

WORLD RUGBY

IN THE MATTER

of the Regulations Relating to
the Game and an alleged
doping offence

BETWEEN

WORLD RUGBY

A N D

ARTHUR CHRISTO BOUWER

("the Player")

Judicial Committee

T M Gresson	(New Zealand) (Chairman)
P Thomson	(Australia)
Prof D Gerrard	(New Zealand)

Appearances and Attendances

Arthur Bouwer	(Player)
Elizma Theron	(Acting Chief Executive Officer Namibia Rugby Union ("NRU"))

For World Rugby

Richard Liddell	(Counsel for World Rugby)
Yvonne Nolan	(Counsel for World Rugby)
Diarmuid Laffan	(Pupil Observing)
Ben Rutherford	(Counsel for World Rugby – Written Submissions)
David Ho	(Anti-Doping Manager – Compliance and Results)
Mike Earl	(Anti-Doping General Manager, World Rugby)
Stuart Kelly	(Anti-Doping Co-Ordinator, World Rugby)

Hearing

7 October 2016 (supplemented by affidavit evidence, written submissions and correspondence)

DECISION OF THE JUDICIAL COMMITTEE

Background

1. On 15 June 2016 Arthur Bouwer ("the Player") in Bucharest, Romania provided a urine sample, Number 6218295 ("the Sample") during an out-of-competition test conducted as part of World Rugby's 2016 Nations Cup testing programme. Subsequently, the Player's A Sample returned an Adverse Analytical Finding ("AAF") for 4-chloro-18-nor-17 β -hydroxymethyl,17 α -methyl-5 β -androsta-1,13-dien-3 α -ol, 17 α -methyl-5 β -androst-13-en-3 α -ol, 4-chloro-18-nor-17 α -hydroxymethyl,17 β -methyl-5 β -androst-13-en-3 α -ol, which are metabolites of Dehydrochloro-

methyltestosterone ("the Substance"). The pharmaceutical tradename for the Substance is *Turinabol*. For convenience the Substance will also be referred to by its tradename. The AAF was reported on 11 July 2016 by the WADA accredited laboratory in Lausanne, Switzerland.

2. The Substance is classified under S1.1a Exogenous Anabolic Androgenic Steroids in the World Anti-Doping Agency ("WADA") 2016 List of Prohibited Substances and Methods. It is not a Specified Substance. The WADA Prohibited List is included in Schedule 2 of World Rugby Regulation 21. The Substance is prohibited in-competition and out-of-competition. The Player had not applied for, and had not been granted pursuant to Regulation 21.4.4, a Therapeutic Use Exemption allowing him to use the Substance.
3. Following receipt of the analysis result of the Player's A Sample, and after a preliminary review conducted in accordance with Regulation 21.7.2 (which confirmed that an anti-doping rule violation may have been committed) the Player was notified by World Rugby of the AAF and was provisionally suspended on 12 July 2016. Subsequently, on 27 July 2016 the Namibian Rugby Union ("NRU") on behalf of the Player indicated he did not require analysis of his "B" sample.
4. This Judicial Committee ("JC") was appointed to consider the Player's case. In accordance with the JC's directions written material (including the Player's sworn affidavit evidence and submissions, and World Rugby's submissions) was presented to the JC prior to the oral hearing held on 7 October 2016. The hearing was recorded via Skype for Business. Two members of the JC were unavailable to participate in the oral hearing but with the consent of the Player and World Rugby it proceeded on the basis of the Chairman conducting the hearing and the two other members subsequently viewing the recording prior to the JC's deliberations. During the oral hearing the Player provided further evidence which was mainly in response to questions by Counsel for World Rugby. In addition, Counsel for World Rugby, the Player and Ms Theron (on behalf of the Player) made further submissions.

Facts

5. We summarise the relevant facts based on the Player's affidavit and oral evidence and the parties' written submissions. Additional facts may be referred to, where relevant, in connection with the discussion which follows.
6. The Player is 26 years of age. He is a semi-professional Player having been contracted to the NRU since 2012 when he was first selected for its Senior National Representative Team. He has played International Rugby since 2012. His preferred

position is scrum half, although on occasions he has been selected to play as a centre. He represented Namibia at the 2016 Nations Cup Tournament held in Bucharest, Romania, between 9 and 18 June 2016.

7. The Player signed a Team Member Consent Form dated 23 May 2016 in relation to his participation in the 2016 Tournament. In signing the Consent Form the Player agreed to comply with, and be bound by, World Rugby's Anti-Doping Regulations. He also acknowledged he received a copy of the World Rugby Anti-Doping Handbook, completed its on-line Anti-Doping E-Learning Programme and acknowledged World Rugby's jurisdiction to impose sanctions. In relation to World Rugby's Out-of-Competition Test Programmes the Player acknowledged in December 2015 and March 2016 he had received copies of the World Rugby Anti-Doping Current Handbook.
8. The Player also confirmed he had received further anti-doping education provided by the NRU and World Rugby. He had been previously tested on two occasions. He confirmed he fully understood the reason for the testing and in October 2013 successfully completed (with a 100% pass mark) World Rugby's Anti-Doping E-Learning Programme. He was fully aware of World Rugby's Anti-Doping regime as prescribed in its Regulations. He acknowledged World Rugby had clearly in all of its written material which he had received, cautioned extreme care should be exercised when taking supplements and players should avoid sharing supplements with other athletes. Essentially, the Player candidly and properly acknowledged that as a result of the comprehensive information he had received in relation to World Rugby's Anti-Doping Programme by October 2015 he was well aware of the risks and dangers of taking any form of dietary and nutritional supplements because of the possibility of them being contaminated with a prohibited substance. He also acknowledged he was aware of his personal responsibility for ensuring no prohibited substances entered his body.
9. The Player stated over the past two years he had used a number of supplements namely (as branded) *Muscle Pharm Assault*, *Biogen Oxygen VO2*, *Brogen Belia Alanine 600* and *Biogen Omega 3*; all of which he declared on 15 June 2016 when he signed the Doping Control Form. In addition, he described while on a European Contiki Tour he received two capsules ("the Product") from another tourist (called "Antonio") in Paris in October 2015. He stated at that stage he was very disappointed he had been omitted from the RWC squad and had decided (without notifying the NRU) to retire from rugby. He was on holiday in continental Europe before embarking on a career in business. He stated psychologically "(he) was very

negative ... did not have any goals, (his) self esteem was down and (he) went through a depression stage of (his) life. ... (he) was open to try ... new products".

10. The Player stated "*Antonio*" informed him he had played American Football in Miami, and because they were both "*into fitness*", he took the two capsules together with some of the supplements previously referred to as "*an experiment*". The "*combo*" (as he called it) was successful in that he felt "*energised*" and approximately a week later at the end of the trip "*Antonio*" gave him two more tablets to take home. He was not familiar with the Product but stated he was assured by "*Antonio*" in terms of his health and anti-doping they were "*safe*". He was unable to obtain from "*Antonio*" the name of the Product because at the completion of the tour in Paris "*everyone split up quickly*". When he flew from Frankfurt to Namibia he stated it did not occur to him he could have been carrying an illegal substance in the form of the Product he had been given.
11. In February/March 2016 he resumed playing rugby, representing Namibia in the Currie Cup competition. Approximately on 25 May 2016, because of his previous experience and the assurances he had received from "*Antonio*", he consumed the same "*combo*", not suspecting it could result in a positive test for a prohibited substance. At that stage, he was still unaware of the Product name and it was for this reason he did not refer to it when he made his declaration on 15 June 2016 when he signed the Doping Control Form at the time of testing.
12. The Player stated after he was advised of the positive test result he made enquiries as to the potential source of the prohibited substance. He stated he recalled the label on the container included the words "*Extreme*" and "*Superdrol*". He also recalled the label's colouring and because of these factors concluded the Product could have been a Pro-Hormone ("*Superdrol*") which is an illegal substance in Rugby but is consumed by USA Footballers. However, during the course of Mr Liddell's cross-examination the Player acknowledged the "*figure*" of the Product he reproduced and included in his affidavit referred to the name of the Supplement as "*Super-Anadrol*" which is a different Supplement from "*Superdrol*". Both *Superdrol* and *Super-Anadrol* are different Anabolic Steroids being the brand names respectively for Methyltestosterone and Oxymetholone. Neither Steroid contains Dehydrochloromethyltestosterone (*Turinabol*).
13. After further reflection, during his evidence, the Player indicated the Steroid which he stated he consumed might have been *Super-Anadrol* and not "*Superdrol*". For convenience, we reproduce the labelling of the Product from his affidavit:



14. The Player also accepted that if he had made proper enquiries at the time of taking the Product (including a careful Internet research) in all likelihood he would have ascertained *Super-Anadrol* (which he also described as a "Pro-Hormone") is classified as an Anabolic Steroid and banned from use by athletes in the USA. For this reason, he acknowledged, given his lack of proper and adequate research (he should have done more than simply rely on "Antonio's" assurances) together with his awareness of World Rugby's Anti-Doping Programme, he had been reckless as there was a significant risk his conduct could have resulted in an anti-doping rule violation and he manifestly disregarded that risk.
15. The Player denied Mr Liddell's proposition he intentionally took a prohibited substance around 25 May 2016 for the purpose of improving his prospects of being re-selected for the Namibian side; but because of his reckless conduct he apologised to the NRU, his country, his fellow players and coaches, and World Rugby. He stated he did not intend any harm to anyone nor did he intend to commit an anti-doping rule violation as he is a strong believer in "clean rugby" and "fair sport".

Has the Anti-Doping Rule Violation Been Established?

16. Against this background, the first issue requiring our determination is whether World Rugby has proved the Player committed an anti-doping rule violation.
17. Pursuant to Regulation 21.2.1 the "*presence of a Prohibited Substance or its Metabolites or Markers in a Player's Sample*" constitutes an anti-doping rule violation. Regulation 21.2.1.1 provides:
 - "21.2.1.1 *It is each Player's personal duty to ensure that no Prohibited Substance enters his or her body. Players are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use on the Player's part be demonstrated in order to establish an anti-doping rule violation under Regulation 21.2.1*"

18. Pursuant to Regulation 21.3.1 World Rugby has the burden of establishing an anti-doping rule violation to the comfortable satisfaction of the JC.
19. The Player did not request an analysis of his B sample and did not challenge the analytical findings of the Swiss Laboratory. Indeed, he stated he pleaded "*guilty*" to using a prohibited substance. Accordingly, the JC finds World Rugby has established the anti-doping rule violation to the required standard; that is the presence of the Prohibited Substance Dehydrochloromethyltestosterone in the Player's bodily sample.
20. Having decided the anti-doping rule violation has been established, we turn to determine the appropriate sanction which is required to be imposed pursuant to the regulatory framework prescribed by Regulation 21.

Sanction

Relevant Regulatory Provisions in Relation to Sanction

21. The period of ineligibility to be imposed for a violation of Regulation 21.2.1 (Presence of Prohibited Substance or its Metabolites or Markers) which does not involve a Specified Substance is four years for a first violation. The period of ineligibility can be reduced in certain circumstances. In the context of this case they include:
 - The Player establishing the anti-doping rule violation was not intentional (refer Regulation 21.10.2.1.1). If established, the period of ineligibility shall be reduced to two years (refer 21.10.2.2).
 - The Player establishing exceptional circumstances as set out in Regulation 21.10.4 (No fault or negligence, in which case, the otherwise applicable period of ineligibility shall be eliminated), or 21.10.5 (No significant fault or negligence, in which case the period of ineligibility shall be at a minimum of a reprimand and no period of ineligibility and at a maximum of two years ineligibility depending on the Player's degree of fault).
22. The Player has the burden of establishing both of these matters. Pursuant to Regulation 21.3.1 the standard of proof shall be a balance of probability.

Intention

23. Regulation 21.10.2.3 defines the term "*intentional*" as used in Regulation 21.10.2.1.1. The Regulation provides:

"... the term "intentional" is meant to identify those Players who cheat. The term therefore requires that the Player or other Person engaged in conduct which he or she 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.”

24. As can be seen, the definition contains two alternative elements; namely intentional or reckless conduct. For there to be a reduction of the four year period of ineligibility to two years on the basis the Player's conduct was unintentional, he must prove on a balance of probability he did not know his conduct constituted an anti-doping rule violation or he did not manifestly disregard the significant risk of engaging in conduct which might constitute an anti-doping rule violation.

No Fault or Negligence

25. As indicated, Regulation 21.10.4 provides:

Elimination of the Period of Ineligibility where there is No Fault or Negligence

If a Player or other Person establishes in an individual case that he or she bears No Fault or Negligence, then the otherwise applicable period of Ineligibility shall be eliminated. [See Comment 30]

26. Comment 30 states:

“Comment 30 (Regulation 21.10.4): This Regulation and Regulation 21.10.5.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example where a Player could prove that, despite all due care, was sabotaged by a competitor. Conversely, No Fault or Negligence would not apply in the following circumstances: (a) a positive test resulting from a mislabelled or contaminated vitamin or nutritional supplement (Players are responsible for what they ingest (Regulation 21.2.1.1) and have been warned against the possibility of supplement contamination); (b) the Administration of a Prohibited Substance by the Player's personal physician or trainer without disclosure to the Player (Players are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Player's food or drink by a spouse, coach or other Person within the Player's circle of associates (Players are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Regulation 21.10.5 based on No Significant Fault or Negligence.”

27. The term “**No Fault or Negligence**” is defined in Appendix 1 as follows:

“The Player or other Person's establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had Used ... the Prohibited Substance ... the Player must also establish how the Prohibited Substance entered his or her system.”

28. “**Fault**” is defined as:

“... any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing a Player or other Person's degree of Fault include, for example, the Player's or other Person's experience, whether the Player or other Person is a Minor, special

considerations such as impairment, the degree of risk that should have been perceived by the Player and the level of care and investigation exercised by the Player in relation to what should have been the perceived level of risk. In assessing the Player's or other Person's degree of Fault, the circumstances considered must be specific and relevant to explain the Player's or other Person's departure from the expected standard of behaviour. Thus, for example, the fact that a Player would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact that the Player only has a short time left in his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Regulation 21.10.5.1 or 21.10.5.2. [See Comment 52]

29. The term "**No Significant Fault or Negligence**" is defined in Appendix 1 to Regulation 21 as follows:

"No Significant Fault or Negligence: The Player ... establishing that his or her Fault or Negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the anti-doping rule violation. Except in the case of a Minor, for any violation of Regulation 21.2.1, the Player must also establish how the Prohibited Substance entered his or her system."

30. In the case of Sharapova¹ the Independent Tribunal² in discussing Article 10.5 of Tennis' Anti-Doping Programme, which includes the same definition of "No Significant Fault or Negligence", stated:

"78. Article 10.5 requires consideration of the player's moral fault, judged against the necessarily strict standards set by the requirement for utmost caution. The player has a personal responsibility, from which she cannot be absolved by reliance on others. It is the sole responsibility of each player to acquaint herself with all the provisions of the rules. Any player has a clear duty to check whether any medication being taken, of which only she may be aware, is permitted under the anti-doping rules. It is fundamental to the strict liability anti-doping regime that a player is responsible for any prohibited substance found to be present in her body and that ignorance of the rules or of the nature of any substance administered or ingested can be no defence. The decision of CAS in WADA v Lund (CAS OG 06/001) at paragraph 4.11 makes clear that a player who is taking medication has a continuing duty to check properly whether that medication is permitted under the anti-doping rules."

World Rugby's Submissions in Relation to Sanction

31. Prior to the hearing, Mr Rutherford on behalf of World Rugby provided written submissions which were supplemented by oral submissions made by Mr Liddell at the hearing. These submissions fully addressed the legal and factual issues and in briefly summarising them we intend no disrespect to both Counsel.
32. It was submitted on behalf of World Rugby, in relation to the first limb of the term "*intentional*", (refer para 23 supra) the Player had failed to prove the anti-doping rule violation was unintentional. The circumstantial evidence strongly indicated the

¹ <http://www.itftennis.com/news/231175.aspx>

² Charles Flint QC, Dr Barry O'Driscoll and Dr Jose Pascual

substance was either taken by the Player independently of the *Super-Anadrol* or he never took the *Super-Anadrol*; the irresistible inference being the Player engaged in conduct which he knew constituted an anti-doping rule violation. In this regard, reference was made to a number of factors, including:

- The lack of probative evidence in relation to him obtaining the Product from an American tourist whose name he could only recall as "*Antonio*";
- The vagueness of his evidence, including a lack of "*firm*" evidence of consumption of *Super-Anadrol*. In this regard reference was made to the case of *UKAD v Hastings* National Anti-Doping Panel ("NADP"), 18 November 2015³, where it was held, although the Regulation does not specifically refer to the need for proof of the method of ingestion, should a player seek to establish an absence of intent then he/she must establish how the prohibited substance entered his/her system;
- Neither *Superdrol* or *Super-Anadrol* contains the Prohibited Substance, *Turinabol*;
- The lack of evidence that the taking of two tablets of *Super-Anadrol* (and *Superdrol*) in October 2015 and on or about 25 May 2016 would result in an AAF for *Turinabol* from a sample provided on 15 June 2016.

33. Alternatively, in relation to the second limb of the term "*intentional*" it was submitted should the JC conclude the Player, on a balance of probability, established he did not know the Product contained the Prohibited Substance, his conduct was still intentional in that he knew there was a significant risk his conduct might constitute or result in an anti-doping rule violation and he manifestly disregarded that risk. In support of this submission reference was again made to the several factors listed above, together with the extent of the Player's knowledge as a result of previous testing and, his education about the dangers and risks of taking supplements. Further, the Player was fully aware of his personal responsibility of ensuring no prohibited substances entered his bodily system.

34. Accordingly, for these reasons, it was submitted the Player had failed to prove his conduct was unintentional and the JC should impose the prescribed sanction of four years ineligibility. Further, there were no grounds for reducing the period of ineligibility on the basis there was no significant fault or negligence on his part. Again, in characterising the Player's conduct as "*egregious*", Counsel referred to many of the factors previously referred to, including the lack of proper enquiry before ingesting the Product when he ingested it with other supplements ("*his combo*"), his awareness of World Rugby's strict Anti-Doping Programme and the dangers and risks of taking Supplements. Accordingly, it was submitted there could be no

³ <http://www.ukad.org.uk/anti-doping-rule-violations/download-decision/a/6955>

justification for the prescribed four year period of ineligibility being reduced to a period of two years or below.

Discussion

35. As indicated, first we must determine whether the Player has proved on a balance of probability the anti-doping rule violation was unintentional; in that in terms of his knowledge at the time of ingestion of the Substance (he states around 25 May 2016) he did not know he was committing an anti-doping rule violation or he did not know there was a significant risk his conduct might result in an anti-doping rule violation and he manifestly disregarded that risk. In short, has he proved his conduct was either unintentional or not reckless as per the definition contained in Regulation 21.10.2.1.1? If the Player is unable to satisfy the burden of proving either of these components of the Regulation, then he has failed to prove his conduct was unintentional and subject to the Player establishing there was no significant fault or negligence⁴ on his part, the mandatory sanction of a period of four years ineligibility must be imposed.
36. The starting point in addressing this issue is whether the Player has satisfied us either of the Supplements (but more particularly, the *Super-Anadrol*) was the source of the banned substance?
37. In our view, this theory can be completely discounted because the irrefutable scientific evidence indicated the AAF identified metabolites of a completely different anabolic steroid to either "*Super-Anadrol*" or "*Superdrol*". Although, both of these Products are different anabolic steroids, neither of them contain *Turinabol*.
38. Further, we found parts of the Player's evidence in relation to the taking of either the "*Super-Anadrol*" or "*Superdrol*", which he claimed was the source of the prohibited substance, far from satisfactory. It was lacking in detail, vague and (by simply relying on "*Antonio's*" assurances) he failed to make proper enquiry (including enquiries as to the ingredients of the Product) as to its overall safety in terms of potential health, anti-doping and indeed (as Mr Liddell submitted) potential criminal issues at the Namibian border. However, given the way in which he gave his oral evidence, which included the opportunity to observe his demeanour via the Skype for Business recording when he was subjected to a searching cross-examination by Mr Liddell, we do not consider we should completely reject all of his evidence. In our view while giving his evidence he did not attempt to obfuscate any of his replies to the challenging questions which were put to him. He candidly and properly admitted his many mistakes and indeed, as mentioned, accepted he had been reckless in that

⁴ As will be apparent, the Player did not claim there was no fault or negligence on his part

he knew when in the course of taking his "combo" he ingested tablets (whatever they were) given to him by "Antonio" there was the significant risk he might commit an anti-doping rule violation and manifestly disregarded that risk.

39. As mentioned, the Player has not satisfied us neither "Superdrol" or "Super-Anadrol" was the source of the Prohibited Substance but given the Player's candour during the course of his oral evidence we accept his denial he did not intentionally take the Substance for the purposes of specifically committing an anti-doping rule violation. Based on his evidence we are also satisfied he took a supplement (as part of an experimental "combo") which was given to him by "Antonio" but, because of his seriously inadequate enquiries both at the time of consumption and after he was advised of the AAF, he has incorrectly identified the Product as *Super-Anadrol* when in fact it was the Anabolic Steroid *Turinabol* which resulted in the urinary metabolites. Essentially, we consider the Player, while being fully aware of his responsibilities in taking a Product given to him by a "fellow athlete" (whose sporting status and credibility was at best dubious) recklessly engaged in conduct which has resulted in the anti-doping rule violation for the Substance *Turinabol*.
40. Accordingly, for these reasons the Player has not discharged the burden of proving the second limb of the term "*intentional*" and we turn to discuss whether the four year period of ineligibility should be reduced on the basis there was no significant fault or negligence on his part.
41. As a consequence of our findings in relation to the Player failing to prove his ingestion of the Substance was unintentional, we can deal with this issue very briefly. As mentioned the Player accepted his conduct was reckless and indeed, the evidence overwhelmingly points to his acknowledgement being made correctly. The Player, an international rugby player since 2012, failed to make any independent enquiries about the Product he was given by "Antonio" at the time of consumption and was fully aware of the dangers and risks associated with taking supplements. He simply relied on the assurances of a fellow tourist who he could only recall by the name of "Antonio". The Product was taken with his "combo" as an experiment. As he stated "*he was open to try anything (sic) new products*". When he consumed the Product he made no enquiries as to the ingredients of the tablets. Further, he did not study the packaging or conduct any internet searches⁵. Clearly given these circumstances the Player has not proved there was no significant fault or negligence on his part.

⁵ Internet searches of *Super Anadrol* and *Superdrol* would have immediately put him on notice

42. The Player impressed us as a genuine young man who clearly regretted his reckless conduct. We also accept his commendable aspiration for rugby to be a "*clean and fair sport*". However, despite these positive factors, given our factual findings in relation to the circumstances surrounding the anti-doping violation we have no alternative but to impose the mandatory sanction as prescribed by Regulation 21.

Decision

43. For the foregoing reasons, the sanction imposed for this anti-doping rule violation is a period of ineligibility of four years (48 months) commencing from 12 July 2016 (being the date upon which the Player's provisional suspension commenced) and concluding (but inclusive of) the 11 July 2020.
44. Pursuant to Regulation 21.10.12.2 during the period of Ineligibility the Player may return to train with a team or he may use the facilities of a Union, Club, Rugby Body or other member organisation of World Rugby, an Association or a Union, on or after 12 May 2020. During the training period as described the Player may not compete or engage in any activity as described, other than training.

Costs

45. If World Rugby wishes us to exercise our discretion in relation to costs, written submissions should be provided to the JC via Mr Ho by 17:00 Dublin time on 11 November 2016, with any responding written submissions from the Player to be provided by no later than 17:00 Dublin time on 25 November 2016.

Review

46. This decision is final, subject to referral to a Post Hearing Review Body (Regulation 21.13.8.1) or an appeal, where the circumstances permit to the Court of Arbitration for Sport (Regulation 21.13.2.1). In this regard, attention is also directed to Regulation 21.13.8.2, which sets out the process for referral to a Post Hearing Review Body, including the time within which the process must be initiated.



T M Gresson
Chairman

26 October 2016