory indicated by the Commission;
  - 8) informs persons participating in the anti-doping control of the obligation to observe the confidentiality of its conduct;
  - 9) takes decisions on abandonment of conducting anti-doping control if the circumstances making it impossible to conduct have occurred. He/she draws up report on this matter and delivers it to the Team.
9. Members of controlling teams, in particular:
  - 1) obey orders of the controlling team leader regarding the mode of conducting the anti-doping control;

2) prepare the place where the anti-doping control is to be conducted and secure it against access by third persons;

3) prepare the equipment necessary to conduct the anti-doping control;

4) give athletes notification of their selection for anti-doping control and accompany them on the way to the anti-doping control station;

5) fill in anti-doping control documentation; they collect and supervise the collection of biological samples from athletes;

6) they transfer biological samples to the laboratory at the request of the controlling team leader.

10. In the event of a serious breach of the rules of social conduct, negligence or commitment of blatant errors during the anti-doping control, the leader or member of the controlling team lose their powers to conduct anti-doping controls.

11. The assessment of the cases provided for under point 12 above is made by the Manager of the Department of Anti-Doping Control and Results Management after receiving the opinion of the Agency Director.

#### **§ 5. PLANNING OF ANTI-DOPING CONTROLS**

1. The Manager of the Department of Anti-Doping Control and Results Management does the planning of anti-doping controls.

2. Anti-doping controls are planned, taking into account in particular the risk of doping in the case of a specific sport discipline or a specific athlete, considering historical data, information on prohibited substances and methods, information on doping practices, the calendar of preparations, suspicious results of the biological samples collected, information obtained from the sport milieu and data received from state services.

3. In doping control planning, account shall be taken of recommendations received from the Athlete Passport Management Unit (APMU) operating within the relevant laboratory accredited by the World Anti-Doping Agency.

## **§ 6. ACTIVITIES FOLLOWING DOPING CONTROL**

Doping control forms shall be entered into ADAMS by the Doping Control and Results Management Department within 15 business days of the sample collection, in accordance with Article 14.5 of the POLADA Anti-Doping Rules.

## **§ 7. REGISTERED TESTING POOL**

1. The number of athletes entered into the Registered Testing Pool (RTP) should be adequate to the need for doping controls and to POLADA's capabilities.
2. Every athlete entered into the RTP should undergo at least three out-of-competition doping controls.
3. Before a major competition, POLADA may decide to include in the RTP athletes who have qualified or may potentially qualify for the competition.
4. If it is necessary to collect samples as part of the blood ABP testing in accordance with TDSSA, POLADA shall collect, at a minimum, three out-of-competition blood samples for ABP tests from an athlete entered in the RTP.
5. Athletes shall be notified of whereabouts filing failure or missed test in accordance with Article 5 and Annex B of the International Standard for Results Management.
6. POLADA's decision finding a whereabouts failure or missed test may be subject to administrative review, within 7 days from reception of the decision.
8. The administrative review is recognized solely by member of the Hearing Panel appointed jointly by Head of First Instance and Head of II Instance Hearing Panel.
9. Member of the Hearing Panel involved in administrative review is excluded from the participation in any further actions which take place in the Hearing Panel with relation to the particular case.
10. Administrative review should be conducted in 14 days from delivery of athletes request to the member of the Hearing Panel.

## **§ 8. ANALYSIS OF RESULTS AND DATA OBTAINED DURING ANTI-DOPING CONTROLS**

1. The assessment of anti-doping rule violations is made on the basis of ADR as well as International Standard for Testing and Investigations issued by the International World Anti-Doping Agency.

2. In the event of a presumption of an anti-doping rule violation, the Manager of the Department of Anti-Doping Control and Results Management notifies immediately the Agency Director thereof.
3. In the event of a positive result of "A Sample", the Manager of the Department of Anti-Doping Control and Results Management makes the assessment of the correctness of conducting the anti-doping control in accordance with these regulations and the International Standard for Testing and Investigations issued by the International World Anti-Doping Agency.
4. In the case referred to in point 2 above, it is checked whether the athlete from whom the positive "A Sample" has been collected has been granted a therapeutic use exemption for the prohibited substance detected in "A Sample". In the case of the anti-doping rule violation involving the use of the prohibited method, the Manager of the Department of Anti-Doping Control and Results Management checks whether the athlete using the prohibited method has been granted a therapeutic use exemption for this method.

#### **§ 9. PROCEDURE FOR NOTIFYING ANTI-DOPING RULE VIOLATIONS**

1. The Head of the Doping Control and Results Management Department shall draw up a notice of suspected anti-doping rule violation and shall send it to the relevant Polish Sports Association, the athlete or other person suspected of the violation, the relevant international federation and the World Anti-Doping Agency.
2. The notification of the suspicion of the anti-doping rule violation is signed by the Agency Director or a person authorized by him.
3. In case the athlete appeals against "A Sample", the Manager of the Department of Anti-Doping Control and Results Management requests the analysis of biological sample marked as "B Sample" by the laboratory accredited by World Anti-Doping Agency in which "A Sample" analysis was carried out.
4. After receiving the "B Sample" result from the laboratory, the notification is drawn up in the same manner as provided for under points 1 and 2 above.
5. The athlete has the right to appeal against the "B Sample" analysis within seven days from receipt of the notification of the suspicion of the anti-doping rule violation.

6. If the athlete does not exercise the right to appeal against the "B Sample" analysis or the deadline for the appeal has expired, the final notification of the suspicion of the anti-doping rule violation is drawn up in the same manner as provided for under points 1 and 2 above.
7. In case violations based on art. 2.4-2.11 of "ADR" are detected, the athlete or any other person who is suspected of the violation has the right to provide explanation within 14 days from receipt of the notification of the suspicion of the anti-doping rule violation.
8. If there are no grounds for invalidating the positive laboratory result, the Manager of the Department of Anti-Doping Control and Results Management draws up the final notification of the suspicion of the anti-doping rule violation.
9. Preparation and dispatch of notifications is proceed in line with art. 5 of International standard of result management.

#### **§ 10. DOCUMENT FLOW AND DIVISION OF RESPONSIBILITIES**

1. In order to implement Articles 7.2 and 8.1 of the World Anti-Doping Code, a procedure for document flow, division of responsibilities and harmonization of document templates and titles has been adopted.
2. The procedure for document flow, division of responsibilities and harmonization of document templates and titles is included in Annex 2 to these regulations.
3. Documents relevant for the examination of disciplinary cases relating to doping shall be sent by POLADA to the Disciplinary Panel of the Polish Anti-Doping Agency or another competent authority as soon as possible, in accordance with Article 8.1 of the World Anti-Doping Code.

#### **§ 11. NOTIFICATIONS AND REPORTING**

1. All notifications by POLADA shall be made in accordance with Article 5 and appendices A and B of the International Standard for Results Management.
2. In the event of instigation of proceedings with regard to non-analytical findings, the Intelligence and Investigations Team shall inform WADA thereof.
3. All decisions of the Disciplinary Panel shall be notified by POLADA to all entities that have the right to file an appeal, pursuant to Article 13 of the World Anti-Doping Code and the corresponding provision of the POLADA Anti-Doping Rules of 18 November 2020.



4. The content of the notifications shall be in accordance with the International Standard for Results Management.

5. In regards to particular case at each stage of result management WADA, relevant international sport federation and national sport federation (if relevant) shall be notified about status of particular case.

#### **§ 12. DOPING CONTROLS' COORDINATION WITH OTHER ORGANIZATIONS**

1. The Doping Control and Results Management Department shall coordinate its activities related to doping controls with the relevant National Anti-Doping Organization (NADO) and international federations (IF), in accordance with Article 4.9.1 the International Standard for Testing and Investigations.

2. The coordination of doping control planning and conduct is aimed at ensuring optimal testing of specific athletes or athlete groups, and optimal use of funds.

#### **§ 13. CONFLICT OF INTEREST**

Persons who take part in doping controls, in particular persons who are not doping controllers but are athlete chaperones during doping controls have to be free from any conflict of interest in the conduct of their duties.

#### **§ 14. DEADLINES FOR RESULT MANAGEMENT**

1. Pre-judicial result management process initiated by POLADA should be finalized no later than 2 months days from the day of:

- a) Reception of laboratory result;
- b) Reception of clear evidence which constitutes anti-doping rule violation (non-analytical cases);
- c) Delivery of allegation letter (non-analytical cases).

2. In extraordinary circumstances, as for example force majeure, deadline set in point 1 of § 14 can be extended to reasonable length.

4. The whole process of result management shall be finalized within 6 months counting from a day of its initiation, in line with international standard for result management .

# ANNEX 1

## DOPING CONTROL STATIONS

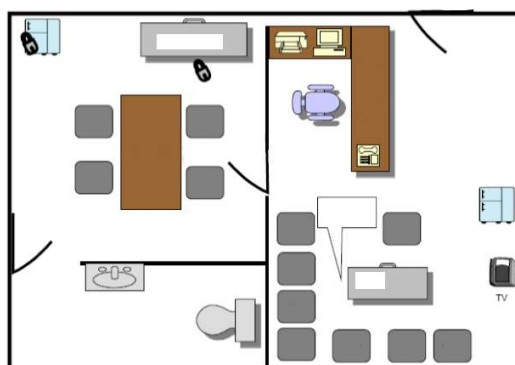
### § 1 DOPING CONTROL STATIONS FOR URINE SAMPLES COLLECTION

1. A doping control station shall be clearly marked.
2. A doping control station shall consist of an administration area, a waiting room and a toilet.
3. A doping control station should be located at a place where access by unauthorized persons is prevented.
4. Doping control station staff should ensure access to bottled drinking water for athletes.
5. A doping control station should have a desk, two chairs and seats for athletes who are waiting for urine sample collection.

### § 2 DOPING CONTROL STATIONS FOR BLOOD SAMPLES COLLECTION

1. The respective provisions of Article 2 shall be applied to doping control stations for blood sample collection.
2. A doping control station for blood sample collection shall have a wash basin with cold and hot running water.
3. A doping control station for blood sample collection should have medical waste disposal containers, a liquid disinfectant dispenser, a liquid soap dispenser, disposable towels and a container for used towels.

### § 3 EXAMPLE LAYOUT OF A DOPING CONTROL STATION



## ANNEX 2

### PROCEDURE FOR DOCUMENT FLOW, DIVISION OF RESPONSIBILITIES AND HARMONIZATION OF DOCUMENT TEMPLATES AND TITLES

#### **Notification procedure: suspected anti-doping rule violation**

POLADA -> Respondent

Polish national sports association

WADA

IF

MEO (if applicable)

NADO (if applicable)

#### **Notification procedure: temporary ineligibility**

POLADA -> Respondent

Polish national sports association

WADA

IF

MEO (if applicable)

NADO (if applicable)

#### **Notification procedure: charges brought (and proceedings instigated before the Disciplinary Panel)**

POLADA -> Respondent

Respondent

Polish national sports association

WADA

IF

MEO (if applicable)

NADO (if applicable)

The complete case file is forwarded to PD. The respondent and the above-mentioned entities receive only a notification about the charges brought.

#### **Notification of a decision of the First Instance Disciplinary Panel**

PD-> Respondent

Polish national sports association

POLADA

WADA

IF

MEO (if applicable)

NADO (if applicable)

#### **Notification of a decision of the Second Instance Disciplinary Panel**

PD-> Respondent

Polish national sports association

POLADA

WADA

IF

MEO (if applicable)

NADO (if applicable)

#### **Notification procedure: an appeal against a decision of the First Instance Disciplinary Panel**

PD-> Respondent

Polish national sports association

POLADA

WADA

IF

MEO (if applicable)

NADO (if applicable)

**List of documents (correct file name format - template):**

A.Kowalski - Powiadomienie o wyniku atypowym - Notification of an ATF

A.Kowalski - Powiadomienie o atypowym wyniku paszportu biologicznego - Notification of an atypical passport finding

Powiadomienie o niekorzystnym wyniku paszportu biologicznego Notification of an Adverse passport finding

A.Kowalski - Powiadomienie o podejrzeniu naruszenia przepisów antydopingowych - Notification of a suspicion of ADRV

A.Kowalski - Powiadomienie o braku naruszenia przepisów antydopingowych – Notification of not bringing case forward

A.Kowalski - Powiadomienie o tymczasowej dyskwalifikacji – Notification of a temporary suspension

A.Kowalski - Powiadomienie o wprowadzeniu do ZGZ – Notification of an inclusion to POLADA RTP

A.Kowalski - Powiadomienie o wyrejestrowaniu z ZGZ- Notification of an exclusion from POLADA RTP

A.Kowalski - Powiadomienie o błędnym podawaniu informacji pobytowych - Notification of a filling failure

A.Kowalski - Powiadomienie o nieudanej kontroli antydopingowej - Notification of a missed test

A.Kowalski - Powiadomienie o ostatecznym wyniku badania antydopingowego – Notification of a final result of laboratory analysis

A.Kowalski - Zawiadomienie o postawieniu zarzutu oraz o prawie do przeprowadzenia rozprawy – Allegation letter ADRV

A.Kowalski - Odwołanie od postanowienia Panelu Dyscyplinarnego - Appeal from a decision of I Instance Hearing Panel

A.Kowalski – Odpowiedź na odwołanie - Reply to appeal

A.Kowalski - Protokół Kontroli Antydopingowej – Doping control form

A.Kowalski - Raport z analiz laboratoryjnych – Report on laboratory analysis

A.Kowalski - Formularz przekazania próbek – Chain of custody form