

IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS BROUGHT BY UK ANTI-DOPING LIMITED AGAINST KIEREN KELLY UNDER THE ANTI-DOPING RULES OF UK ATHLETICS

ORDER

Whereas by letter dated 5 February 2010, United Kingdom Anti-Doping Limited charged Kieren Kelly with a violation of Rule 32.2(c) of the IAAF Anti-Doping Rules, as incorporated into the UK Athletics Anti-Doping Rules;

Whereas Mr Kelly has admitted the charge and acceded to the consequences specified for such violation in the IAAF Anti-Doping Rules as incorporated into the UK Athletics Anti-Doping Rules;

Now, therefore, in accordance with Rule 38.10 of the IAAF Anti-Doping Rules, and with the consent of the parties,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Kieren Kelly is found to have committed a violation of Rule 32.2(c) of the IAAF Anti-Doping Rules, as incorporated into the UK Athletics Anti-Doping Rules, in that on 9 January 2010 he did refuse without compelling justification to provide a sample for drug-testing in accordance with the UK Athletics Anti-Doping Rules.
2. Kieren Kelly is subject to a period of ineligibility from the sport of two (2) years, commencing as of 8 February 2010 and ending at midnight on 7 February 2012.
3. During the above period of ineligibility, in accordance with Rule 40.11 of the IAAF Anti-Doping Rules, as incorporated into the UK Anti-Doping Rules, Mr Kelly may not participate in any capacity in any event or series of events or activity (other than authorised anti-doping education or rehabilitation programmes) authorised or organised by the IAAF or any area association or member of the IAAF or signatory to the World Anti-Doping Code (or signatory's member club or a club or other member organisation of a signatory's member) or competition authorised or organised by any professional league or any international or national level organisation.
4. In accordance with Rule 40.8 of the IAAF Anti-Doping Rules, as incorporated into the UK Athletics Anti-Doping Rules, all competitive results achieved by Mr Kelly in events since 9 January 2010 are disqualified, together with forfeiture of all titles, awards, medals, points and prize and appearance money obtained in such events. This includes (without limitation) the results achieved by Mr Kelly at the Woodies DIY Indoor Championships of Ireland, which took place on 7 February 2010.
5. There shall be no order as to costs.

Dated: 24 June 2010

Paul Gilroy QC

Paul Gilroy QC, Chairman, NADP Tribunal

AGREED:

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For and on behalf of UK Anti-Doping Limited

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