

# Doping Control Rules for the Badminton Association of England

## Authority to regulate

- 1.1 The Badminton Association of England, hereafter known as the Association, is the governing body of the sport of Badminton in England, the Channel Islands and the Isle of Man. These [Rules](#) are written in accordance with the [rules](#) of the International Badminton Federation ([IBF](#)).
- 1.2 The Association shall, within its jurisdiction, regulate the prohibition and control of doping in the sport of Badminton and shall make, maintain and enforce rules relating thereto. The Badminton Association of England appoints UK Sport as its agents for testing.
- 1.3 To be eligible to participate or assist any participant in any event or activity organised or authorised by, or held under the rules of the Association wherever held, a person must comply with these [Rules and shall be deemed to have agreed with and consented to these Rules](#). Should the event be sanctioned by the IBF then the IBF rules which are current at the time of competition will apply.

## Policy Statement

- 2.1 The Association is unequivocally opposed to the practice of doping in sport.
- 2.2 The Association recognises that doping contravenes the basic ethics of sport and of medical science. The purpose of the doping control rules is to prohibit doping in order to protect the rights, physical and mental health of participants in sport.
- 2.3 Results are normally regarded as confidential. However, when it is clear that public knowledge of a positive case exists, the Association reserves the right to confirm outline details as appropriate. The Association will publish details of any disciplinary action taken.
- 2.4 The definition of doping is contained within Appendix A of these [Rules](#).

## Doping Tests

- 3.1 Doping is strictly forbidden.

It is mandatory that players selected for a doping control test are required to submit to a doping test at any time when requested by the Association or their agents. Tests may be random or specific and without prior notice. Although every reasonable effort will be made to avoid inconvenience to the person being tested, no liability will be accepted for any inconvenience or loss resulting therefrom.

- 3.2 Failure to comply with a request for testing may result in the player being subject to the same sanctions as that for a positive doping test.

- 3.3 All IBF sanctioned tournaments are subject to the requirements of the current IBF anti doping statutes. The Association will cooperate fully with the IBF in measures taken to detect or penalise infringements of those requirements.

- 3.4 Banned substances are those defined in Annex A of the IBF anti doping statutes or which are banned substances under the rules or regulations of the International Olympic Committee (IOC) or the World Anti Doping Agency (WADA). For the purposes of information the current IBF list is reprinted in Appendix B of these Rules. The Association shall have the right to amend this list at any time.

These Rules provide that tests be carried out for cannabinoids in competition, and that notification of the administration of corticosteroids is necessary.

- 3.5 The Association shall keep a register of those who are subject to out-of-competition testing and anyone included on the register will be notified of inclusion and acceptance on the register. Upon receiving notification a person must keep the Association (or anyone whom it directs) informed of the addresses and telephone numbers where the person can be contacted for testing at anytime.

- 3.6 A person who retires from events or activities which are the subject of these Rules shall promptly notify the Association of their retirement, whereupon testing of that person shall cease two weeks from the date when the Association receives the notification of retirement in writing. To be eligible for national selection after retirement a player must be on the out-of-competition register for a period of 6 months.

## Testing procedure

- 4.1 Sample testing will be carried out by bodies approved or accredited in accordance with the requirements, from time to time, of the Medical Commission of the IOC and will consist of a sample collection by the Association or its agent, separation of the sample into two parts and analysis thereof. Ownership of a sample shall pass to the Association immediately the sample has been given. The result of all doping tests whether positive or negative at any IBF sanctioned tournaments will be reported to the IBF Chief Executive no later than three weeks after receipt by the Association of the test results. The IBF alone will be responsible for the implementation of its disciplinary regulations for positive tests undertaken at IBF sanctioned tournaments.
- 4.2 The Association will notify the IBF of any positive tests at all other tournaments, or out-of-competition tests. This notification will be within 3 weeks of the receipt by the Association of the positive test result. The Association will be responsible for the implementation of disciplinary procedures and process in these cases. The IBF will be notified of the outcome of these proceedings and of any sanctions applied.
- 4.3 If the test on the first part of the sample (the A sample) does not indicate the presence of a prohibited substance or the use of a prohibited method, the person who was tested will be notified of the result by the Association or by the body carrying out the testing. The second part of the sample (the B sample) will be disposed of and no further action will be taken.
- 4.4. If the test on the A sample indicates the presence of a prohibited substance or the use of a prohibited method, the procedure will be as follows;
- (i) The result of the test will be notified by the body carrying out the testing to the Association, who will then inform the person who was tested of the test result.
  - (ii) The Association will then arrange a date as soon as reasonably practicable for a test on the B sample and will notify the person who was tested of the date and place of the test. The person who was tested and a representative of their choice are entitled to be present when the test is carried out. A representative of the Association may also be present. The B Sample test result will be notified by the laboratory carrying out the testing to the Association, who will then inform the person who was tested.
  - (iii) In the event of the B test also being positive the matter shall be referred to the Association's review panel which will review the findings and decide (on the balance of

possibilities) whether there is a case to be answered. If the review panel decide there is such a case then the Association will arrange a disciplinary hearing as allowed for under its disciplinary procedure.

- 4.5 The person tested consents for the purposes of the Data Protection Act and all other purposes to the use by the Association of the information regarding his or her sample for all the purposes envisaged by these Rules and in particular, without limitation of the generality of the foregoing, to the passing and use of information regarding the test to and by the Association, UK Sport, the IBF, WADA and the IOC.

### **Disciplinary Measures and Procedures**

- 5.1 If prima facie evidence exists that a doping offence may have been committed the measures and procedures available are: suspension, disciplinary hearing and decision, opportunity to apply for appeal and final decision
- 5.2 A person shall be suspended from any event or activity organised or authorised by or held under the rules and regulations of the Association (or any directly or indirectly affiliated body) wherever held from the time that a review panel decides that there is a case to answer, or the Association becomes aware that any other offence under these Rules may have been committed.
- 5.3 When the review panel believes that an offence may have been committed, it will arrange for a hearing in accordance with these Rules as amended from time to time.

### **Disciplinary Procedure**

- 5.4 The person concerned will be given notice in writing containing particulars of the offence and will be given not less than 21 days notice of the date, time and place of the hearing. The person concerned will be asked to submit evidence, in writing, to the disciplinary committee at least 7 days in advance of that date and may make written representation to the hearing or appear in person. If the person concerned does not attend the hearing, proper notice having been given, the matter may be dealt with by the disciplinary committee in the absence of that person. The disciplinary committee will give notice in writing to the person concerned of its decision when it is reached and shall give a written summary of its reasons. A notification of a right to appeal will be given at the same time. Nothing in this procedure shall prejudice the person's rights to natural justice.
- 5.5 Either the person charged or the Association may appeal against the decision of the disciplinary committee provided notice in writing of the appeal is given within 14 days of the

decision. Any such appeal shall be to the IBF in accordance with the appeal procedure of the IBF Disciplinary Regulations.

- 5.6 At any hearing under these Rules the person who is the subject of the hearing may be legally represented or represented by another person. That person shall have the right to call evidence, or give evidence provided that it has been submitted and received by the committee, in writing, at least 7 days prior to that hearing. That person may also cross-examine and address the committee conducting the hearing. Failure to attend a hearing or to answer any question shall not prevent a decision being reached. A decision of a disciplinary committee shall be by a majority decision. All hearings shall be held in private. The committee may give further directions for the conduct of the hearing.
- 5.7 The committee conducting the hearing shall decide on the payment of any costs relating to that hearing as it considers appropriate.
- 5.8 The “Review Panel” and the “Disciplinary Committee” shall be as constituted from time to time by the Association.

### **Sanctions**

- 6.1 The sanctions for breaches of these doping control rules are as set out in Appendix C, as amended from time to time.
- 6.2 However, based on specific, exceptional circumstances to be evaluated in the first instance by the Association and IBF, a person may apply for early re-instatement or for the reduction of a minimum ban. Neither ignorance of the nature or compositions of Prohibited Substances nor the nature or effects nor the Prohibited Methods or the accidental nature of the taking of a Prohibited Substance shall constitute exceptional circumstances or grounds for exemption from punishment.

### **Recognition of other Bodies’ Doping Regulations and Sanctions**

- 7.1 The Association may recognise the doping regulations and sanctions of any other bodies. The Association may take what action it considers necessary in respect of such sanctions.
- 7.2 Where the Association recognises the regulations and sanctions of any other body, then any person who is or has been in breach of the regulations of the other body shall be deemed to have breached these Rules and the Association may impose any of the sanctions in these Rules on that person.

## General

- 8.1 Any deviation from these Rules or the procedures referred therein shall not invalidate any procedure, finding or decision unless it was to raise material doubt as to the reliability of the finding thereof.
- | 8.2 These Rules shall come into force on [14<sup>th</sup> June 2000](#) and shall be regularly reviewed by the Association and any variations or alterations approved by the Association shall come into force from the date of such approval unless the Association shall direct otherwise.
- 8.3 These Rules are governed by the Laws of England.
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## Appendix A

### Doping Offences

1. **Definitions**
- 1.1 **Blood doping** means the administration of blood, red blood cells and related blood products to an athlete, which may be preceded by withdrawal of blood from the athlete who continues to train in such a blood depleted state.
- 1.2 **Doping** means any offence set out in paragraph 2 of this Appendix A.
- 1.3 **Masking agent** means any substance or procedure used for the purpose of or having the effect of altering the integrity of urine and other samples used in doping control.
- 1.4 **Participant** means any athlete, coach, trainer, official, medical or paramedical personnel working with or treating athletes participating in or preparing for all competitions which are held under the rules of the Association, the rules of the International Badminton Federation, or in preparation for the Olympic games.
- 1.5 **Pharmaceutical, chemical and physical manipulation** means the use of substances and methods, including masking agents which alter, attempt to alter or may reasonably be expected to alter the integrity and validity of urine or other samples used in doping control, including, without limitation, catheterisation, urine substitution and/or tampering, inhibition of renal excretion such as by probenecid and related substances and alterations in testosterone and epitestosterone measurements such as epitestosterone application or bromantan administration. Diuretics are regarded as masking agents.
- 1.6 **Prohibited method** means any method described in these Rules including, without limitation, those set out in paragraphs 1.1 and 1.3 of this Appendix A.
- 1.7 **Prohibited substance** means any substance described in these Rules including, without limitation, those substances set out in clause 3.4 of the Rules.
- 1.8 **Rules** means the Doping Control Rules for The Badminton Association of England as amended from time to time.
- 1.9 **Use** means the application, ingestion, injection, inhalation, consumption by any means whatsoever of any prohibited substance or prohibited method. **Use** includes counselling the use of, permitting the use of or condoning the use of any prohibited substance.

- 2 Under these Rules doping is illegal and an offence is committed when:
- (i) A prohibited substance is found to be present in a person's body tissues or fluids;  
or
  - (ii) a person is found to have used a prohibited substance or a prohibited method;  
or
  - (iii) a person admits using a prohibited substance or a prohibited method  
or
  - (iv) a person manufactures, extracts, transforms, prepares, stores, expedites, transports, imports, exports, transits, offers subject to payment or free of charge, distributes, sells, exchanges, undertakes the brokerage of, obtains in any form, prescribes, commercialises makes over, accepts, possesses, holds, buys or acquires in any manner prohibited substances, procures, induces or causes others or admits having assisted, procured, induced or caused others to use a prohibited substance or a prohibited method (*an action known as trafficking*), or to commit any offence under these Rules.  
or
  - (v) a person is convicted of a criminal offence involving a prohibited substance  
or
  - (vi) a person fails or refuses to comply with any provision of these Rules after having been requested to do so  
or
  - (vii) a person refuses or fails, without reasonable excuse, to provide a sample for testing when required to do so or fails to  
or
  - (viii) a person wilfully obstructs or interferes with the carrying out of anything in these Rules.
- 3 An admission made more than 5 years after the facts to which it relates shall not constitute an offence under these Rules.
- 4 The Association may conduct investigations into the activities of any person who it has reasonable cause to believe may have committed an offence under these Rules and that person shall co-operate with those investigations.
5. In the case of out-of-competition testing 'prohibited substance' shall only include anabolic agents, peptide hormones, masking agents. In all other respects clause 2 of Appendix A applies equally to out-of-competition testing.

## **Appendix B**

### **IBF list**

As this list is constantly being updated under cover of several pages it is not being reproduced here. If a copy of this list is required please contact the IBF or the BAofE Limited.

## Appendix C

### Sanctions

- 1 In a case of doping the penalties for a first offence are as follows;
  - 1.1 If the Prohibited Substance present is ephedrine, phenylpropanoline, pseudoephedrine, caffeine, strychnine or related substance.
    - 1.1.1 A warning; and/or
    - 1.1.2 A ban on participation in one or several competitions in any capacity whatsoever; and/or
    - 1.1.3 Suspension from any competition for a period of one to six months.
  - 1.2 If the Prohibited Substance present is one other than those referred to in paragraph 1.1 above or any other doping offence:
    - 1.2.1 a ban on participation in one or several competitions in any capacity whatsoever; and/or
    - 1.2.2 suspension from any competition for a minimum period of two years.
2. Other Cases
  - 2.1 In the case of a second offence where the Prohibited Substance is ephedrine, phenylpropanolamine, pseudoephedrine, caffeine, strychnine or related substances the sanctions shall be;
    - 2.1.1 a ban on participation in one or several competitions in any capacity whatsoever; and/or
    - 2.1.2 suspension from any competition for a period of two years
  - 2.2 In the case of a third offence where the prohibited substance used is one referred to in paragraph 2.1 or in the case of any other second doping offence (provided it is perpetrated within a period of ten years after the preceding sanction, whatever form it took and whatever the reason for it became final) the sanction shall be: -
    - 2.2.1 a life ban on involvement in or in relation to any badminton event in any capacity whatsoever; and/or
    - 2.2.2 suspension (between four years and life) from involvement in or in relation to all badminton competition.
  - 2.3 The penalty for an offence committed by a competitor and detected on the occasion of an out-of-competition test shall be the same, mutatis mutandis, and shall take effect from the date the positive result was recorded or the date on which the final

judgement further to an appeal is pronounced, whichever the Association may decide.

- 2.4 Trafficking is defined in section 2 (iv) of Appendix A to these Rules. The penalty for trafficking in prohibited substances are as follows:
  - 2.4.1 In the event of trafficking in prohibited substances the penalty will be suspension for life from participation in any sports organisation, body, activity or event in any capacity whatsoever in so far as the Association has authority and jurisdiction.
  - 2.4.2 In addition the offence(s) may be reported to the competent administrative and judicial authorities by any interested physical or legal person.
- 2.5 Any attempt to perform trafficking shall be penalised in the same manner as the act itself.
- 2.6 For persons found guilty of trafficking, ignorance of the nature or compositions of the Prohibited Substances or nature or effects or the methods in question does not constitute extenuating circumstances or grounds for exemption from punishment.
- 2.7 Any sanctions under these Rules may be applied concurrently insofar as they are compatible.
3. If an offence takes place during an event, the person concerned shall be disqualified from the event and the results of the event amended accordingly. That person shall not be entitled to any prize, award, title or record to which they would have been entitled by virtue of their participation at the event or any subsequent events.
4. Where a person has been declared ineligible and wishes to resume competing after their period of ineligibility has expired, they will be required to make themselves available for testing throughout the period of ineligibility. A person may not apply to the Association for reinstatement before their period of ineligibility has expired.
5. If an offence takes place and the person concerned is participating in a team event, the following shall apply in respect of the other members of the team, the event and any results of the event in which the team was participating;
  - 5.1 The team shall be disqualified from participating in the event and
  - 5.2 The team shall not be entitled to any prize, award, title or record to which they would have been entitled by virtue of their participation at the event or any subsequent events.