

THE SCOTTISH FOOTBALL ASSOCIATION ANTI-DOPING REGULATIONS (2021)

1 INTRODUCTION

- 1.1 The Scottish Football Association (the “**Scottish FA**”) is the governing body for the sport of association football within Scotland.
- 1.2 The Scottish FA believes, in respect of all aspects of association football, in the principles of natural fitness, integrity, fair play and the protection of the rights and health of participants in the sport. The Scottish FA condemns the use of doping or doping methods by participants in the sport of association football as being contrary to these fundamental principles, and recognises that clear prohibitions and controls on doping in the sport must be in place in order to preserve them. Accordingly, the Scottish FA has adopted these Regulations.
- 1.3 These Regulations are adopted pursuant to the Articles of Association of the Scottish FA and shall be effective as of 1 January 2021.

2 REGULATION FRAMEWORK

- 2.1 The Scottish FA is a member of the Federation of International Football Associations (“**FIFA**”), the international federation for association football. FIFA has adopted anti-doping regulations that comply with the 2021 World Anti-Doping Code (the “**Code**”) and apply to all doping-related matters over which FIFA and its associations have jurisdiction under the Code (the “**FIFA Anti-Doping Regulations**”). The current version of the FIFA Anti-Doping Regulations can be found on FIFA’s website (and, at the time that these Regulations come into force, via this webpage: <https://resources.fifa.com/image/upload/1724-revision-of-the-fifa-anti-doping-regulations.pdf?cloudid=fiurwplbdov861cgsbdi>).
- 2.2 The Scottish FA is required to adopt anti-doping regulations which are compliant with the FIFA Anti-Doping Regulations. These Regulations hereby adopt and incorporate the FIFA Anti-Doping Regulations (as amended from time to time) in their entirety, subject to the supplementary provisions set out below.
- 2.3 In addition to the capitalised terms defined in these Regulations (including but not limited to those defined in Section 4 below), the capitalised terms defined in the FIFA Anti-Doping Regulations shall apply in respect of these Regulations.
- 2.4 The Scottish FA is also a member of the Union of European Football Associations (“**UEFA**”), which puts in place its own anti-doping regulations from time to time (the “**UEFA Anti-Doping Regulations**”). Persons who are subject to these Regulations may also be subject to (and must comply with) the UEFA Anti-Doping Regulations, as and when they apply (e.g. whilst participating in any Match, Competition or other event sanctioned, or organised, by UEFA).
- 2.5 It is acknowledged that certain Persons who are subject to these Regulations may also be directly (i.e. irrespective of the existence of these Regulations) subject to the other anti-doping rules of Anti-Doping Organisations, and that the same conduct of such Persons may engage not only these Regulations but also the anti-doping rules of such other Anti-Doping Organisations. These Regulations are not intended to limit the responsibilities of any Person under such other anti-doping rules. The jurisdictional and other issues arising when the same conduct engages these Regulations and such other anti-doping rules shall be resolved in accordance with Code Article 7.1.

- 2.6 As the National Anti-Doping Organisation for the United Kingdom, further to Code Article 5.2.1, UK Anti-Doping (“**UKAD**”) has anti-doping authority over certain Persons who are subject to these Regulations, independently of the FIFA Anti-Doping Regulations. Wherever UKAD has responsibility for Results Management in respect of a Person who is subject to these Regulations, whether pursuant to Code Articles 5.2.1 or 7.1 or by agreement with the Scottish FA, Articles 7, 8, and 13 of the 2021 UK Anti-Doping Rules, as amended from time to time (the “**UK ADR**”), shall govern the procedural aspects of the matter, and otherwise the FIFA Anti-Doping Regulations shall apply.
- 2.7 The allocation of Results Management authority in respect of any matter governed by these Regulations shall be as determined by the FIFA Anti-Doping Regulations, or as otherwise agreed between Anti-Doping Organisations. Any dispute between Anti-Doping Organisations as to which of them has Results Management authority in respect of a particular matter shall be settled by WADA in accordance with Code Article 7.1.
- 2.8 In the event of a conflict, contradiction or inconsistency between these Regulations, the FIFA Anti-Doping Regulations, the UK ADR and/or the UEFA Anti-Doping Regulations, the FIFA Anti-Doping Regulations and/or the UEFA Anti-Doping Regulations (as applicable) shall prevail.

3 APPLICATION OF THESE REGULATIONS AND CORE RESPONSIBILITIES

- 3.1 These Regulations shall apply to and shall bind all Persons under the jurisdiction of the Scottish FA, including (without limitation):
- (a) all Players, Player Support Personnel, Officials and clubs who are members of, or registered by, (i) the Scottish FA and/or (ii) a member or affiliate organisation of the Scottish FA;
 - (b) all Players, Player Support Personnel, Officials and clubs participating in Competitions, Matches and/or other activities organised, convened, authorised or recognised by the Scottish FA and/or any of its member or affiliate organisations, wherever held; and
 - (c) any other Player, Player Support Personnel, Official, other Person or club who, by virtue of a contractual arrangement or otherwise, is subject to the jurisdiction of the Scottish FA for the purposes of anti-doping;
- in each case whether or not such Person is (i) a citizen of or resident in the UK, or (ii) otherwise located in the UK.
- 3.2 Without prejudice to any other responsibility, all Persons identified in Regulation 3.1 above accept that they will comply with these Regulations (and, in respect of investigations performed by UKAD, with Article 5.9 of the UK ADR), and, in the case of Players subject to these Regulations, such Players agree to be subject to any Testing carried out by the Scottish FA, UKAD, FIFA, UEFA, and/or any other body with competent authority to carry out Testing under these Regulations.
- 3.3 Without prejudice to Regulation 3.2 above or any other responsibility, it is the personal responsibility of each Player:
- (a) to acquaint him/herself with these Regulations and the FIFA Anti-Doping Regulations, and to ensure that each Person (including medical personnel) from whom he/she takes advice is acquainted with all the requirements of these Regulations, including (without limitation) being aware of what constitutes an anti-doping rule violation and of what substances and methods are on the Prohibited List;
 - (b) to comply with these Regulations in all respects at all times;
 - (c) to take full responsibility for what he/she Uses;

- (d) to carry out research regarding any products or substances (including supplements) which he/she intends to Use (prior to such Use) to ensure compliance with these Regulations and such research shall, at a minimum, include a reasonable internet search of (1) the name of the product or substance, (2) the ingredients/substances listed on the product or substance label, and (3) other related information revealed through research of points (1) and (2);
- (e) to ensure that any medical treatment he/she receives does not infringe these Regulations;
- (f) to make him/herself available for Testing at all times upon request whether In-Competition or Out-of-Competition (and whether by FIFA, UKAD or any other applicable Anti-Doping Organisation);
- (g) when applicable, to provide accurate and up-to-date whereabouts information for the purposes of Testing;
- (h) to disclose to the Scottish FA and UKAD any decision by a non-Signatory to the effect that the Player committed an anti-doping rule violation within the previous ten years;
- (i) to disclose the identity of their Player Support Personnel upon request to the Scottish FA, UKAD, FIFA and/or any other Anti-Doping Organisation with authority over them; and
- (j) to cooperate fully with the Scottish FA, FIFA, UKAD, and/or any other Anti-Doping Organisation with authority over them, in their conduct of investigations into possible anti-doping rule violations.

3.4 Without prejudice to Regulation 3.2 above or any other responsibility, it is the personal responsibility of each Player Support Personnel:

- (a) to acquaint him/herself with all of the provisions of these Regulations and the FIFA Anti-Doping Regulations including (without limitation) being aware of what constitutes an anti-doping rule violation and what substances and methods are on the Prohibited List;
- (b) to comply with these Regulations in all respects at all times;
- (c) not to Use or Possess any Prohibited Substance or Prohibited Method without valid justification. A Player Support Personnel or other Person who Uses or Possesses a Prohibited Substance or Prohibited Method without valid justification may not provide support to any Player;
- (d) to cooperate fully with the Testing of Players;
- (e) to use his/her influence on Player values and behaviour to foster anti-doping attitudes;
- (f) to disclose to the Scottish FA and UKAD any decision by a non-Signatory to the effect that the Player Support Personnel committed an anti-doping rule violation within the previous ten years; and
- (g) to cooperate fully with the Scottish FA, FIFA, UKAD, and/or any other Anti-Doping Organisation with authority over them, in their conduct of investigations into possible anti-doping rule violations.

4 ANTI-DOPING ACTIVITIES PERFORMED BY UK ANTI-DOPING

4A Introduction

- 4.1 In addition to the other provisions of these Regulations, this Section 4 applies in relation to the Anti-Doping Activities, Doping Control activities, and other activities performed by or on behalf of UKAD in respect of Persons who are subject to these Regulations. This Section 4 shall apply without prejudice to the rights and obligations identified elsewhere in these Regulations.

4B Definitions

- 4.2 In addition to the capitalised terms defined in the FIFA Anti-Doping Regulations and otherwise in these Regulations, the following defined terms shall apply in respect of these Regulations.

- (a) **“Domestic Testing Pool”**: a pool of Players established by UKAD from time to time who are not in the National Registered Testing Pool but are required to provide specified whereabouts information to UKAD as it may reasonably direct, so that they can be located for purposes of Testing, and may be transferred to the National Registered Testing Pool if they fail to comply with those requirements.
- (b) **“NADP”**: the panel of arbitrators known as the National Anti-Doping Panel, which is administered by Sport Resolutions (UK), or any successor body.
- (c) **“NADP Rules”**: the rules issued by the NADP, as amended from time to time, setting out the procedures to be followed by NADP arbitral tribunals and NADP appeal tribunals in matters referred to them under these Regulations.
- (d) **“National Level Player”**: a Player that falls into any of the following categories:
 - (i) A Player in the National Registered Testing Pool or Domestic Testing Pool.
 - (ii) A Player in the National TUE Pool.
 - (iii) A Player supported through UK Sport’s World Class Programme funding, or in direct receipt of a UK Sport or Home Country Sports Council Athlete Performance Award.
 - (iv) A Player who is in, or who in the last six (6) months has been in, a squad representing Great Britain, England, Scotland, Wales or Northern Ireland (a) at senior level; or (b) at junior levels that are published on UKAD's website.
 - (v) A Player competing at an International Competition in an open senior category but who is not defined as an International-Level Player by FIFA.
 - (vi) A Player who does not fall within any of the above categories but who meets objective criteria that are specific to the sport of association football in which the Player competes (e.g., based on the level of competition at which the Player competes) and are published on the Scottish FA's and/or UKAD’s website.
- (e) **“National Registered Testing Pool”**: the pool of Players established by UKAD from time to time who are required to provide whereabouts information via ADAMS and to make themselves available for Testing at such whereabouts in accordance with Article 4.8 of the International Standard for Testing and Investigations 2021 (or the equivalent article/s in any successor document).

- (f) **“National TUE Pool”**: a pool of Players not in the National Registered Testing Pool who are required to obtain a TUE prior to Use or Possession or Administration of a Prohibited Substance or Prohibited Method.
- (g) **“UKAD”**: the National Anti-Doping Organisation of the UK (currently UK Anti-Doping).

4C Appointment of UKAD and the NADP

- 4.3 UKAD will undertake Anti-Doping Activities and Doping Control activities in respect of Persons subject to these Regulations in accordance with Regulation 2.6, above (and FIFA shall be informed of such activities, and their outcome, as appropriate). In performing such activities, UKAD shall comply with (i) the principles and procedures set out in the Code and the International Standards, as well as the Testing protocols drawn up by UKAD in accordance with the International Standard for Testing and Investigations; (ii) the FIFA Anti-Doping Regulations; (iii) (in relation to its investigations) Article 5.9 of the UK ADR, and (iv) (in relation to Results Management) Regulation 2.6, above.
- 4.4 In respect of Persons who are subject to the jurisdiction of the Scottish FA, the appointment of UKAD to perform certain activities as described in Regulation 4.3 above shall be without prejudice to any right of (a) any other Anti-Doping Organisation who may also have jurisdiction over such Persons, or (b) the Scottish FA, to itself perform such activities.
- 4.5 All samples collected as a result of Testing under these Regulations shall be the property of the Anti-Doping Organisation who had responsibility for collecting them.
- 4.6 In respect of any alleged breach of these Regulations for which UKAD has responsibility for Results Management and a hearing is required in accordance with the FIFA Anti-Doping Regulations, an arbitral panel drawn from the NADP is the body empowered to rule on the matter (including, if applicable, on any appeal of the first instance ruling), in accordance with the NADP Rules. In any event the NADP shall give written notice of the findings or outcome of the proceedings to the parties to the proceedings and all third parties entitled to such notification under the FIFA Anti-Doping Regulations.

4D Testing pools

- 4.7 FIFA's decision as to which Players are International-Level Players for the purposes of these Regulations shall be final and binding.
- 4.8 UKAD shall (in consultation with the Scottish FA) be entitled to establish the National Registered Testing Pool and the Domestic Testing Pool. Any Player included in the National Registered Testing Pool or the Domestic Testing Pool will be notified in accordance with UKAD's procedures. In respect of Players in the:
 - (a) National Registered Testing Pool, such Players shall provide whereabouts information via ADAMS and make themselves available for Testing at such whereabouts in accordance with Article 4.8 of the International Standard for Testing and Investigations 2021 (or the equivalent article/s in any successor document) and otherwise shall comply with the FIFA Anti-Doping Regulations as they apply to such Players.
 - (b) Domestic Testing Pool, such Players shall comply with those whereabouts requirements that UKAD notifies to them in writing. UKAD may move any such Player who fails three times in any twelve month period to comply with those requirements into the National Registered Testing Pool.

- 4.9 A Player in the Domestic Testing Pool who has retired may not resume competing in any sport covered by the Code unless:
- (a) they have given the Scottish FA and UKAD written notice of no less than six (6) months of their intent to return to competition; and
 - (b) during that notice period they have submitted to the application of these Regulations, and provided any whereabouts information as stipulated by UKAD.

However, such a Player in the Domestic Testing Pool may apply to UKAD for an exemption from the requirements of this Regulation 4.9 where its strict application would be manifestly unfair to that Player. UKAD's decision not to grant such exemption may be appealed pursuant to Article 13 of the UK ADR.

- 4.10 For the avoidance of any doubt, the FIFA Anti-Doping Regulations set out separate whereabouts-related restrictions and obligations in respect of Players who are in a National Registered Testing Pool or an International Registered Testing Pool (as defined at paragraph 1.1 of Annexe C of the FIFA Anti-Doping Regulations).

4E Therapeutic Use Exemptions

- 4.11 The applicable processes relating to Therapeutic Use Exemptions are set out in the FIFA Anti-Doping Regulations (and/or any other anti-doping regulations as may be applicable – for example the UEFA Anti-Doping Regulations) and the International Standard for Therapeutic Use Exemptions. However, specifically in relation to Players included in the National TUE Pool, such Players:
- (a) will be notified of their inclusion in accordance with UKAD's procedures; and
 - (b) to the extent that they are not an International-Level Player, must obtain a Therapeutic Use Exemption – in advance – for the Use, Possession or Administration of any Prohibited Substance or Prohibited Method required for therapeutic use from UKAD (in accordance with its applicable procedures).

4F Notices

- 4.12 Each Player in the National Registered Testing Pool or Domestic Testing Pool shall provide the Scottish FA and UKAD with a proper postal address to which notices may be delivered. In the event of a change of address, it is the responsibility of the Player to provide the Scottish FA and UKAD with proper details of the new address.
- 4.13 As between (a) UKAD and the Scottish FA, and (b) Persons who are subject to these Regulations, the provision/s of the UK ADR from time to time in force relating to how and when notices are to be sent and deemed served (being Article 17.2 of the UK ADR at the time that these Regulations come into force) shall apply.

5 LIABILITY

None of the Scottish FA, UKAD, or any of their respective members, directors, officers, employees, agents, representatives and other Persons involved in the administration, enforcement, or performance of acts contemplated by these Regulations, shall be liable to any Person in any way in relation to acts done or omitted to be done in good faith in connection with such administration, enforcement or performance.

The Scottish FA, UKAD, FIFA, UEFA and any other Anti-Doping Organisation performing activities pursuant to these Regulations may collect, store, process, and disclose personal information relating to Players and other Persons where necessary and appropriate to conduct its Anti-Doping Activities, in compliance with the Code and International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information) and with applicable data protection and privacy laws.