

LAW no. 227/2006
Regarding the prevention and fight against doping in sport

TITLE I
General Provisions

Art. 1. - (1) The present law regulates the prevention and fight against doping in sport.

(2) According to the provisions of Anti-Doping Convention, adopted within the frame of European Council on Strasbourg, November 16th 1989, ratified by Law no. 171/1998, the International Convention against Doping in Sport, adopted within the frame of United National Educational, Scientific and Cultural Organization on Paris, October 19th 2005, accepted by the Law no. 367/2006 and of World Anti-Doping Code, elaborated by World Anti-Doping Agency, named below the Code, doping in sport is prohibited for ethical and medical reasons.

Art. 2. - (1) Doping in sport represents the occurrence of one or more of the anti-doping rule violations set forth in Paragraph 2.

(2) The following actions constitute anti-doping rule violations:

- (a) The presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's biological sample;
- (b) Use or Attempted Use by an athlete of a Prohibited Substance or a Prohibited Method;
- (c) Refusing or failing without compelling justification, to submit to Sample collection after notification as authorized in applicable anti-doping rules or otherwise evading Sample collection;
- (d) three times violation in a period of eighteen months of applicable requirements regarding athlete's availability for out of competition testing, including failure to file required whereabouts information and missed tests declared based on the International Standard for Testing of the World Anti-Doping Agency, including any combination of three such violations of anti-doping rules;
- (e) Tampering or Attempting to tamper, with any part of Doping Control;
- (f) Possession of Prohibited Substances and/ or Prohibited Methods;
- (g) Trafficking in or attempting to traffic any Prohibited Substance and/ or Prohibited Method;

(h) Administration or Attempted administration to any of any prohibited method or prohibited substance or the use of a prohibited method on any athlete or assisting, instigating or any other type of complicity involving any anti-doping rule violation set forth on paragraphs a) – g).

Art. 3. - The present law defines the next terms and expressions as follows:

1. Athlete – any person who participates in sport at the international level, as defined by each international federation or any person who participates in sport at the national level, registered to a sport club affiliated to a national sport federation or to a county sport association and any other person competing in sport at an inferior level, under the jurisdiction of other sport organization accepting the Code. The current definition refers also to the recreational-level competitors, but they are not obliged to submit whereabouts information or to ask for Therapeutic Use Exemptions (TUE);

2. International-level athlete – the athlete designated by one or more International Federations as being within the Registered Testing Pool of an International Federation;

3. Athlete’s Support Personnel – any coach, trainer, manager, agent, team manager, official, medical or paramedical personnel, parent or any other Person working with, treating or assisting an Athlete participating in or preparing for sports Competitions;

4. National Anti-Doping Organization - The national entity or entities responsible to adopt and implement anti-doping rules, conduct the collection of Samples process, manage the test results, and conduct the hearings, all at the national level.

5. Doping Control: the process that includes the provision of whereabouts information, test distribution planning, sample collection and handling, sample transportation to the laboratory, laboratory analysis, therapeutic use exemptions (TUE), results management, hearings and appeals.

6. In-Competition: Unless provided otherwise in the rules of an International Federation or other National 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;

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

8. Target Testing: Selection of Athletes for Testing where specific Athletes or groups of Athletes are selected on a non-random basis for Testing at a specified time.

9. No Advance Notice Doping Control: A Doping Control which takes place with no advance warning to the Athlete and where the Athlete is continuously chaperoned from the moment of notification through Sample provision;

10. Doping Control Officer: a person attested by the Ministry of Labor, Family and Social Protection who has the responsibility to manage on-site a Sample Collection Session based on the delegation of the National Anti-Doping Agency.

11. Sample Specimen: Any biological material collected for the purposes of Doping Control;

12. Doping Testing: The part of the Doping Control process involving test distribution planning, Sample collection, Sample handling, and Sample transport to the laboratory;

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

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

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

16. Specified Substances: any substances defined as such in the Prohibited List.

17. International Standard: A standard adopted by the World Anti-Doping Agency that contains also technical details necessary for the Code provisions implementation.

18. Adverse Analytical Finding: A report from a laboratory or other entity approved to perform testing that 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.

19. Metabolite: Any substance produced by a metabolizing, biotransformation process.

20. Marker: A compound, group of compounds or biological parameters that indicates the Use of a Prohibited Substance or Prohibited Method.

21. Suspension: Barring the Athlete or other person from participating in any Competition or sport event or sponsorship, for a determined period of time, following the decision taken related to the hearing set forth on art. 33 of the current law;

22. Disqualification: The invalidation of the Athlete's results in a particular Competition or Event, with all resulting consequences including forfeiture of any medals, points and prizes.

23. Tampering: Altering in an improper way, obstructing, misleading or any improper behavior with the purpose of interfering improperly to alter results or prevent normal procedures from occurring and giving false information to the National Anti-Doping Agency.

24. Use of Prohibited Substances or Prohibited Methods: The application, ingestion, injection or consumption by any means whatsoever of any Prohibited Substance or Prohibited Method.

25. Therapeutic Use Exemption: The permission of Therapeutic Use of a Prohibited Substance and/or a Prohibited Method granted to an Athlete that presents a documented medical condition.

26. Therapeutic: the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

27. Competition: A single race, match, game or singular athletic contest.

28. Sport Event: A series of individual Competitions conducted together under one ruling body.

29. Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of the anti-doping rule violations set forth in Art. 2, Paragraph 2;

30. No Fault: The Athlete'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 or been administered the Prohibited Substance or Prohibited Method.

31. No Significant Negligence: The Athlete's establishing that his or her fault or negligence was not significant in relationship to the anti-doping rule violation.

32. Participant: Any Athlete or Athlete Support Personnel.

33. Person: A natural Person or legal person.

34. Possession: The actual, physical possession or exclusive control over the Prohibited Substance or Prohibited Method.

35. Registered Testing Pool: The pool of top level Athletes established separately by each International Federation and National Anti-Doping Organization who are subject to both In-Competition and Out-of-Competition Testing as part of that International Federation's or Organization's test distribution plan;

36. Team Sport: A sport in which the substitution of players is permitted during a Competition.

37. Individual sport: any sport which is not a team sport.

38. Atypical Finding: A report from a laboratory or other WADA approved

entity which requires further investigation as provided by the International Standard for Laboratories prior to the determination of an Adverse Analytical Finding.

39. Provisional Hearing: an expedited abbreviated hearing occurring prior to a hearing under Article 33, that provides the Athlete with notice about the adverse analytical finding, the anti-doping rules violated and athlete's rights related to provisional suspension.

40. Provisional Suspension: temporary banning an athlete or a person from the athlete's support personnel alleged to have committed one of the anti-doping rules violations described in article 2, paragraph (2) to compete in any competition until a final decision is made according to the article 33, paragraph (4).

41. Anti-Doping Administration and Management System (ADAMS): 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.

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

43. Substantial Assistance: support of an athlete or a person within athlete's support personnel by fully disclosing all information or proper evidences, including presenting testimony at a hearing for discovery or establishment of an anti-doping rule violation committed by other athlete or persons within athlete's support personnel.

TITLUL II

Organization of Anti-Doping Activity on National Level

CHAPTER 1

The National Anti-Doping Agency

Art. 4. – National Anti-Doping Agency, named hereafter the Agency functions to fight against doping in sport. The Agency is a public institution with decisional autonomy in anti-doping activity, subordinated to the Government, coordinated by the Prime-Minister, financed with its own incomes and subventions granted from State budget through the General Secretariat of the Government, with the official seat in Bucharest, 37 – 39, Basarabia Boulevard, district no.2.

Art. 5. - The National Anti-Doping Agency has the following objectives:

- a) prevention and fight, at national level, against doping in sport by adopting and implementing the anti-doping policies and regulations, in conformity with the provisions of the present law;
- b) encouraging the practice of a clean sport for protecting athletes' health and respecting the principles of fair-play in sport;
- c) promotion and support of anti-doping researches.

Art. 6. – (1) In order to accomplish the objectives set forth in art.5, the Agency has the following responsibilities:

- a) elaborates the national anti-doping strategy, in conformity with the objectives and the provisions of the World Anti-Doping Code and International Standards.
- b) initiates projects of normative acts for harmonization of the national anti-doping legislation with the international anti-doping regulations.
- c) initiates, sustains financially and/or promotes, as necessary, programs for education and prevention of doping in sport;
- d) ensures the application of concrete measures for the sanction of doping in sport;
- e) initiates, sustains financially and/or encourages programs for promoting the fair-play in sport;
- f) encourages the sport entities, the Ministry of Education, Research, Youth and Sport and the Romanian Olympic and Sports Committee in adopting some coherent and unitary testing programs;
- g) collaborates with authorities, national and international public institutions, governmental and non-governmental organizations with responsibilities in the anti-doping field;
- h) proposes specific actions and collaborates with public authorities and institutions in order to intensify the fight against illegal traffic of prohibited substances and/or methods;
- i) approves, publishes and reviews the Romanian version of the Prohibited List of the World Anti-Doping Agency;
- j) in collaboration with the Health Ministry and the National Agency of Medicines, updates and publishes annually the list of pharmaceutical specialties that contain Prohibited Substances and/or Prohibited Methods, authorized and commercialized in Romania;
- k) establishes the national annual in-competition and out-of-competition test distribution planning;

- l) establishes the Registered Testing Pool and maintains the registers with athletes' whereabouts information, in conformity with the International Standard for Testing of the World Anti-Doping Agency;
 - m) organizes and conducts both in-competition and out-of-competition Doping Controls;
 - n) encourages the mutual testing process between the national anti-doping organizations;
 - o) plans and ensures the conduct of fair and impartial hearings for Athletes and their support personnel alleged to have committed an anti-doping rule violation, in conformity with applicable legislation and International Standards;
 - p) grants the Therapeutic Use Exemptions for national level Athletes, on their written request, in compliance with the procedure described in the International Standard for Therapeutic Use Exemptions (TUE) of the World Anti-Doping Agency and maintains a register of the therapeutic use exemptions (TUE) of the international level athletes
 - q) communicates to the World Anti-Doping Agency the cases of anti-doping rules violations managed and the therapeutic use exemptions (TUE) requests of the national level athletes;
 - r) draws up the methodological norms regarding the organization and conduct of doping control;
 - s) organizes trainings for professional formation and perfection of doping control officers;
 - t) submits an annual activity report to the Government and the Parliament;
 - u) organizes periodically, together with sport organizations, activities for information, prevention and fight against doping in sport;
 - v) initiates, promotes and carries out research activities.
 - w) elaborates the norms for the Agency's income use for the categories of expenses with the purpose of implementing actions of prevention and fight against doping in sport and against the illicit trafficking in of substances within the Prohibited List and submits them to the Government for approval.
- (2) In order to exercise the powers set forth in paragraph (1), letter g), the Agency pays the fees established by international governmental and non-governmental organizations under their scales.

Art. 7. - Public systems of radio and television provide the Agency for free with minimum 30 minutes of transmission per month, from which 50% in primetime in educational broadcasting of promotional information with the purpose of prevention and fight against doping in sport.

Art. 8. - (1) A Board Council functions as advisory body, beside the Agency.

(2) A President appointed by the Prime Minister's decision for a 5 years period of time from among the experts in this area ensures the board of the Agency. The president is appointed based on management and professional ability requirements as well as on the criterion of independence - towards the political and sport system.

Art 9. - (1) The Board Council of the Agency consists of 9 members, as follows:

- a) a president;
- b) three representatives of Government's staff;
- c) a representative of Ministry of Education, Research, Youth and Sport appointed by its Minister, from among the employees;
- d) a representative of Romanian Olympic and Sports Committee;
- e) a representative of pharmacology or toxicology or medicine field appointed by the Health Minister;
- f) a representative of elite Athletes appointed by the Romanian Olympic and Sports Committee;
- g) a representative of national sports federations appointed by the Romanian Olympic and Sports Committee;

(2) The responsibilities of the Board Council are established by Government Decision.

(3) The activity of the Board Council is conducted by a president, who is also the president of the Agency.

(4) The mandate of the Board Council's members is set up for a 5 years period of time.

(5) The members of the Board Council are compelled to respect the professional secret and they shall sign a confidentiality and conflict of interests' statement.

(6) The Board Council has one ordinary meeting per month and extraordinary meetings when necessary, at the president's or members' majority's request.

(7) The convocation for Board Council meetings shall be done at least five (5) working days before the meeting and shall include compulsory the agenda and the necessary documentation.

(8) The decisions of the Board Council are adopted by vote of at least two thirds of its members.

(9) The members of Board Council, except for the president have a meeting compensation, representing 20% of the monthly wages of the

Agency's president. The amount for each member per month can not exceed 20 % of the monthly wages of the Agency's president.

Art. 10. - (1) The mandate of the Board Council members ceases prematurely in the following situations:

- a) disclaiming the member quality;
- b) transfer to another authority or public institution;
- c) occurrence of a disciplinary sanction;
- d) not complying with the responsibilities;
- e) loss of the professional qualities;
- f) decease.

(2) In the situations set forth in paragraph (1), a new member shall be appointed whose mandate lasts until the replaced person's mandate expires.

Art. 11. - (1) The president of the Agency has the rank of a State Secretary and he or she is assisted by a vice-president with the rank of a State Sub secretary, appointed by Prime Minister's Decision for a 5 years period of time, in conformity with the legislation, based on management and professional ability requirements as well as on the criterion of independence - towards the political and sport system.

(2) In the exercise of his responsibilities, the president of the Agency issues dispositions and instructions.

(3) The dispositions and instructions having a normative nature, issued by the president of the Agency, are published in the Official Journal of Romania, Part I.

Art 12. - (1) Beside the Agency, the following entities are set up: the Therapeutic Use Exemption Commission, the Hearing Commission of athletes and their support personnel who violated the anti-doping rules and the Appeal Commission.

(2) The structure and the responsibilities of the commissions stipulated in paragraph (1) are approved by Agency's President Disposition.

(3) The members of the entities stipulated in paragraph (1), participating to the sessions, benefit of session compensation, representing 20% of the monthly wages of the Agency's president. Following the participation to the sessions, the amount of money for each member per month can not exceed 20 % of the monthly wages of the Agency's president.

(4) For the activity of the entities set forth in paragraph (1) there shall be collected charges. The amount of these charges shall be established

annually by the Board Council's decision, approved by the Government Decision.

Art. 13 (1) The funds for the Agency's running expenses and capital expenditures are provided from its own incomes and subventions granted from State budget through the budget of the General Secretariat of the Government.

(2) The prices of the training for professional formation and perfection of doping control officers and the prices for analyses of nutritional supplements are established by Agency's President Disposition.

Art. 14. – (1) The employees who have been working for the Agency for more than two years receive monthly a loyalty benefit of 5 %, calculated for the basis wages.

(2) For each additional year over the above-mentioned two years, 3% are added to the percents set forth in paragraph (1).

(3) The loyalty benefit stipulated in paragraphs (1) and (2) may not exceed 20% of the basis wages.

(4) The loyalty benefit is added started with the first day of the month following the one when the time threshold set forth in paragraph (1) and (2) was reached.

(5) The loyalty benefit is not added to the wages of the persons who were hired after the retirement.

Art. 15 - (1) Due to the fact that by the profile of the activity developed is subject to a psychical stress and to a risk of illness resulting from handling urine and blood samples the Agency's staff receives a benefit of 25% from the basis wages, in conformity with the law.

(2) The categories of personnel, the quantum of the benefits set forth in paragraph (1) and the requirements of offering them are established, in compliance with the law, by the administrative act of the chief accountant, stipulating the expenses for staff wages in the budget.

Art. 16 - The benefits set forth in art. 14 and 15 are financed from proper incomes stipulating the expenses for staff wages in the approved budget.

Art. 17. - (1) The personnel of the Agency benefit of a confidentiality indemnity representing a quantum of 15%, applied to the monthly basic gross wages.

(2) The personnel categories and the requirements for granting the confidentiality indemnity set forth in paragraph (1) shall be established within the legal restrictions, through main credit ordonator's administrative decision, with the approval of Public Finances Ministry and Family, Social Protection and Labor Ministry.

(3) The Agency constitutes a stimulants fund, by applying a 35% coefficient upon the sums collected for state budget, consisting of fees applied as a result of doping controls.

(4) The constitution and usage of the above mention fund, as well as the personnel categories that benefits from the funds set forth in paragraph (3) are established by methodological norms approved by Government Decision.

CHAPTER II

Publishing and Reviewing the Prohibited List

Art. 18. – (1) The Prohibited List in compliance with the one elaborated by the World Anti-Doping Agency, is approved by the Agency's President Disposition and it is published in the Official Journal of Romania, Part I.

(2) The Agency will review the prohibited list every time changes will occur in the Prohibited List published by the World Anti-Doping Agency.

CHAPTER III

Therapeutic Use Exemptions

Art. 19. - (1) The Agency ensures that the process of granting the Therapeutic Use Exemptions for national level athletes is put in place, based on the athletes' written request, in compliance with the procedure described in the International Standard for Therapeutic Use Exemptions (TUE) of the World Anti-Doping Agency.

(2) The Agency will report to the World Anti-Doping Agency, through ADAMS, the Therapeutic Use Exemptions granted for the national level athletes within the Registered Testing Pool.

(3) The international level athletes have the obligation to communicate to the Agency the requests for therapeutic use exemptions submitted in conformity with the International Standard for Therapeutic Use Exemptions of the World Anti-Doping Agency.

CHAPTER IV

Medical Assistance of the Athletes

Art. 20. The doctors and the nurses have to pay a special attention to the medical treatment of the Athletes and to comply with the following rules:

- a)) not to recommend, prescribe and administer medicaments that contain Prohibited Substances, when these medicaments may be replaced with others that do not contain such substances;
- b) not to recommend, prescribe or participate to the use of Prohibited Methods included in the Prohibited List;
- c) to prevent the use of Prohibited Substances and/or Prohibited Methods by the Athletes;
- d) to inform the Athletes and relevant national sports federations about the medication administered, the chemical composition and the effects over the human body;
- e) to inform the relevant national sports federation and the Agency about any suspicion regarding the use of Prohibited Substances and/or Prohibited Methods by the Athletes, in order to become the subject of some Target Testing.

Art. 21. - The national or international level Athlete has the obligation to inform about his quality (of athlete) on any kind of medical examination.

CHAPTER V

Doping Control

Art. 22. - In-Competition and Out-of-Competition Doping Control is conducted based on Annual Tests Distribution Planning, in compliance with the provisions of the International Standard for Testing.

Art. 23. - (1) The doping control is conducted by the Agency, on its own initiative or at the request of:

- a) the Ministry of Education, Research, Youth and Sport;
- b) the Romanian Olympic and Sports Committee;
- c) the national sports federations, clubs or professional leagues;
- d) other sport events organizers that are not part of a federal frame.

(2) Doping Control procedure is ruled by the Methodological Norms regarding the organization and conduct of Doping Control elaborated by the Agency in conformity with the provisions of the Code and the International Standard for Testing of the World Anti-Doping Agency.

(3) In case of emergency intimations, the president of the Agency may dispose the conduct of a Doping Control.

(4) The Agency may conduct doping testing at the request of the anti-doping organizations from other countries, the international anti-doping organizations and international sport structures.

(5) Subject to the right to appeal, the Agency shall recognize Testing, therapeutic use exemptions and hearing results or other final adjudications of any Signatory which are consistent with the World Anti-Doping Code and are within that Signatory's authority or the ones of other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code, under the law

Art. 24. - (1) The Athlete participating in a sport competition has the obligation to submit to Doping Control, in conformity with the provisions of present law.

(2) The National Record may be ratified only following the doping testing of the relevant athlete, immediately after the set of the record.

(3) Target Testing and Out-of-Competition Testing may be conducted at any time and without notice, at the nearest doping control station, at athlete's accommodation place during the training period, in every location or precincts where physical and sport activities are running or at athlete's home, and the Athlete has the obligation to submit these Tests.

Art. 25. - (1) In competition doping testing is conducted in facilities named "Doping Control Station", set up in conformity with the provisions of the Methodological Norms regarding doping control' organization and conduct.

(2) Within 6 month after present law coming in force, sports base administrators have the obligation to set up Doping Control Stations, in conformity with the provisions of the paragraph (1).

Art. 26. - Doping Testing may be conducted only by the Doping Control Officers who graduated a formation and perfection course held by the Agency and possess a certificate issued by the Agency and by the Agency's staff authorized in this regard by the Agency's president.

Art. 27. - The Agency has the responsibility of collecting and transporting the Samples to the laboratory.

CHAPTER VI

Results Management

Art. 28. - (1) The analysis of biological samples is performed by the Research and Doping Control Laboratory Department, in conformity with the International Standard for Laboratories of the World Anti-Doping Agency or by other laboratory accredited by the World Anti-Doping Agency.

(2) The analysis result is issued by the laboratory as an analysis bulletin that is communicated to the Agency's president.

(3) In the situation of an Adverse Analytical Finding, the Agency shall review the occurrence of one of the following cases:

- a) a Therapeutic Use Exemption was granted or is in process of granting;
- b) there is a suspicion regarding a departure from the International Standard for Testing or the International Standard for Laboratories that invalidates the determined adverse analytical finding.

(4) If the review set forth in paragraph (3) does not reveal one of the situations above, the Agency notifies the relevant Athlete and the relevant national sports federation, the Ministry of Education, Research, Youth and Sport, the Romanian Olympic and Sports Committee, the relevant International Federation and the World Anti-Doping Agency about:

- a) the determined result;
- b) the anti-doping rule violated;
- c) the deadline when a statement regarding the found result should be submitted;
- d) athlete's right to request B sample analysis as well as the date and place where B sample will be analyzed;
- e) Athlete's rights.

(5) In case of an atypical result, the Agency reviews whether one of the following situations occurred:

- a) a TUE was granted;
- b) there is a suspicion regarding a departure from the International Standard for Testing or the International Standard for Laboratories that invalidates the atypical result.

(6) when the review does not reveal any of the situations set forth in paragraph (5), the Agency will proceed to further investigations, in

conformity with the International Standard for Laboratories, to determine whether the atypical result will be forwarded as adverse analytical finding or not.

(7) Following the investigation set forth in paragraph (6), the Agency notifies the relevant athlete and the relevant national federation, the Ministry of Education, Research, Youth and Sport, the Romanian Olympic and Sports Committee, the relevant International Federation and the World Anti-Doping Agency whether or not the atypical result will be forwarded as an adverse analytical finding, in compliance with paragraph (4), as necessary.

(8) The Agency does not have the obligation to inform about an atypical result until the completion of the investigations set forth in paragraph (6) and making a decision to forward the atypical result as an adverse analytical finding, except for the following situations:

a) When the Agency establishes that B sample analysis is necessary before the completion of the investigations set forth in paragraph (6), and decides B sample analysis after athlete's notification about the atypical result, in conformity with art. 30, letters b) and c).

b) on the request of a Major Event Organization shortly before one of its International Events or a request from a sport organization responsible for meeting an imminent deadline for selecting team members for an International Event, the Agency has the obligation to inform whether one of the selected athletes has a pending Atypical Finding after first providing notice to the Athlete.

Art. 29. In case of non-analytical anti-doping rules violations set forth in art. 2 paragraph (2), the Agency shall review the circumstances of the alleged anti-doping rule violation occurred and notifies the relevant athlete or person, the relevant national federation, the Ministry of Education, Research, Youth and Sport, the Romanian Olympic and Sports Committee, the relevant international federation and the World Anti-Doping Agency about:

- a) the alleged anti-doping rule violation;
- b) the deadline when a statement regarding the alleged anti-doping rules violation should be submitted;
- c) the rights of the athlete or the person who allegedly committed the violation, during the hearing procedure.

Art. 30. - The Athlete has the following rights:

- a) to ask for B sample analysis or to give a written statement if he or she waives this right;

- b) to participate or to have a representative participating at the B sample analysis, if he had asked for it;
- c) to require from the laboratory copies of the documentation related to his Sample, documentation that includes the information set forth in the International Standard for Laboratories of the World Anti-Doping Agency

Art. 31. – (1) The Agency may dispose the provisional suspension of an athlete based on an adverse analytical finding involving a specific substance or based on another possible anti-doping rule violation after the review and notification set forth in art. 28 paragraphs (3) and (4), respectively in art. 29.

(2) The provisional suspension of an athlete based on an adverse analytical finding involving a prohibited substance, except for the specific substances, is mandatory, after the review and notification set forth in art. 28 paragraphs (3) and (4).

(3) The provisional suspension, in conformity with paragraph (1) and (2), may not be disposed unless providing the athlete with the right to a provisional hearing before or immediately after imposing it or with the right to an expedited hearing pursuant to art. 33 paragraph (4), immediately after imposing the provisional suspension.

Art. 32 – In case the athlete or the person within the athletes' support personnel alleged to have committed one of the anti-doping rules violations set forth in art. 2 paragraph (2), retires from sport before the initiation or during the procedures set forth in the current chapter, the Agency may decide to continue the procedures.

CHAPTER VII

The Right to a Fair Hearing

Art. 33. - (1) The Hearing Commission of athletes and their support personnel who violated the anti-doping rules meets to hear the athlete or his support personnel alleged to have committed one of the anti-doping rules violations set forth in art. 2 paragraph (2).

- (2) The hearing process shall respect the following principles:
- a) a timely hearing, in conformity with paragraph (3);
 - b) a fair and impartial hearing body;
 - c) the right to be represented at the Person's own expense;
 - d) the right to be fairly and timely notified of the asserted anti-doping rule violation;

- e) the right to respond to the asserted anti-doping rule violation and the resulting consequences;
- f) the right of each party to present evidence, including the right to call and question witnesses; the Hearing Commission of athletes and their support personnel who violated the anti-doping rules establishes whether or not accepts written statements;
- g) the person's right to an interpreter at the hearing, designated by the Hearing Commission of athletes and their support personnel who violated the anti-doping rules. The commission also decides who is responsible to pay for the interpreter;
- h) a timely, written, reasoned and dated decision, communicated in a reasonable period of time.

(3) The hearing procedure will be applied with celerity, always within three months since the completion of the result management process set forth in Chapter VI, except for the cases where the provisions of art. 48 apply.

(4) The president of the Agency may decide the conduct of an expedited hearing, when necessary.

Art. 34 In case the Hearing Commission for the athletes and their support personnel who violated the anti-doping rules considers the presence to the hearing of some persons – other than the athlete or relevant athlete's support personnel - as mandatory, such persons are liable to show to the place, in the day and the time established, having the liability to state everything they might know related to an alleged anti-doping rule violation.

Art. 35 – The facts established by a definitive and irrevocable sentence or a decision of a professional disciplinary commission of competent jurisdiction which is not the subject of a pending appeal shall be evidences against the athlete or other person within **athlete's support personnel who committed those acts** unless the persons involved establish that the legal exercises violated the principles of natural justice.

CHAPTER VIII

Confidentiality

Art. 36. – (1) The identity of the athletes or the athletes' support personnel who are alleged to have committed one of the anti-doping rules violations set forth in Article 2, paragraph 2, shall be publicly disclosed by

the Agency's president or, in his absence, by his delegate, within maximum 20 days following the definitive completion of the procedure.

(2) Following the definitive completion of the procedure, the identity of the athletes or the athletes' support personnel who were not found guilty of having committed one or more anti-doping rules violations set forth in Article 2, paragraph (2) may be publicly disclosed only by written consent of the relevant athletes or athletes' support personnel.

(3) As an exception to the paragraphs (1) and (2), the Agency's president or, in his absence, his delegate may publicly comment a pending case, when this is necessary as an answer to the public comments of the athletes or the athletes' support personnel.

(4) Until the public disclosure set forth in paragraphs (1) – (3), the public institutions stipulated in Article 28, paragraph (4) and Article 29, as well as the sport clubs and professional leagues are bound to maintain the confidentiality over the information submitted to them.

(5) The information disclosed in accordance with the paragraphs (1) – (3) is posted for at least one (1) year on the Agency and the relevant national sport federations' web pages, where applicable.

CHAPTER IX

Sanctions

Art. 37. - (1) Any anti-doping rule violation set forth in art. 2, paragraph (2) committed by the Athlete during or in connection with a competition and/or sport event, proven in conformity with the procedure stipulated by the present law, leads to disqualification, invalidation of all of the Athlete's individual results obtained in that competition and forfeiture of all medals, points and prizes.

(2) The foreign Athletes are sanctioned in conformity with the provisions of the present law only when they participate to a competition and/or sport event organized on the Romanian territory.

Art. 38. The anti-doping rules violations set forth in Article 2 paragraph (2) letters a), b) and f) are sanctioned with 2 years ineligibility for the first violation, except for the cases when the provisions of Article 39, Article 48 and Article 49 are applicable.

Art. 39. – Where the anti-doping rules violations set forth in Article 2 paragraph (2) letters a), b) and f) involve a specified substance and the athlete or the athlete's support personnel can establish how the specified

substance entered his or her body or came into his or her possession and that the use of such specified substance was not intended to enhance the sport performance or to mask the use of another prohibited substance, the period of ineligibility set forth in Article 38 shall be replaced for the first violation, with at least a reprimand and no period of ineligibility, or at most two (2) years ineligibility.

Art. 40. - (1) The anti-doping rules violations set forth in Article 2 paragraph (2) letters c) and e) are sanctioned pursuant to Article 38, for the first violation, except for the cases where the provisions of Article 48 and Article 49 are applicable.

(2) For the anti-doping rules violations set forth in Article 2 paragraph (2) letters g) and h), the ineligibility period shall be at a minimum 4 years and at a maximum lifetime for the first violation, except for the cases where the provisions of Article 48 are applicable.

(3) For the anti-doping rules violations set forth in Article 2 paragraph (2) letter d), the ineligibility period shall be at a minimum 1 year and at a maximum 2 years for the first violation, depending on the degree of the athlete's fault, in conformity with the Methodological Norms for the organization and conduct of the doping control.

Art. 41. For the second violation of the Article 2 paragraph (2), the ineligibility periods shall be within the time limits provided in the Annex, which is part of the present Law.

Art. 42. The third violation of the anti-doping rules shall be sanctioned with lifetime ineligibility, except for the violation set forth in Article 2 paragraph (2) letter d) and the cases where the provisions of Article 39 are applicable, when the ineligibility period shall be at a minimum 8 years and at a maximum life time.

Art. 43. – Any anti-doping rules violations set forth in Article 2 paragraph (2) committed by a person from the athlete's support personnel and involving a minor athlete, unless concerning a specified substance, shall be sanctioned directly with lifetime ineligibility.

Art. 44. - (1) The Ineligibility period shall start on the date of the decision providing for Ineligibility.

(2) Any period of provisional suspension shall be credited against the total period of Ineligibility.

(3) In case of delays in the decision providing for Ineligibility, for reasons not attributable to the Athlete, the Ineligibility may start as early as the date of Sample collection.

(4) The suspended athletes or athlete's support personnel may not participate in any capacity in a competition or sport event during the period of ineligibility.

(5) When a suspended athlete or athlete's support personnel violates the provisions of paragraph (4), the initially imposed ineligibility period shall start again from the date of the participation to the competition or sport event.

(6) The ineligibility period resumed in accordance with paragraph (5) may be reduced when the athlete or the other person establishes the lack of any significant negligence, but it may not be reduced to less than half of the initially imposed ineligibility period.

(7) During the Ineligibility period, the Athletes do not benefit of funds from State or local budgets for sport activity.

Art. 45. - (1) During the period of ineligibility, the athletes must submit whereabouts information to the Agency.

(2) In order to return to sport activity, during the ineligibility period, the athletes must submit to at least four (4) no advance notice doping tests, among which one should be conducted at the moment of the reinstatement in the sport activity.

(3) When the athlete retires from sport activity during the ineligibility period and subsequently he requires to be reinstated in the sport activity, he cannot be reinstated before the Agency is notified and no advance notice doping tests are conducted for a period of time equal with the remained ineligibility period at the moment of the retirement.

Art. 46. – (1) In case of anti-doping rule violations set forth in art. 2, paragraph 2, the prescription of sanctions applies after eight years from the date when the anti-doping rule violation occurred.

(2) No action may be commenced against an Athlete or other Person **within athlete's support personnel** for an anti-doping rule violation, once the deadline stipulated by paragraph (1) expires.

CHAPTER X

Consequences for Sport Teams

Art. 47. - (1) When more than a team member in a team sport has committed or is alleged to have committed an anti-doping rules violation set forth in Article 2 paragraph 2, in connection with a sport event, the team shall be subject to target testing for that sport event.

(2) When more than two (2) members of a sport team are found guilty of having committed one of the anti-doping rules violations set forth in Article 2 paragraph (2) during an event period, the team shall be subject to disqualification or other disciplinary sanction imposed by the ruling body of that event.

(3) In sports which are not Team Sports but where awards are given to teams, Disqualification or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation set forth in Article 2 paragraph (2) shall be as provided in the applicable rules of the International Federation.

CHAPTER XI

Elimination or Reduction of the Period of Ineligibility based on Exceptional Circumstances

Art. 48. - (1) The athlete is strictly responsible for the presence in his / her biological sample of any prohibited substance or its metabolites or markers and there's no need to establish the intention or fault to determine an anti-doping rules violation.

(2) When the athlete establishes that he or she bears no fault in case of an anti-doping rule violation set forth in Article 2 paragraph 2, letter a), the otherwise applicable period of ineligibility shall be eliminated and the case shall not be considered as an anti-doping rules violation.

(3) In case of anti-doping rules violations set forth in Article 2 paragraph (2), letters a)-c) and e)-h), the ineligibility period may be reduced but the reduced period of ineligibility may not be less than half of the period of ineligibility otherwise applicable, when the athlete or other person establishes that he or she bears no significant negligence.

(4) In order to apply the provisions set forth in paragraphs (2) and (3), the athlete must establish how the prohibited substance entered his or her body.

(5) The provision set forth in paragraph (3) shall not be applied in situations where the provisions of Article 39 are applicable.

(6) When the applicable period of ineligibility is lifetime, the reduced period under paragraph (3) may be no less than 8 years.

(7) When the athlete or other person has provided substantial assistance to the Hearing Commission of athletes and their support personnel who violated the anti-doping rules and to the Appeal Commission in discovering or establishing an anti-doping rule violation committed by another athletes or athlete's support personnel, the ineligibility period may be reduced to at maximum three-quarters of the otherwise applicable period of ineligibility. After the expiration of the time limit for submitting an appeal or after taking a decision under Article 60, the Agency may reduce the applied period of ineligibility only if the World Anti-Doping Agency and the relevant International Federation approves it.

(8) If the otherwise applicable period of ineligibility is lifetime, the reduced period under paragraph (7) may be no less than 8 years.

(9) When an athlete or other person voluntarily admits the commission of an anti-doping rule violation before having received notice of a sample collection which could establish the anti-doping rule violation or before establishing one of the anti-doping rules violations set forth in Article 2 paragraph (2) letters b)-h) and receiving first notice of the admitted violation pursuant to Article 29 and that admission is the only reliable evidence of the violation at the time of admission, then the period of ineligibility may be reduced, but not less than half of the otherwise applicable period of ineligibility.

(10) In case an athlete or a person from the athlete's support personnel meets the requirements to apply at least two of the provisions set forth in paragraphs (3), (7) or (9), then the period of ineligibility may be reduced but not less than one-quarter of the otherwise applicable period of ineligibility.

CHAPTER XII

Circumstances Which May Increase the Period of Ineligibility

Art. 49. – (1) The ineligibility periods set forth in Articles 38 and 40 for the anti-doping rules violations under Article 2 paragraph (2) letters a)-f) shall be increased up to a maximum of four (4) years in case the violation is committed in one of the following situations:

- a) the athlete or other person has committed the anti-doping rule violation as part of a doping plan or scheme, either individually or together with other persons;
- b) the athlete or other person has possessed or used multiple prohibited substances or methods, or has possessed or used a prohibited substance or method on multiple occasions;
- c) the athlete or other person is obstructing the detection or adjudication of an anti-doping rule violation.

(2) The provisions of paragraph (1) shall not apply when an athlete or other person can prove to the comfortable satisfaction of the Hearing Commission of athletes and their support personnel who violated the anti-doping rules that he or she did not knowingly violated the anti-doping rules or the respective athlete or other person admits the violation promptly after being confronted with the anti-doping rule violation by the Agency, pursuant to Article 28 paragraph (4) and Article 29.

CHAPTER XIII

Rules for Multiple Violations

Art. 50. - (1) For purposes of imposing sanctions under articles 38 – 40, another anti-doping rule violation set forth in art. 2, paragraph (2) shall be considered by the Agency for purposes of imposing sanctions only when the Athlete or other person from the Athlete’s support personnel committed the new anti-doping rule violation after he or she received notice of the first anti-doping rule violation.

(2) If the Agency can not establish this, the first and the second violations shall be considered as one single first violation and the sanction imposed shall be based on the violation that carries the more severe sanction.

Art. 51 – (1) In case that following a decision taken for a first anti-doping rule violation the Agency discovers a new anti-doping rule violation committed by the athlete or other person from the athlete’s support personnel occurred earlier in time, before the notification for the first anti-doping rule violation, then the Hearing Commission shall apply an additional sanction, based on the sanction that would have been applied if the two anti-doping rule violations were managed in the same time.

(2) The athlete shall be disqualified from all competitions starting with the date of the first anti-doping rules violation shall be disqualified and his or her results shall be invalidated.

Art. 52. - (1) When an Athlete, based on the same Doping Control, is found to have committed an anti-doping rule violation involving both a Specified Substance and another Prohibited Substance or Prohibited Method, the Athlete shall be considered to have committed a single anti-doping rule violation under article 2, paragraph (2), but the sanction imposed shall be the most severe one.

(2) When an Athlete is found to have committed two separate anti-doping rule violations set forth in art. 2, paragraph (2), one involving a Specified Substance and the other one involving a Prohibited Substance or Prohibited Method or another anti-doping rules violation, the period of Ineligibility for the second offence shall be at a minimum two years' Ineligibility and at a maximum three years' Ineligibility.

(3) Any Athlete found to have committed a third anti-doping rules violation involving any combination of violation by the use of Specified Substances and any other anti-doping rule violation governed by the sanctions set forth in art. 38 or 40, shall receive a sanction of lifetime Ineligibility.

CHAPTER XIV **Offences**

Art. 53. - (1) The prescription or administration of Prohibited Substances to Athletes by doctors constitutes offence and is sanctioned with imprisonment from one to four years or with fine from 7,500 RON to 15,000 RON.

(2) In cases set forth in paragraph (1), the Romanian Medical College shall be notified.

Art. 54. - (1) Encouraging by any means to the Use of Prohibited substances with purposes of enhancing sport performance, when followed by the actual use of such substances, constitutes offence and is sanctioned with imprisonment from six months to two years or with fine from 7,500 RON to 15,000 RON.

(2) When the encouragement is not followed by the actual use of Prohibited Substances, the sanction is imprisonment from two months to two years or fine from 1,500 RON to 5,000 RON.

Art. 55. - (1) The following situations constitute aggravating circumstances:

- a) the commission of the offence by a person who has responsibilities in preventing and fighting against doping in sport under the present law;
- b) the offer, prescription, administration of prohibited substances or methods to a minor athlete;
- c) the commission of the offence together with a Minor athlete;
- d) the commission of the offence by a person who performs a function within a public authority and the offence was committed in the exercise of this function.

(2) When the offences set forth in art. 53 and 54 are committed under the aggravating circumstances set forth in paragraph (1), the special maximum of the penalties shall be increased with a third part.

Art. 56. - One or more complementary penalties may be applied to the persons convicted for offences set forth in the present chapter.

Art. 57. - The goods intended for, used or resulted from the offences set forth in the present chapter shall be seized.

CHAPTER XV

Appeals

- Art. 58.** – The following decisions may be appealed:
- a) the decisions of the Hearing Commission of the athletes and their support personnel who violated the anti-doping rules, related to the anti-doping rules violations set forth in art. 2;
 - b) the decisions of the Hearing Commission of the athletes and their support personnel who violated the anti-doping rules, taken pursuant to Article 44 paragraph (5);
 - c) the decision stipulating that the Hearing Commission of the athletes and their support personnel who violated the anti-doping rules does not have the jurisdiction to judge a possible anti-doping rules violation;
 - d) the decision of the Agency not to bring forward an adverse analytical finding or an atypical result as an anti-doping rules violation, under Article 28, paragraph (4) and (7);
 - e) the decision not to go forward with the investigation of an anti-doping rule violation under Article 29;
 - f) the decision of provisional suspension under Article 31;
 - g) the decisions of the Agency regarding the granting or the denial of a Therapeutic Use Exemption.

Art. 59. –The procedure of managing the appeals set forth in Article 58 shall be conducted in compliance with the following principles:

- a) the right to a fair and impartial hearing;
- b) the conduct of a fair, impartial and independent hearing;
- c) the right to be represented at the Person's own expense;
- d) the right to a written, reasoned, dated and edited decision, communicated in a reasonable period of time.

Art. 60. – (1) The decisions set forth in Article 58 letters a)-e) and g), taken in connection with a competition within a national sport event or involving national level athletes may be appealed to the Appeal Commission in 21 days from the date of the appealed decision's notification, by the following persons:

- a) the national level athletes or other person subject to the appealed decision;
- b) the athlete's sport structure or the other part subject to the appealed decision;
- c) the relevant International Federation, the International Olympic Committee, the International Paralympic Committee;
- d) the Anti-Doping Organization of the athlete / person's country of residence;
- e) the Agency.

(2) The decisions set forth in paragraph (1) may be also appealed by the World Anti-Doping Agency (WADA) in 21 days from the last day when any part could submit an appeal or in 21 days after receiving the complete case file.

Art. 61. – The decisions of the Appeal Commission may be appealed to the Court of Arbitration for Sport (CAS), in Lausanne in 21 days since the date of the notification.

Art. 62. – The decisions set forth in Article 58 letters a)-e) and g), taken in connection with a competition within an international sport event or involving international-level athletes may be appealed exclusively to the Court of Arbitration for Sport in Lausanne in 21 days since the date of the notification by the following persons:

- a) the international level athletes or other person subject to the appealed decision;
- b) the athlete's sport structure or the other part subject to the appealed decision;

- c) the relevant International Federation;
- d)) the Anti-Doping Organization of the person / athlete's country of residence;
- e) the Agency;
- f) the World Anti-Doping Agency.

Art. 63. – The decisions set forth in Article 58 letter f) may be appealed only by the athletes or the persons against whom the provisional suspension sanction was imposed, according to Article 60, respectively Article 62, as applicable.

Art. 64. – In case the Hearing Commission does not take a timely decision within the time limit stipulated in art. 33, paragraph (3), the World Anti-Doping Agency may chose to appeal directly to the Court of Arbitration for Sport in Lausanne. If the Court of Arbitration for Sport in Lausanne establishes that there was a violation of the anti-doping rules and that the World Anti-Doping Agency acted in a correct manner in choosing to file an appeal, then the expenses incurred by the World Anti-Doping Agency in the settlement of the appeal shall be borne by the Agency.

Art. 65. - The appealed decisions shall remain in effect while under procedures set forth in Articles 60 and 62, unless the Appeal Commission, respectively the CAS decides their suspension.

CAPITOLUL XVI

Obligations of the National Sport Organizations and the Romanian Olympic and Sports Committee

Art. 66. - (1) The National Sports Federations shall modify and complete their statutes and regulations according to the provisions of the present law, the World Anti-Doping Code, the International Sport Federations regulations and the Methodological Norms regarding the organization and conduct of doping control.

(2) The National Sports Federations shall set up their own Anti-Doping Commission with responsibilities in preventing and fighting against doping in sport, which shall collaborate with and transmit to the Agency the requested data.

Art. 67. The National Sports Federations have the duty to bear the costs of laboratory analyses showing positive results, both for A sample and/or B samples, performed for the athletes registered to a member of the federation, sport structure with sport identity certificate.

Art. 68. - (1) The National Sports Federations are compelled to submit to the Agency, within the period of time established by the Agency, detailed information regarding the national and international sport calendar as well as the training plans of their athletes and sport teams, including the accurate information about locations and schedules, as well as the list with the national / international level athletes designated by the Agency and their addresses.

(2) The National Sports Federations shall transmit to the Agency any modification in the sport calendar or in the training plans, at least 5 days before their occurrence.

Art. 69. – The sports clubs, professional leagues and Romanian Olympic and Sports Committee shall comply with the provisions set forth in Articles 66 and 68.

Art. 70. (1) With the purpose of protecting athletes' health and to prevent doping in sport, the national sport federations, sport clubs and professional leagues are bound to stipulate in their annual budget sums of money designated to anti-doping tests for their athletes.

(2) Failure to comply with the provisions of paragraph (1) constitutes contravention and it is sanctioned with fine, from 10,000 RON to 30,000 RON.

Art. 71. (1) In applying the sanctions against the athletes or athletes' support personnel, the National Sports Federation have to comply with the provisions of the present law and the international anti-doping rules.

(2) The disrespect of the provisions set forth in paragraph (1) by the National Sports Federations constitutes contravention and it is sanctioned with fine from 5,000 RON to 30,000 RON, withdrawal of any financial support from the state budget, provisional suspension of the Sports Identity Certificate or striking off from the Sports Register.

Art. 72. – (1) The inclusion of the athletes serving an ineligibility period within a competition or sport event by the national sport federations, clubs or professional leagues constitutes contravention and it is sanctioned

with fine from 7,500 RON to 30,000 RON, and the withdrawal of any financial support from the state budget, provisional suspension of the Sports Identity Certificate or striking off from the Sports Register.

(2) The nomination of a person who is not athlete for being submitted to a doping test constitutes contravention and it is sanctioned with fine from 5,000 RON to 30,000 RON.

Art. 73. - (1) The Sports Clubs and Professional Leagues having persons sanctioned for doping in sport are sanctioned with fine from 5,000 RON to 30,000 RON.

(2) Failure to comply with the provisions of the article 25 paragraph (2) constitutes contravention and it is sanctioned with fine, from 1,000 RON to 10,000 RON.

(3) Failure to comply with the provisions of article 34 constitutes contravention and it is sanctioned with fine from 1,500 RON to 2,500 RON.

(4) The disrespect by the suspended athletes or their support personnel of the provisions set forth in Article 44 paragraph (5) constitutes contravention and it is sanctioned with fine from 5,000 RON to 10,000 RON.

(5) Failure to comply with the provisions of article 68 constitutes contravention and it is sanctioned with fine from 5,000 RON to 15,000 RON.

(6) The contraventions are established and the sanctions are applied by the authorized personnel of the Agency.

(4) The contraventions are established and the sanctions are applied by the personnel within the Agency empowered in this regard.

Art. 74. – (1) The offender may pay immediately or within 48 hours from the completion of the official report or, when appropriate, from its communication, half of the minimum fine set forth in art. 70 paragraph (2), art. 71 paragraph (2), art. 72 and 73, this option being mentioned by the agent in the official report.

(2) The provisions of Government Ordinance no. 2/2001 regarding the juridical regime of the contraventions, approved with amendments and completions by the Law no. 180/2002, with subsequent amendments and completions are applicable to the contraventions set forth in art. 70 paragraph (2), art. 71 paragraph (2), art. 72 and 73.

Art. 75. - When the substances found during the doping control are also subjected to Law no. 143/2000 on preventing and combating trafficking

and consumption of illicit drug with subsequent amendments and additions or Government Ordinance no. 121/2006 regarding the juridical regime of the drugs precursors approved with subsequent amendments and completions by the Law no. 186/2007, the Agency shall notify the National Anti-Drug Agency and the prosecution bodies.

TITLE III

Final and Transitory Provisions

Art. 76. - For the information and education of the personnel involved in anti-doping activities, all Romanian physical education and sport universities and the National Centre for Coaches Formation and Training shall include in their curricula courses to present the national and international anti-doping regulations, as well as the National Anti-Doping Strategy.

Art. 77 – (1) Members of the commissions set forth in article 12, paragraph (1), doping control officers, the staff of the Agency authorized to conduct doping testing and the staff of Research and Doping Control Laboratory Department bear no civil or criminal liability, as applicable, if the courts establish that they acted or failed to act - in good faith and with no negligence – in connection with their responsibilities under the law.

(2) The legal costs related to the legal procedures initiated against the members of the commissions set forth in art. 12 paragraph (1) shall be paid by each body that nominated the members of the commissions. The costs shall be recovered from the person who loses the case.

Art. 78 - The leadership of the Agency and the personnel involved in doping control shall have access to all sport events, based on an identification card, whose model and content shall be determined through the Methodological Norms for the organization and conduct of the doping control.

Art. 79. – (1) The personnel of the Agency and the doping control officers shall wear uniforms with specific insignia.

(2) The uniform's model, specific insignia, the application process and the wearing are established by Agency's President Disposition.

(3) The procurement costs of the uniforms shall be financed from the funds established in the Agency's budget.

Art. 80. - The General Secretariat of the Government is authorized to operate the modifications resulted from the application of the present law within the Appendices to this institution budget as well as within the Appendices regarding the wages expenses, the maximal number of jobs and the funds relating to base wages, with the approval of the Public Finance Ministry, as well as within the budgets of the institutions that are the object of present law' provisions.

Art. 81. – Within the applicable normative acts that refer to the National Antidoping Agency, the next terms shall be replaced as follows:

- a) The National Antidoping Agency with the National Anti-Doping Agency;
- b) The World Antidoping Agency with the World Anti-Doping Agency;
- c) The World Antidoping Code with the World Anti-Doping Code.

Art. 82 The organizing structure and the Organizing and Functioning Regulation of the National Anti-Doping Agency shall be approved by Government Decision, within 30 days from the coming into force of the present law.

Art. 83. - The Agency shall elaborate the Methodological Norms regarding the organization and conduct of the Doping Control that shall be submitted for approval by Governmental Decision, within 30 days from the coming into force of the Regulation stipulated in article 82.

Art. 84. - With the coming into force of the present law, the Law number 552/2004 regarding prevention and fight against doping in sport published in Official Journal number 1215 from 17th of December 2004, Part I is abrogated.

APPENDIX

LIMITS

of the ineligibility periods for having committed a second violation of the provisions of Article 2 paragraph (2)

Second Violation First Violation	RS	FFMT	NSF	St	AS	TRA
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	life	life	life	life

RS - Reduced sanction – the anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 39;

FFMT – Filing Failures or Missed Tests – the violation of the provisions of Article 2 paragraph (2) letter d);

NSF – Reduced sanction for *No Significant Fault or Negligence* – the anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 48 paragraph (3);

St - Standard sanction – the anti-doping rule violation was or should be sanctioned under Article 38 or Article 40 paragraph (1);

AS – Aggravated sanction – the anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 49;

TRA – *Trafficking in or attempted trafficking in* and Administration or attempted administration – the violation of the provisions of Article 2 paragraph (2) letters g) and h).