Policy 9 / Annex E

Equine Anti-Doping and Controlled Medication

The *FEI* Equine Anti-Doping and Controlled Medication Regulations (the "*FEI* Regulations") can be found on the *FEI* Clean Sport website at www.feicleansport.org.

The *FEI Regulations* apply to all *Participants* and *Events* over which the *FEI* has jurisdiction.

The *BEF* Equine Anti-Doping and Controlled Medication Rules ("*BEFAR*") which follow apply to all athletes who compete at affiliated level under the auspices of a *Sporting* or *Showing Discipline*, the *Owner* of the *Horse* on which they compete and their S*upport Personnel* from the date that those *Rules* are incorporated into the *Rule Book* of the relevant *Sporting* or *Showing Discipline*.

Annex E – 1

EQUINE PROHIBITED SUBSTANCES LIST

The current *Equine Prohibited Substances List* which applies both at international and national level can be found on the *FEI* Clean Sport website at www.feicleansport.org.

Annex E – 2

BEF EQUINE ANTI-DOPING AND CONTROLLED MEDICATION RULES

23rd edition 2026, effective 1 January 2026 (the "*Effective Date*")

INTRODUCTION

BEFAR were introduced as from 1 January 2011 and are adopted and implemented in conformity with the obligations of the *BEF* set out in the *FEI Regulations* and, in respect of doping of animals in sport, implemented in accordance with the requirements of the WADC.

They are designed to deal with two separate issues:

- The doping of horses.

  Doping - i.e. the use of artificial enhancements to gain an advantage over others in competition - is cheating and is fundamentally contrary to the spirit of any sport. The presence of doping in sport not only undermines the fairness and credibility of each competitive event but in the long term can have a serious effect on the credibility and viability of the sport in question. Doping of animals involved in sport is contrary to the principles of the *WADC* and accordingly is brought within its ambit by Article 16 *WADC*.

- Inappropriate medication during competition.

It is clearly essential for the welfare of the horse that it is given appropriate veterinary treatment if and when required and that this should include appropriate medication. Medication, however, may mask an underlying health problem and may adversely affect the long-term health of the horse. Horses should not compete when taking medication where such medication may have a detrimental effect on the horse's welfare.
In line with the *FEI Regulations* and the move to make a clear distinction between doping and medication control *BEFAR* are divided into two separate chapters:

CHAPTER 1 Equine Anti-Doping Rules ("*EAD Rules*")

CHAPTER 2 Equine Controlled Medication Rules ("*ECM Rules*")

BEFAR are sport rules governing the conditions under which sport is performed. All athletes who compete at affiliated level under the auspices of a *Sporting* or *Showing Discipline*, the *Owner* of the *Horse* on which they compete and their *Support Personnel*, including but not limited to veterinarians and grooms, accept these rules as a condition of participation and involvement in their *Sporting* or *Showing Discipline* activities and shall therefore be bound by them.

However, it is a fundamental principle of *BEFAR* that the inclusion of the *Owner* of the *Horse*, *Support Personnel*, veterinarians and grooms in these rules is in no way intended to lessen or shift the responsibility of the *Person Responsible*.

The *Person Responsible* remains ultimately responsible, and thereby ultimately liable for a *BEFAR* violation. Where appropriate, and only when the specific factual circumstances so warrant, *Persons*, which may include the *Owner* of the *Horse*, *Support Personnel*, veterinarians and grooms will be held additionally responsible. Notwithstanding the foregoing, in the discipline of *Endurance*, the registered *Trainer* shall be considered as an additional *Person Responsible* and held additionally responsible for any violation(s) under Article 2.1 of the *EAD Rules* and Article 2.1 of the *ECM Rules*.

Notwithstanding the foregoing, in the discipline of Vaulting, the Lunger shall be considered as an additional *Person Responsible* and held additionally responsible for any violation(s) under Articles 2.1 of the *EAD Rules* and the *ECM Rules*.

BEFAR are not intended to be subject to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and minimum standards set out in *BEFAR* represent the consensus of a broad spectrum of stakeholders with an interest in fair sport and *Horse* welfare and should be respected by all courts and adjudicating bodies.

SCOPE

These revised BEFAR are effective as of the *Effective Date* and apply to members of *Sporting* and *Showing Discipline*s. They must be read in conjunction with the rules of the relevant *Sporting* and *Showing Discipline*, the *BEF Veterinary Manual,* the procedural rules of the *Hearing Body* and any other applicable rules or regulations.

BEFAR shall apply to the *BEF*, its *Sporting* and *Showing Disciplines*, organisers and each *Participant* in the activities of a *Sporting* or *Showing Discipline* by virtue of their *membership*, affiliation or participation in the *Sporting* or *Showing Discipline* or its activities or *Events*.

To be eligible for participation in a *Sporting* or *Showing Discipline* or its activities or *Events*, an athlete must be registered with the relevant *Sporting* or *Showing Discipline* and/or be a registered member of a *National Federation* with permission to compete.

Each *Sporting* and *Showing Discipline* shall guarantee that all affiliated *Athletes,* members and other *Persons* under its jurisdiction accept *BEFAR* and any other applicable rules or regulations.

Each *Sporting* and *Showing Discipline agrees* to ensure that all *Testing* at *Events* complies with *BEFAR*.

BEFAR shall apply to all *Doping Control* and *Medication Control* at *Sporting* and *Showing Discipline Events* and to all *Doping Control* and *Medication Control* over which the *BEF*

or the *Sporting* or *Showing Discipline* have jurisdiction or have been delegated jurisdiction. However, there may be modified versions of these rules for *Events* where *Minors* are competing on borrowed *Horses*, if the circumstances so warrant and the *BEF* has approved such rules.

The *EAD Rules* (Chapter 1), particularly as they apply to *Banned Substances*, have intentionally been modelled after the WADA Model Code for Human Athletes. Conversely, the *ECM Rules* (Chapter 2) have been developed with special consideration for the need to ensure horse welfare and the highest levels of professionalism.

Given the clear distinction between *Doping* and *Controlled Medication* established by the two separate chapters of *BEFAR*, a *National Equine Therapeutic Use Exemption* shall only be available in connection with a *Controlled Medication Substance* processed under the *ECM Rules* and not in connection with a *Banned Substance* processed under the *EAD Rules*.

Note: The masculine gender used in relation to any physical person (for example names such as *Person Responsible/Owner/Testing Vet*) shall, unless there is a specific provision to the contrary, be understood as including the feminine gender.

Chapter 1 EAD Rules

ARTICLE 1 DEFINITION OF DOPING/DOPING VIOLATION

A ***Doping Violation*** is defined as the occurrence of one or more of the violations set out in Article 2.1 to 2.10 of *these EAD Rules and* ***Doping*** shall be construed accordingly.

ARTICLE 2 DOPING VIOLATIONS

The purpose of Article 2 (Doping Violations) is to specify the circumstances and conduct which constitute *Doping Violations*. Hearings in *Doping* cases under Chapter 1 will proceed based on the assertion that one or more of these specific rules have been violated.

Persons Responsible and/or their *Support Personnel* shall be responsible for knowing what constitutes a *Doping Violation* and the substances which have been included on the *Equine Prohibited Substances List* and identified as *Banned Substances*.

Where *Banned Substances* or *Banned Methods* are involved, the following constitute *Doping Violations*:

2.1. The Presence of a *Banned Substance* or its *Metabolites* or *Markers* in a *Horse*'s *Sample*

2.1.1. It is each *Person Responsible's* personal duty to ensure that no *Banned Substance* is present in the *Horse's* body. *Persons Responsible* are responsible for any *Banned Substance* found to be present in their *Horse's Samples*. It is not necessary that intent, *Fault*, negligence or knowing *Use* be demonstrated in order to establish a *Doping Violation* under Article 2.1.

2.1.2. Sufficient proof of a *Doping Violation* under Article 2.1 is established by any of the following:

a) presence of a *Banned Substance* and/or its *Metabolites* or *Markers* in the *Horse's A Sample* where the *Person Responsible* waives analysis of the *B Sample* and the *B Sample* is not analysed; or

b) where the *Horse's B Sample* is analysed and the analysis of the *Horse's B Sample* confirms the presence of the *Banned Substance* and/or its *Metabolites* or *Markers* found in the *Horse's A Sample*; or where the *A or B Sample* is split into two (2) parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Banned Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Person Responsible* waives analysis of the confirmation part of the split *Sample*.

An *Adverse Analytical Finding* may be established by a positive blood, urine *or any biological or other material, including any tissue, body fluid, excreta, hair, skin scraping or swab Sample*.

2.1.3. Excepting those *Banned Substances* for which a quantitative threshold is specifically identified in the *Equine Prohibited Substances List,* the presence of any reported quantity of a *Banned Substance* and/or its *Metabolites* or *Markers* in a *Horse's Sample* shall constitute a *Doping Violation*.

2.1.4. As an exception to the general rule of Article 2.1, the *Equine Prohibited Substances List* or the *Standard for Laboratories* may establish special criteria for reporting the evaluation of certain *Banned Substances*.

2.2. *Use or Attempted Use* of a *Banned Substance*

2.2.1. It is each *Person Responsible's* personal duty to ensure that no *Banned Substance* enters into the *Horse's* body. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the part of the *Person Responsible* be demonstrated in order to establish a *Doping Violation* for *Use* of a *Banned Substance*. However, in accordance with the definition of *Attempt*, it is necessary to show intent in order to establish *a Doping Violation* for *Attempted Use* of a *Banned Substance*.

2.2.2. The success or failure of the *Use* or *Attempted Use of* a *Banned Substance* is not material. It is sufficient that the *Banned Substance* was *Used* or *Attempted* to be *Used* for a *Doping Violation* to be committed.

2.3. Evading, Refusing or Failing to Submit to Sample Collection

2.3.1. Evading *Sample* collection, or, refusing or failing to submit to *Sample* collection without compelling justification after *Notification,* or to comply with all sampling procedure requirements including signing the sampling form, or otherwise evading *Sample* collection.

2.3.2. It is each *Person Responsible's* personal duty to ensure that if the *Horse* with/on which they competed or will compete is selected for sampling and notification of sampling in accordance with the *BEF Veterinary Manual* has taken place, such *Horse* is submitted to *Sample* collection and that all sampling procedure requirements are met.

2.3.3. *The Person Responsible* must ensure that their *Horse* is made available for a *Sample* to be taken by the *BEF* upon request, including but not limited for *Out-Of-Competition* sampling.

2.3.4. Accordingly, although it is permissible for the *Person Responsible* to delegate the submission and supervision of the *Horse* to a third party, the *Person Responsible*

remains responsible for the *Horse* throughout the *Sample* collection process and for:

a) any evasion of *Sample* collection; and/or

b) any refusal, or failure, without compelling justification, to submit the *Horse* to *Sample* collection; and/or

c) any failure to comply with any or all of the sampling procedure requirements including signing the *S* sampling form.

2.3.5 It is not necessary to demonstrate intent, *Fault*, negligence or knowledge in relation to any delegation relating to the sampling process or to the acts of a relevant third party in order to establish a *Doping Violation* under this Article 2.3.

2.4. *Tampering*, or *Attempted Tampering*, with any part of *Doping Control by a Person Responsible; Member of the Support Personnel or Other Person*

2.5. Administration or *Attempted* Administration of a *Banned Substance*

2.6. *Possession* of a *Banned Substance(s)* by a *Person Responsible;* Member of the *Support Personnel*.

This prohibits a *Person Responsible* and members of their *Support Personnel* from *Possessing Banned Substances or Banned Methods*, unless he demonstrates compelling justification for the *Possession*. (This section should be read in conjunction with the definition of *Possession* set out in Appendix 1).

2.7. *Trafficking* or *Attempted Trafficking* in any *Banned Substance* by a *Person Responsible;* Member of the *Support Personnel* or Other *Person*

2.8. Complicity or *Attempted Complicity* by a *Person Responsible*; *Member* of the *Support Personnel* or Other *Person*

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or *Attempted* complicity involving a *Doping Violation* or any *Attempted Doping Violation* or violation of Article 10.12.1 by another *Person*.

2.9. Prohibited Association by a Person Responsible

2.9.1. Association by a *Person Responsible,* member of the *Support Personnel* or other *Person* subject to the authority of the *BEF* or the *Sporting or Showing Discipline* in a professional or sport-related capacity with any *Support Person* who*:*

2.9.1.1. If subject to the authority of the *FEI, BEF* or *Sporting or Showing Discipline,* is serving a period of *Ineligibility*; or

2.9.1.2. If not subject to the authority of the *BEF* or *Sporting or Showing Discipline,* and where *Ineligibility* has not been addressed in a *Results Management* process pursuant to the WADC, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if WADC-compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six (6) years from the criminal, disciplinary or professional sanction imposed or the duration of the criminal, disciplinary or professional sanction imposed; or

2.9.1.3. Is serving as a front or intermediary for an individual described in Article 2.9.1.1 or 2.9.1.2.

2.9.2. To establish a violation of Article 2.9, the *BEF* must establish that the *Person Responsible*, member of the *Support Personnel* or other *Person* knew of the *Support Personnel's* disqualifying status.

The burden shall be on the *Person Responsible,* member of the *Support Personnel* or other *Person* to establish that any association with the *Support Person* described in Article 2.9.1 and 2.9.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

In the event that the *BEF* is aware of *Support Personnel* who meet the criteria described in Article 2.9.1.1, 2.9.1.2, or 2.9.1.3 it shall submit that information to the *FEI*.

2.10. Acts by a *Person Responsible*, member of the *Support Personnel* or Other *Person* to Discourage or Retaliate Against Reporting to Authorities

Where such conduct does not otherwise constitute a violation of Article 2.4 (Tampering or Attempted Tampering):

2.10.1. Any act which threatens or seeks to intimidate another *Person* with the intent of discouraging the Person from the good-faith reporting of information that relates to an alleged Doping Violation or alleged non-compliance with these *EAD Rules* to the *BEF*, *FEI*, an *Anti-Doping Organisation*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for the *BEF*, *FEI* or an *Anti-Doping Organisation*.

2.10.2. Retaliation against a *Person* who, in good faith, has provided evidence or information that relates to an alleged Doping Violation or alleged non-compliance with these *EAD Rules* to the *BEF*, *FEI*, an *Anti-Doping Organisation*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for the *BEF*, *FEI* or an *Anti-Doping Organisation*.

For purposes of Article 2.10, retaliation, threatening behaviour and intimidation include an act taken against such *Person* either because the act lacks a good faith basis or is a disproportionate response.

2.11 **Horse Whereabouts Failures**

Any combination of three (3) missed *Tests* and/or filing failures within a twelve (12) month period for a *Horse* where the *BEF* requested its whereabouts information in accordance with Article 5.5.

ARTICLE 3 PROOF OF DOPING VIOLATION

3.1. Burdens and Standards of Proof

The *BEF* shall have the burden of establishing that a *Doping Violation* has occurred. The standard of proof shall be whether the *BEF* has established a *Doping Violation* to the comfortable satisfaction of the *Hearing Body* bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these *EAD Rules* place the burden of proof upon the *Person Responsible* and/or member of their *Support Personnel* or other *Person* to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except where a different standard of proof is specifically identified.

3.2. Methods of Establishing Facts and Presumptions

3.3. Facts related to *Doping Violations* may be established by any reliable means, including admissions. The following rules of proof shall be applicable in *Doping Violation* cases brought under these *EAD Rules:*

3.3.1. The *Testing Laboratory* is presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *Standard for Laboratories*. The *Person Responsible* and/or member of their *Support Personnel* or other *Person* who is alleged to have committed the *Doping Violation* may rebut this presumption by establishing by a balance of probability that a departure from the *Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the preceding presumption is rebutted by showing that a departure from the *Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding* then the *BEF* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.3.2. Departures from any provision of these *EAD Rules* shall not invalidate analytical results or other evidence of a *Doping Violation*, and shall not constitute a defence to a *Doping Violation*; provided however, that if the *Person Responsible* and/or member of *Support Personnel* or other *Person* (where applicable) establishes, by

a balance of probability, that a departure from a provision of these *EAD Rules,* could reasonably have caused the *Doping Violation* based on the *Adverse Analytical Finding* or other *Doping Violation*, then the *BEF* shall have the burden of establishing that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the *Doping Violation*.

3.3.3. The facts established by a *Decision* of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Person Responsible* and/or member of *Support Personne*l or other *Person* to whom the *Decision* pertained with regard to the factual findings unless it can be established that the *Decision* violated principles of natural justice.

3.3.4. The *Hearing Body* presiding over a case alleging a *Doping Violation* may draw an inference adverse to the *Person Responsible* and/or member of *Support Personne*l or other *Person* (where applicable) who is asserted to have committed a *Doping Violation* based on the refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the *Hearing Body*) in order to answer questions from the *Hearing Body* or the *BEF*.

ARTICLE 4 THE *EQUINE PROHIBITED SUBSTANCES LIST*

4.1. Incorporation of the *Equine Prohibited Substances List*

These *EAD Rules* incorporate the *Equine Prohibited Substances List* which is published by the *FEI* from time to time. The *BEF* will publish a link to the current *Equine Prohibited Substances List* in such a manner that it is available to the *Sporting and Showing Disciplines* and their members and constituents, including, but not limited to, publication of the link on the *BEF and FEI* websites.

4.2. Review and Publication of *Banned Substances* Identified on the *Equine Prohibited Substances List*

The *Equine Prohibited Substances List*, as may be revised from time to time, shall come into effect at whichever is the earlier of a date published by the *BEF* or the publication of a link to the revised *Equine Prohibited Substances List* on the *FEI* website, but in any event no sooner than 90 days following publication of the revised *Equine Prohibited Substances List* on the *FEI website*.

All *Persons Responsible,* and/or member of *Support Personne*l and/or other *Person* shall be bound by the *Equine Prohibited Substances List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Persons Responsible,* and/or member of *Support Personne*l and/or other *Person* to familiarise themselves with the most up-to-date version of the *Equine Prohibited Substances List* and all revisions thereto.

4.3. Substances on the *Equine Prohibited Substances List*

The *FEI*'s categorisation of a substance on the *Equine Prohibited Substances List* as a *Banned Substance* (in particular as opposed to a *Controlled Medication Substance*) including any establishment of a threshold for a *Banned Substance* and/or the quantitative amount of such threshold, shall be final and binding on all parties and shall not be subject to challenge by a *Person Responsible,* member of the *Support Personnel* or any other *Person*, on any basis including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a risk to the welfare of the *Horse* or violate the spirit of sport.

4.4. Specified Substances

For the purposes of the application of Article 10 (Sanctions), *Specified Substances* shall be taken as meaning only those *Prohibited Substances* identified as such on the *Equine Prohibited Substances List*.

ARTICLE 5 *TESTING*

5.1. Authority to Test

All *Horses* registered with a *Sporting or Showing Discipline* or otherwise present or competing at an *Event* and/or *Competition or Pony Measurement* shall be subject to *Testing* by the *BEF* or its assignees or agents. The *BEF* shall be exclusively responsible for *Testing* at national *Events* and/or *Competitions or Pony Measurements* and no other body may conduct *Testing* at national *Events* and/or *Competitions* or Pony Measurements without the *BEF*'s express written permission. The *BEF* is obligated to promptly report any positive findings to the *FEI* that have been notified as *Doping Violations* unless doing so would contravene national law.

All *Horses* registered with the *FEI*, *BEF* or *Sporting or Showing Discipline* may be subject to out-of-competition testing by the *BEF*. The *Person Responsible* will be required to cooperate with *Out-of-Competition Testing* conducted by the BEF or its assignees or agents.

5.2. Responsibility for *BEF Testing*

The BEF shall be responsible for overseeing all *Testing* conducted by the *BEF*. *Testing* shall be conducted by the *Testing Veterinarians* or by any other qualified and authorised persons at a given *Event* and/or *Competition* as authorised by these *EAD Rules* or in writing by the *BEF* Chief Executive or his designee.

5.3. *Testing* Standards

Testing conducted by or on behalf of the *BEF* shall be in substantial conformity with the *Testing* procedures in the *BEF Veterinary Manual* in effect at the time of *Testing*.

5.4. Selection of *Horses* to be tested

5.4.1. The *BEFAR Management Committee* shall determine the number of Tests to be performed in each calendar year.

5.4.2. The *BEF Veterinary Manual* sets out the procedure for selecting the *Horses* for *Testing*.

5.4.3. In addition to the selection procedures set forth in Article 5.4.2 above, the BEFAR Programme Manager and/or Testing Veterinarians may also select *Horses* for random Testing and/or Target Testing in cooperation with the relevant Sporting Discipline and/or Event Organiser where appropriate.

5.4.4. Nothing in these *EAD Rules* shall be construed to limit where the *BEF* is authorised to conduct *Testing* on *Horses* in competition.

5.5. Horse Whereabouts Information

5.5.1 The *BEF* shall be entitled, whether through the relevant *Sporting Discipline* or otherwise, to request *Registered Trainers, Horse Owners* and/or *Person(s) Responsible* to provide whereabouts information about their *Horse*(*s*). In addition, the *BEF* may access *Horses'* location through the use of technology, including but not limited via any applicable FEI Applications.

5.5.2 Where the *Person Responsible, Horse Owner,* and/or *Registered Trainer* is asked to provide the *BEF* with whereabouts information they will be required to provide, as a minimum, the following whereabouts information so that the *Horse(s)* may be located and subjected to *Testing*: (a) An overnight address; (b) *Competition / Event* schedule; and (c) Regular training activities.

5.5.3 A *Horse Owner*, *Person Responsible* or *Registered Trainer's* failure to comply with the *BEF*'s requirement to provide whereabouts information on or before the date required by the *BEF* or their failure to provide accurate whereabouts information shall be deemed to be a failure to cooperate which may result in a charge of misconduct under the *BEF* and/or *Sporting Discipline's* disciplinary rules.

5.5.4 Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting

Doping Control, providing information to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes.

ARTICLE 6 ANALYSIS OF *SAMPLES*

Samples collected under these *EAD Rules* and arising from *BEF Testing* are the property of the *BEF*. They shall be analysed in accordance with the following principles:

6.1. Use of *Approved Laboratory*

The *BEF* shall send *Samples* for analysis only to the *Testing Laboratory (*which is subject to the *Standard for Laboratories)*. However, the *Person Responsible* may elect to have the *B Sample* analysed at a different laboratory than the one which performed the *A Sample* analysis. If such an election is made the *BEF* shall select the *B Sample* laboratory from the *FEI List of Approved Laboratories* and shall inform the *Person Responsible* accordingly.

As provided for in Article 3.2, facts related to *Doping Violations* may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of *FEI* approved *Laboratories*.

6.2. Purpose of Collection and Analysis of *Samples and Data*

Samples and related analytical data or *Doping Control* information shall be analysed to detect *Banned Substances* identified on the *Equine Prohibited Substances List*. The *BEF* may also seek to detect other substances for research and monitoring purposes, as publicly announced by the *BEF* from time to time pursuant to a defined monitoring programme. *Samples* may be collected and stored for future analysis.

6.3. Research on *Samples*

Samples, related analytical data and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Person Responsible's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes shall first be processed in such a manner as to prevent *Samples* and related analytical data or *Doping Control* information being traced back to a particular *Horse* or *Person Responsible*.

All *Samples* shall be destroyed pursuant to the guidelines set out in the *Standard for Laboratories* and in no event later than the lapse of the Statute of Limitations in Article 14 (Statute of Limitations) below.

6.4. Standards for *Sample* Analysis and Reporting

The *Testing Laboratory* shall analyse *Samples* and report results in conformity with the *Standard for Laboratories*.

6.5. Retesting Samples

A *Sample* may be reanalysed for the purpose of Article 6.2 above at any time exclusively at the direction of the *BEF*. The circumstances and conditions for retesting *Samples* shall conform with the requirements of the *FEI Standard for Laboratories*. The retesting of *Samples* may lead to a *Doping Violation* only if the *Banned Substance* or *Banned Method* was prohibited at the time the *Sample* was taken, all subject to Article 14 (Statute of Limitations).

6.6. Further Analysis of a *Sample* Prior to or During *Results Management*

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a *Sample* prior to the time the *BEF* notifies a *Person Responsible* that the *Sample* is the basis for an Article 2.1 *Doping Violation* charge. If after such notification the *BEF* wishes to conduct additional analysis on that *Sample*, it may do so with the consent of the *Person Responsible* or approval from a *Hearing Body*.

6.7. Further Analysis of a *Sample* After it has been Reported as Negative or has Otherwise not Resulted in a *Doping Violation* Charge

After a laboratory has reported a *Sample* as negative, or the *Sample* has not otherwise resulted in a *Doping Violation* charge, it may be stored and subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of the *BEF* or the *FEI*. Any other *Anti-Doping Organisation* with authority to test the *Horse* that wishes to conduct further analysis on a stored *Sample* may do so with the permission of the *BEF* or the *FEI* and shall be responsible for any follow-up *Results Management*. Any *Sample* storage or further analysis initiated by the *BEF* or *FEI* shall be at the *BEF* or *FEI's* expense. Further analysis of *Samples* shall conform with the requirements of the *FEI Standard for Laboratories*.

6.8. Split of *A or B Sample*

Where the *BEF*, *FEI* or an *Anti-Doping Organisation* with *Results Management* authority and/or a *FEI* approved *Laboratory* (with approval from the *BEF* or *FEI* or the *Anti-Doping Organisation* with *Results Management* authority) wishes to split an *A or B Sample* for the purpose of using the first part of the split *Sample* for an *A Sample* analysis and the second part of the split *Sample* for confirmation, then the procedures set forth in the *FEI Standard for Laboratories* and/or relevant processes from the *FEI* approved *Laboratories* shall be followed.

6.9. *FEI's* Right to Take Possession of *Samples* and Data

The *FEI* may, in its sole discretion at any time, with or without prior notice, take physical possession of any *Sample* and related analytical data or information in the possession of a *FEI* approved *Laboratory* or *Anti-Doping Organisation*. Upon request by the *FEI*, the *FEI* approved *Laboratory* or *Anti-Doping Organisation* in possession of the *Sample* or data shall immediately grant access to and enable the *FEI* to take physical possession of the *Sample* or data as soon as possible. If the *FEI* has not provided prior notice to the *FEI* approved *Laboratory* or *Anti-Doping Organisation* before taking possession of a *Sample* or data, it shall provide such notice to the *FEI* approved *Laboratory* and each *Anti-Doping Organisation* whose *Samples* or data have been taken by the *FEI* within a reasonable time after taking possession. After analysis and any investigation of a seized *Sample* or data, the *FEI* may direct another *Anti-Doping Organization* with authority to test the *Horse* to assume *Results Management* responsibility for the *Sample* or data if a potential *Doping Violation* is discovered.

6.10 **Investigations**

The *BEF* and/or any third party appointed by the *BEF* to conduct an investigation on its behalf shall have the power to conduct investigations arising from or relating to these *EAD Rules* in order to protect the integrity of the *BEF* and equestrian sport, as set forth in the *BEF Rulebook*. The refusal of a *Person Responsible* or member of the *Support Personnel* and/or other *Person* to cooperate with the *BEF* may result in an adverse inference being drawn against that *Person* in any related *BEF* proceeding(s). If the *BEF* determines that it has a good faith basis to pose questions relating to any investigation to a *Person Responsible* or member of the *Support Personnel* and/or other *Person* and such *Person* refuses to answer such questions, that *Person Responsible* or member of the *Support Personnel* and/or other *Person* may be prohibited from participating in any *Sporting* or *Showing Discipline* activities until such questions are answered to the satisfaction of the *BEF*.

ARTICLE 7 RESULTS MANAGEMENT, RESPONSIBILITY, INITIAL REVIEW AND NOTICE

Results Management under these *EAD Rules* establishes a process designed to resolve *Doping Violation* matters in a fair, expeditious and efficient manner.

7.1. Results Management for *Tests* arising out of *BEF Testing* or other *Doping Violations*

Results management for *Tests* arising out of *BEF Testing* or other *Doping Violations* shall proceed as follows:

7.1.1. The results of all *Sample* analyses must be sent exclusively to the *BEF* in a report signed by an authorised representative of the laboratory. All communications

must be conducted in such a way that the results of the *Sample* analyses are confidential.

7.1.2. Upon receipt of an *Adverse Analytical Finding*, the *BEF*, in consultation with the Technical Committee shall conduct a review to determine whether there is any apparent departure from any provision of these *EAD Rule*s that caused the *Adverse Analytical Finding*. This may include a review of the *Laboratory Documentation Package* produced by the laboratory to support the *Adverse Analytical Finding* (if available at the time of the review) and the relevant *Doping Control* form(s) and *Testing* documents.

7.1.3. If (i) the review under Article 7.1.2 reveals an apparent departure from any provision of these *EAD Rules* that caused the *Adverse Analytical Finding*, the entire test shall be considered negative, and/or (ii) upon the review, the *BEF Decide*s not to bring forward the *Adverse Analytical Finding* as a *Doping Violation*, the *BEF* shall promptly *Notify* the *Person Responsible* and the *Person Responsible's Sporting or Showing Discipline*.

7.1.4. If the review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an apparent departure from any provision of these *EAD Rules* that caused the *Adverse Analytical Finding*, the *BEF* shall promptly *Notify* and *charge* the *Person Responsible(s*) with the *EAD Rule violation(s)* they are asserted to have breached and inform the *Owner* of the *Horse* (if applicable) and the *Person Responsible's Sporting* or *Showing Discipline* accordingly. .

7.1.5. In the letter of charge the BEF shall:

a) Notify the *Person(s) Responsible* of the *Adverse Analytical Finding and/or EAD Rule Violation*;

b) set out the provision(s) of *EAD Rules* asserted to have been violated by the *Person(s) Responsible, member of the Support Personnel or other Person*;

c) Inform the *Person Responsible(s)*and any additional *Person Responsible's, member of the Support Personnel or other Person's (if applicable)* right within sixteen (16) days to request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed irrevocably waived;

d) Inform of the opportunity for the *Person Responsible* and any additional *Person Responsible* (if applicable) to elect to have the *B Sample* analysed at a different laboratory than the one which performed the *A Sample* analysis, such laboratory to be chosen by the *BEF*, and the opportunity to send a representative (witness) to be present for the *B Sample* analysis within the time period specified in the *Standard for Laboratories,* unless allowing such representative or witness to be present at the *B Sample* analysis presents a threat to the integrity of the analysis process. Where both the *Person*

Responsible and any additional *Person Responsible* have elected to have the *B Sample* analysed but one of them has elected to have the *B Sample* analysed at a different laboratory than the one which performed the *A Sample* analysis and the other one has elected to have the *B Sample* analysed at the same laboratory as the one which performed the *A Sample* analysis, it shall be for the *BEF* to decide the question taking into account all relevant circumstances;

e) Inform the Person Responsible(s) and any additional *Person Responsible* (if applicable) of their right to request copies of the *A* and *B Sample* (if applicable) *Laboratory Documentation Package* which includes information as specified in the *Standard for Laboratories*;

f) Provide a detailed summary of the relevant facts upon which the assertion is based;

g) Indicate the *Consequences* being sought in the event that the asserted *EAD Rule* violation(s) is/are upheld and that such *Consequences* shall have binding effect on all Member Bodies of the BEF;

h) grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended subject to the prior written agreement of the *BEF*) to the *Person(s) Responsible* to either:

(i) admit the *EAD Rule* violation asserted and to accept the proposed reduced *Consequences* in accordance with Article 10.8.1 (Early Admission) by signing, dating and returning an acceptance of reduced *Consequences* form, which shall be enclosed to the letter, or

(ii) to challenge in writing the *BEF's* assertion of an *EAD Rule* violation and/or *Consequences,* and/or make a written request for a hearing before the relevant hearing panel*;*

i) Indicate that if the *Person Responsible(s)* does not challenge the BEF*'s* assertion of an *EAD Rule* violation or proposed *Consequences* nor request a hearing within the prescribed deadline, the *BEF* shall be entitled to deem that the *Person(s) Responsible* has waived their right to a hearing and admitted the *EAD Rule* violation as well as accepted the *Consequences* set out by the BEF in the letter of charge (being understood that Articles 10.8.1 and 10.8.2 are no longer applicable);

(j) Set out any matters relating to *Provisional Suspension* (including the possibility to accept a voluntary *Provisional Suspension*) as per Article 7.4 (if applicable).

(k) Inform the Person Responsible(s) of the opportunity to provide *Substantial Assistance* as set out under Article 10.7.1, to admit the *Doping Violation* and

potentially benefit from a one-year reduction in the period of *Ineligibility* under Article 10.8.1 (if applicable); and

(j) Inform the *Person(s) Responsible* of their and/or the right of the *BEF* to request to the *Hearing Body* that Article 9 (Automatic Disqualification) be promptly applied where the *B Sample analysis* confirms the *A* S*ample analysis* or where the right to request the *B Sample Analysis* is waived;

7.1.5. Pursuant to Article 7.1.4(d) above, following receipt of the *Confirmatory Analysis Request Form* (*B Sample*) the *BEF* will propose possible dates for such analysis. If the *Person(s) Responsible* and the *Owner* of the *Horse* requests the *B Sample* analysis but claims that they and/or their representative are not available on the scheduled date indicated by the *BEF*, the *BEF* shall liaise with the *Laboratory* and propose (at least) two (2) alternative dates. If the *Person(s) Responsible* and the *Owner* of the *Horse* and their representative claim not to be available on the alternative dates proposed, the *BEF* shall instruct the *Laboratory* to proceed regardless and appoint an *Independent Witness* to verify that the *B Sample* container shows no signs of *Tampering* and that the identifying numbers match that on the collection documentation.

The *Person(s) Responsible* may accept the *A Sample* analytical results by waiving the right to a *B Sample* analysis. The *BEF* may nonetheless elect, at its discretion, to proceed with the *B Sample* analysis. In such case the *B Sample* analysis shall only be used to confirm the *A Sample Adverse Analytical Finding*. The *Person(s) Responsible* is deemed to have waived their right to a *B Sample* analysis if they do not submit the *Confirmatory Analysis Request Form* within the time-limit stipulated in the *Notification*.

7.1.6. In addition to the *Person(s) Responsible* and their representative (witness), a representative of the *Person(s) Responsible*'s *Sporting or Showing Discipline* as well as a representative of the *BEF* shall also be allowed to be present for the *B Sample* analysis.

7.1.7. If the *B Sample* proves negative, then the entire test shall be considered negative. The *BEF* shall be informed of the results confidentially and shall *Notify* the *Person(s) Responsible* and their *Sporting or Showing Discipline*.

7.1.8. If the *B Sample* analysis confirms the *A Sample* analysis*,* the *BEF* shall be informed of the results confidentially and shall *Notify* the *Person(s) Responsible* and the *Person(s) Responsible* shall be required to pay the costs of the *B Sample* analysis.

7.1.9. The *BEF* may conduct any necessary follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, the *BEF* shall promptly notify the *Person(s) Responsible's Sporting or Showing Discipline* of the results of the follow-up investigation.

7.1.10. For the avoidance of doubt, an *Adverse Analytical Finding* confirmed by the *B Sample* analysis may result from blood or urine any biological or other material, including any tissue, body fluid, excreta, hair, skin scraping or swab *Samples*, or any combination thereof (for example, a confirmatory *B Sample* analysis is valid if performed on a blood sample, even if the *A Sample Adverse Analytical Finding* arose from a urine *Test* and vice versa). In addition, and also for the avoidance of doubt, where the *A Sample* is positive for a *Threshold Banned Substance,* as it is quantitatively above the threshold level set for the *Banned Substance,* the *B Sample* shall be deemed to confirm the *A Sample* so long as the level of the *B Sample* is also quantitatively above the threshold, even if the *B Sample* varies quantitatively from the *A Sample* level.

7.1.11. Where appropriate, the members of the *Support Personnel* or other *Person*, including the *Owner*, shall receive *Notification* of the *Doping Violation* and all relevant corresponding documents.

7.1.12. If at any point during *Results Management*, the *BEF* decides not to move forward with a matter, it must notify the *Person(s) Responsible*, and/or member of the *Support Personnel* or other *Person* (provided that *Person(s) Responsible*, and/or member of the *Support Personnel* or other *Person* had been already informed of the ongoing *Results Management*) and give notice (with reasons) to the bodies with a right of appeal under Article 12.2.2.

7.1.13 The letter of charge notified to the *Person(s) Responsible* shall simultaneously be notified by the *BEF* to the *Person(s) Responsible* Sporting Discipline.

7.1.14 In the event that the *Person(s) Responsible* either (i) admits the *EAD Rule* violation and accepts the proposed reduced *Consequences* or (ii) is deemed to have admitted the violation and accepted the reduced *Consequences* as per Article 7.5.1(f), the *BEF Hearing Body* shall promptly issue the *Consent Award* and notify it in accordance with Article 8.4.3.

7.1.15 In the event that the *Person Responsible(s)* requests a hearing, the matter shall be referred to the *BEF Hearing Body* and be dealt with pursuant to Article 8.

7.2. Review of *Atypical Findings*

7.2.1. In some circumstances laboratories may report the presence of *Banned Substances* which require further investigation as provided by the *BEF Atypical Findings Policy* and such reports shall be treated by the *BEF* as *Atypical Findings* subject to further investigation. Upon receipt of an *A Sample Atypical Finding,* the *BEF* shall conduct a review to determine whether there is any apparent departure from any provision of the *EAD Rules* that caused the *Atypical Finding*. If that review does not reveal any departure that caused the *Atypical Finding* the *BEF* shall

conduct the required investigation in accordance with the *BEF Atypical Findings Policy*.

7.2.2. The *BEF* need not provide *Notice* of an *Atypical Finding* until it has completed its investigation and decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists*:*

a) if the *BEF* determines that the *B Sample* should be analysed prior to the conclusion of its investigation, the *BEF* may conduct the *B Sample* analysis after notifying the *Person Responsible* with such *Notice to* include a description of the *Atypical Finding* and the information described in Article 7.1.4 (c)-(e) and 7.1.5 above;

b) if the *BEF* receives a request, either from a *Major Event Organisation* shortly before one of its *Events* or from a sport organisation responsible for meeting an imminent deadline for selecting team members (or *Horses*) for an *Event*, to disclose whether any *Person Responsible* or *Horse* identified on a list provided by the *Major Event Organisation* or sport organisation has a pending *Atypical Finding*, the *BEF* shall identify any *Person Responsible* or *Horse* after first providing notice of the *Atypical Finding* to the *Person Responsible*; or

c) if the *Atypical Finding* is likely to be connected to a serious pathology that requires urgent veterinary attention.

If after the investigation is completed, the *BEF* decides to pursue the *Atypical Finding* as an *Adverse Analytical Finding*, then the procedure shall follow the provisions of Article 7.1.4 mutatis mutandi. The decision of the *BEF* to pursue or not pursue an *Atypical Finding* as an *Adverse Analytical Finding* is final and is not subject to appeal.

7.3. Notification for Specific Cases and Other *Doping Violations*

7.3.1. At such time as the *BEF* considers that the *Person(s) Responsible* or other *Person* may have committed (a) *Doping Violation(s)) other than one arising from an In-Competition Test or an Out-of-Competition Test*, the *BEF* shall promptly *Notify* and charge the *Person(s) Responsible* and/or member of the *Support Personnel* and/or other *Person* of with the *EAD Rule* violation(s) they are asserted to have breached. In the letter, the BEF shall:

a) Set out the provision(s) of *EAD Rules* asserted to have been violated by the *Person Responsible*, *member of the Support Personnel* or other *Person*;;

b) Provide a detailed summary of the relevant facts upon which the assertion is based;

c) Provide relevant evidence in support of those facts that the *BEF* considers demonstrates that the *Person Responsible* or other *Person* may have committed (a) *Doping Violation*(s);

d) indicate the specific *Consequences* being sought in the event that the asserted *EAD Rule* violation(s) is/are upheld and that such *Consequences* shall have binding effect on all *Sporting Disciplines*, and shall be recognised by the FEI and other National Federations in accordance with Article 41.3 of the FEI Statutes;

e) the *Person Responsible* or other *Person's* right to provide an explanation within reasonable deadline;

f) the opportunity to provide *Substantial Assistance* as set out under Article 10.7.1,; and

g) any matters relating to *Provisional Suspension* (including the possibility to accept a voluntary *Provisional Suspension*) as per Article 7.4.

7.4. Provisional Suspension

7.4.1. The *BEF* shall provisionally suspend a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person*, and/or the *Person Responsible's Horse* prior to the opportunity for a full hearing based on:

(a) an admission that an *EAD Rule* violation has taken place (for the avoidance of doubt, an admission by any *Person* can only be used to provisionally suspend that *Person*); or

(b) all of the following elements:

i. an Adverse Analytical Finding for a Banned Substance that is not a Specified Substance from the A Sample or A and B Samples;
ii. the review described in Article 7.1.2 above; and
iii. the Notification described in Article 7.1.4 above.

For the discipline of Endurance, where the criteria at (b) above are met, the *BEF* shall provisionally suspend the registered Trainer (as defined in the *FEI* Endurance Rules) of the *Horse* and the registered Trainer shall be considered as a member of the *Support Personnel* for the purposes of these *EAD Rules*.

Notwithstanding the foregoing, the *BEF* shall not provisionally suspend a competitor who is a *Minor* but the *BEF* shall provisionally suspend the relevant *Horse and Person Responsible* who has accepted primary responsibility for the *Minor*.

7.4.2. The *BEF* may provisionally suspend a *Person Responsible*, member of the *Support Personnel*, other *Person*, and/or the *Person Responsible's Horse* prior to the opportunity for a full hearing based on

(a) evidence that a violation of these EAD Rules is highly likely to have been committed by the respective Person or
(b) all of the following elements

i. an Adverse Analytical Finding for a Banned Substance that is a Specified Substance from the A Sample or A and B Samples;
ii. the review described in Article 7.1.2 above; and
iii. the Notification described in Article 7.1.4 above.

For the discipline of Endurance, where the criteria at (b) above are met, if the *BEF* provisionally suspends the *Person Responsible* pursuant to this Article 7.4.2, the *BEF* shall also provisionally suspend the registered Trainer (as defined in the FEI Endurance Rules) of the *Horse* and the registered Trainer shall be considered as a member of the *Support Personnel* for the purposes of these EAD Rules.

In addition, the *BEF* may provisionally suspend a *Person Responsible* who has accepted primary responsibility for the *Minor* but the *BEF* shall provisionally suspend the relevant *Horse*.

7.4.3. Notwithstanding Articles 7.4.1 and 7.4.2, a *Provisional Suspension* may not be imposed unless the *Person*, and in the case of the *Provisional Suspension* of a *Horse*, the *Owner* is given:

(a) an opportunity for a *Preliminary Hearing*, either before or on a timely basis after the imposition of the *Provisional Suspension*; or

(b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after the imposition of the *Provisional Suspension*.

The imposition of a *Provisional Suspension*, or the *Decision* not to impose a *Provisional Suspension*, may be appealed in an expedited process in accordance with Article 12.2.

7.4.4. The *Provisional Suspension* shall be maintained unless the *Person* requesting the lifting of the *Provisional Suspension* establishes to the comfortable satisfaction of the *BEF Hearing Body* that:
(i) the allegation that an *EAD Rule* violation has been committed has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the allegation is based; or
(ii) the *Person* can demonstrate that the evidence will show that the *Person* bears *No Fault* or *No Negligence* for the *EAD Rule* violation that is alleged to have

been committed, so that any period of *Ineligibility* that might otherwise be imposed for such offence is likely to be completely eliminated by application of Article 10.5 below or that 10.6 applies and the *Person* can demonstrate that the evidence will show that the *Person* bears *No Significant Fault* or *Negligence* and that the *Person* has already been provisionally suspended for a period of time that warrants the lifting of the *Provisional Suspension* pending a final *Decision* of the *BEF Hearing Body*. This Article 7.4.4(ii) does not apply to an application to lift a *Provisional Suspension* imposed on a *Horse*; or

(iii) exceptional circumstances exist that make it clearly unfair, taking into account all of the circumstances of the case, to impose a *Provisional Suspension* prior to the final hearing of the *BEF Hearing Body*. This ground is to be construed narrowly and applied only in truly exceptional circumstances. For example, the fact that the *Provisional Suspension* would prevent the *Person* or *Horse* competing in a particular *Competition* or *Event* shall not qualify as exceptional circumstances for these purposes.

The *BEF* may also request the lifting of the *Provisional Suspension*.

7.4.5. If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and a subsequent *B Sample* analysis (if requested) does not confirm the *A Sample* analysis, then the *Person(s)* alleged to have committed the EAD Rule violation and their member of the *Support Personnel* and/or other *Person*, and/or *Horse* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 above (Presence of a Banned Substance and/or its Metabolites or Markers). In circumstances where the *Person Responsible* and/or their *Horse* has been removed from a *Competition* and/or *Event* based on a violation of Article 2.1 and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, if it is still possible for the *Person Responsible* and their *Horse* to be re-entered without otherwise affecting the *Competition* and/or *Event*, the *Person Responsible* and their *Horse* may continue to take part in the *Competition* and/or *Event*.

7.4.6. After the imposition of a *Provisional Suspension* and prior to a final hearing, the *Person Responsible* and/or member of the *Support Personnel* (including *Owner*) and/or other *Person* can petition the *BEF Hearing Body* for another *Preliminary Hearing* provided that new evidence exists that, if known at the time of the earlier *Preliminary Hearing*, may have satisfied the requirements of Article 7.4.4 above and may have led to the lifting of the *Provisional Suspension*. Such petition must be made in writing to the *BEF Hearing Body* and copied to the *BEF* Integrity Department and must clearly establish the existence of such new evidence meeting this criterion. If the request for another *Preliminary Hearing* is granted by the *BEF Hearing Body*, and provided that a *Preliminary Hearing* had already taken place at an earlier stage, the same *BEF Hearing Body* member who presided over the prior *Preliminary Hearing* will *Decide* the new *Preliminary Hearing* request, unless exceptional circumstances prevent it from doing so, in which case another *BEF Hearing Body* member will be appointed to conduct the new *Preliminary Hearing*. If another *Preliminary Hearing* is granted after the Hearing Panel has

been constituted, any member of the Hearing Panel may conduct the *Preliminary Hearing*. *Preliminary Hearing Decisions* may be issued by the *BEF Hearing Body* without reasons.

7.4.7. During a period of *Provisional Suspension*, no *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who themselves are provisionally suspended, or a *Horse* that is provisionally suspended, may participate in any capacity at an *Event*, or in a *Competition* or activity, or be present at an *Event* (other than as a spectator) that is authorised or organised by the *BEF* or any *Member Body* or in *Competitions* authorised or organised by any *Member Body Event* organisation. If so specified in the relevant *Notification*, the *Person* may also be barred temporarily or for a specific period of time from attending as a spectator any *Competition* or *Event* and/or any activities related to any *Competition* or *Event* that is authorised or organised by a *Sporting* or *Showing Discipline*.

7.4.8. Voluntary Acceptance of Provisional Suspension

The *Person Responsible* on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of:

(i) the expiration of ten (10) days from the report of the *B Sample* (or waiver of the *B Sample*) or ten (10) days from the notice of any other *EAD Rule* violation, or
(ii) the date on which the *Person Responsible* first competes after such report or notice.

Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension* if done so within ten (10) days from the notice of the *EAD Rule* violation.

The deadlines set out in this Article may be extended subject to the agreement of the *BEF*.

Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 7.4.1 or 7.4.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Person Responsible* or other *Person* may withdraw such acceptance, in which event the *Person Responsible* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

7.5. Retirement from Sport

If a *Person Responsible* retires while a *Results Management* process is underway, the *BEF* retains authority to complete its *Results Management* process. If a *Person Responsible* retires before any *Results Management* process has begun and the

BEF would have had *Results Management* authority over the *Person Responsible* or member of the *Support Personnel* or other *Person* at the time the *Person Responsible* or member of the *Support Personnel* committed a *Doping Violation*, the *BEF* similarly has jurisdiction to conduct *Results Management*.

7.6. Resolution Without a Hearing

7.6.1. Waiver of Hearing

A *Person Responsible* and/or member of the *Support Personnel* and/or *Owner* and/or other *Person* may waive a hearing expressly and agree with the *Consequences* proposed by the *BEF*.

7.6.2. Deemed admission and waiver

If the *Person Responsible* and/or member of the *Support Personnel* and/or *Owner* and/or other *Person* against whom a *Doping Violation* is asserted fails to dispute that assertion within twenty (20) days of *Notification* (or within any other deadline as may be imposed in a specific case by the *BEF*), then he shall be deemed to have waived a hearing, to have admitted the *Doping Violation*, and to have accepted the proposed *Consequences*.

7.6.3. In cases where Article 7.6.1 or 7.6.2 applies, a hearing before a *Hearing Body* shall not be required. Instead, the *Hearing Body* shall promptly issue a written decision that conforms with the requirements of Article 8.4 and which includes the full reasons for the *Decision*, the period of *Ineligibility* imposed, the Disqualification of results under Article 10.10 and, if applicable, a justification for why the greatest potential *Consequences* were not imposed.

7.6.4. The *BEF* shall notify that *Decision* to the *Person Responsible* and/or member of the *Support Personnel* and to other *Anti-Doping Organisations* with a right to appeal under Article 12.2.2, and shall *Publicly Disclose* that decision in accordance with Article 13.3.

ARTICLE 8 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION

8.1. Hearings before the *Hearing Body*

8.1.1. The *Hearing Body* shall *Decide* all cases involving violations of these *EAD Rules*.

8.1.2. When the *BEF* sends a *Notice* to a *Person Responsible* a member of the *Support Personnel* and/or *Owner* and/or other *Person* asserting a *Doping Violation*, and the *Person Responsible* and/or the additional *Person Responsible* does not expressly or impliedly admit the violation under 7.6.1 or 7.6.2 then the case shall

be assigned to the *Hearing Body* for adjudication through the submission of a Request for Adjudication sent to the BEF Head of Secretariat.

8.1.3. Hearings pursuant to this Article 8 (Results Management: Right to a Fair Hearing and Notice of Hearing Decision) shall be completed expeditiously following the completion of the *Results Management* or investigation process described in Article 7 (Results Management, Responsibility, Initial Review and Notice) above and the submission of all relevant evidence and pleadings by the parties. The *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) alleged to have committed a *Doping Violation* shall cooperate promptly in the submission of such evidence and pleadings and in attendance at a hearing if requested by the *Hearing Panel*.

8.1.4. A *Person Responsible* and/or member of the *Support Personnel* (including *Owner*) and/or other *Person* alleged to have committed a *Doping Violation* may attend the hearing under all circumstances.

8.1.5. The *Sporting or Showing Discipline* of the *Person Responsible* and/or member of the *Support Personnel* (including *Owner*) and/or other *Person* alleged to have committed a *Doping Violation* and/or a representative of UK Anti-Doping may attend the hearing as an observer.

8.1.6. A *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) may acknowledge the *Doping Violation* and accept consequences consistent with Article 9 (Automatic Disqualification of Results) and Article 10 (Sanctions) as proposed by the *BEF*.

8.1.7. *Decisions* of the *Hearing Panel* may be appealed to the *NADP* as provided in Article 12 (Results Management Appeals) below.

8.2. Principles for a Fair Hearing

Hearings must be held in accordance with the following principles:

8.2.1. The *Hearing Panel* must remain fair, impartial and *Operationally Independent* at all times;

8.2.2. The Hearing process shall be accessible and affordable;

8.2.3. The Hearing process shall be conducted within a reasonable time;

8.2.4. The right to be informed in a fair and timely manner of the asserted *Doping Violation*(s), the right to be represented by counsel at the *Person Responsible*, member of the *Support Personnel* (including the *Owner*) or other *Person's* own

expense, the right of access to and to present relevant evidence, the right to submit written and oral submissions, the right to call and examine witnesses, and the right to an interpreter at the hearing at the *Person Responsible*, member of the *Support Personnel* (including the *Owner*) or other *Person's* own expense.

8.2.5. The parties shall be notified of the identity of the *Hearing Body* panel member(s) appointed to hear and determine the matter and be provided with their declaration at the outset of the *Hearing Process*. The parties shall be informed of their right to challenge the appointment of any *Hearing Body* member if there are grounds for potential conflicts of interest within seven (7) days from the ground for the challenge having become known. Any challenge shall be decided upon by an independent person from the wider pool of *Hearing Body* members.

8.3. Hearing Process

8.3.1. When the *BEF* sends a notice to a *Person Responsible*, member of the *Support Personnel* or other *Person* notifying them of a potential *Doping Violation*, and the *Person Responsible*, member of the *Support Personnel* or other Person does not waive a hearing in accordance with Article 7.7.1 or Article 7.7.2, then the case shall be referred to the *Hearing Body* for hearing and adjudication, which shall be conducted in accordance with the principles described above.

8.3.2. The Judicial Panel Chair shall appoint a *Hearing Panel* (which may include the Chair) to hear the case.

8.3.3. Upon appointment by the Judicial Panel Chair as a member of the *Hearing Panel*, each member must also sign a declaration that there are no facts or circumstances known to them which might call into question their impartiality in the eyes of any of the parties, other than those circumstances disclosed in the declaration.

8.3.4. Hearings held in connection with *Events* in respect to *Person Responsible*, member of the *Support Personnel* or other *Person* who are subject to these *EAD Rules* may be conducted by an expedited process where permitted by the *Hearing Panel*.

8.3.5. A representative of the *Sporting or Showing Discipline* of the *Person Responsible*, member of the *Support Personnel* or other *Person* may attend the hearing as observers. In any event, the *BEF* shall keep them fully apprised as to the status of pending cases and the result of all hearings.

8.4. *Decisions*

8.4.1. At the end of the hearing or adjudication on the basis of written submissions, or on a timely basis thereafter, the *Hearing Panel* shall issue a written *Decision* that includes the applicable rules, detailed factual background; *Rule Violation(s)*

committed, applicable Consequences (including (if applicable) a justification for why the greatest potential consequences were not imposed) and the appeal route and the applicable deadline. The *Hearing Panel* may decide to communicate the operative part of the *Decision* to the parties, prior to the reasons. The *Decision* shall be enforceable from such notification of the operative part by courier, facsimile and/or electronic mail.

8.4.2. If no appeal is brought against the decision, then (a) if the *Decision* is that a *Doping Violation* was committed, the decision shall be *Publicly Disclosed* as provided in Article 13.3.2; but (b) if the decision is that no *Doping Violation* was committed, then the decision shall only be *Publicly Disclosed* with the consent of the *Person Responsible* and/or additional *Person Responsible*. The *BEF* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the *Decision* in its entirety or in such redacted form as the *Person Responsible* and/or additional *Person Responsible* may approve.

The principles contained in Article 13.3.5 shall be applied in cases involving a *Minor*.

8.4.3. Notification of Decisions

8.4.3.1. The *BEF* shall notify the *Decision* to the *Person Responsible*, member of the *Support Personnel* or other *Person* and to other Anti-Doping Organisations with a right to appeal under Article 12.2.2. The *Decision* may be appealed as provided in Article 12 (Results Management Appeals).

8.4.3.2. When being notified of the *Decision*, the *Person Responsible*, member of the *Support Personnel* or other *Person* must also be informed of the following, if subject to a period of *Ineligibility*:

a) their status during *Ineligibility*, including the *Consequences* of a violation of the prohibition of participation during *Ineligibility*, pursuant to Article 10.12; and

b) that they remain subject to *Testing* during the period of *Ineligibility*.

ARTICLE 9 AUTOMATIC *DISQUALIFICATION* OF RESULTS

9.1. A violation of these *EAD Rules* in connection with a test in a given *Competition or Pony Measurement* automatically leads to *Disqualification* of all results of the competitor (or *Person(s) Responsible* in the case of *Pony Measurement)* (whether that is the *Person Responsible* and/or the *Minor* in respect of whom the *Person Responsible* has accepted primary responsibility) who competed the *Horse* and the *Horse* combination obtained in that *Competition* with all resulting consequences, including forfeiture of any related medals, points, prizes and prize money.

Even if a *Sanction* is reduced or eliminated under Article 10 (Sanctions) below, such reduction or elimination shall in no circumstances reverse the automatic *Disqualification* of the result(s) mandated by this Article 9 (Automatic Disqualification of Results). Where applicable, *Consequences* to teams are detailed in Article 11 (Consequences to Teams) below.

9.2. In circumstances where the *Person Responsible* is informed of an *Adverse Analytical Finding* in accordance with Article 7.1 and:

a) the *B Sample* analysis confirms the *A Sample* analysis; or
b) the right to request the analysis of the *B Sample* is not exercised; and
c) where requested by the *BEF* and/or the *Person Responsible*,

the matter will be submitted to the *Hearing Body* who shall decide whether or not to apply Article 9.1 at that stage of the proceedings.

9.3. For the avoidance of doubt where the competitor is a *Minor* at the time of the *Competition* the consequences to the *Minor* shall be limited to *Disqualification* from the *Competition* and forfeiture of all medals, points, prizes and prize money won at the *Competition*.

ARTICLE 10 *SANCTIONS*

10.1. Disqualification of *Results* in the *Event* during which a *Doping Violation* Occurs

10.1.1. A *Doping Violation* occurring during or in connection with an *Event* may lead to *Disqualification* of all of the *Person Responsible's* results obtained in that *Event*, with any and all *Horses* with which the *Person Responsible* competed, with all consequences, including forfeiture of all medals, points, prizes and prize moneys, except as provided in Article 10.1.3. Where applicable, consequences to teams will take place as provided in Article 11 (Consequences to Teams).

Generally, and subject to Article 10.1.3 and 10.1.4 below, all results from *Competitions* in which the *Person Responsible* or the *Horse* participated prior to *Sample* collection shall be *Disqualified* unless it can be demonstrated that such results were not likely to have been affected by the *Doping Violation*.

10.1.2. Notwithstanding the above for all *Events* exceptional circumstances may be considered.

10.1.3. If the *Person Responsible* establishes that he or she bears *No Fault or Negligence* for the *Doping Violation*, the *Person Responsible's* individual results in the other *Competitions* shall not be *Disqualified* unless the *Person Responsible's* results in *Competitions* other than the *Competition* in which the

Doping Violation occurred were likely to have been affected by the *Person Responsible's Doping Violation*.

10.1.4. In addition, the *Person Responsible's Horse* shall also be disqualified from the entire *Event* with all consequences, including forfeiture of all medals, points, prizes and prize money even if earned while being ridden by someone other than the *Person Responsible* (including a *Minor* in respect of whom the *Person Responsible* has accepted primary responsibility*),* if the *Horse's* results in *Competitions* other than the *Competition* in which the *Doping Violation* occurred were likely to have been affected by the *Doping Violation*.

10.2. *Ineligibility* and *Fine* for Presence, *Use* or *Attempted Use* or *Possession* of *Banned Substances*

The period of *Ineligibility imposed* for a violation of Article 2.1, 2.2 or 2.6 shall be two (2) years subject to potential reduction or suspension pursuant to Articles 10.45, 6 or 10.67;

A *Fine* of up to £4,000 shall also be imposed and appropriate legal costs.

10.3. *Ineligibility* for Other *Doping Violations*

The *Sanction* for *Doping Violations* other than as provided in Articles 9 (Automatic Disqualification of Results), 10.1 and 10.2 shall be:

10.3.1. For violations of Articles 2.3, 2.4 or 2.5, the period of *Ineligibility* shall be two (2) years. A *Fine* of up to £4,000 shall also be imposed along with appropriate legal costs unless Articles 10.45, 10.56 or 10.6 are applicable.

10.3.2. For violations of Article 2.7 the period of *Ineligibility* shall be a minimum of four (4) years up to lifetime *Ineligibility* depending on the seriousness of the violation. An Article 2.7 violation involving a *Minor* shall be considered a particularly serious violation and, if committed by the *Person Responsible* or other *Person* who has accepted primary responsibility for the *Horse* competed by the *Minor*, shall result in lifetime *Ineligibility* for the *Person Responsible* or other *Person*. For violations of Article 2.7, a fine of £5,000 shall also be imposed, along with appropriate legal costs. In addition, significant violations of Article 2.7 which may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.

10.3.3. For violations of Article 2.8, the period of *Ineligibility* imposed shall be up to two (2) years depending on the seriousness of the violation. A *Fine* of up to £4000 shall also be imposed along with appropriate legal costs.

10.3.4. For violations of Article 2.9, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the

Person Responsible's and/or additional *Person Responsible's* degree of *Fault* and other circumstances of the case.

10.3.5. For violations of Article 2.10, the period of Ineligibility imposed shall be up to two (2) years, depending on the seriousness of the violation. A fine of up to shall also be imposed along with appropriate legal costs.

10.4. Aggravating Circumstances which may Increase the Period of *Ineligibility*

If the *BEF* establishes in an individual case involving a *Doping Violation* other than violations under Article (*Administration* or *Attempted Administration*) 2.7 (*Trafficking* or *Attempted Trafficking*), , 2.98 (*Complicity*) or 2.10 (Acts by a *Person Responsible, member of the Support Personnel* or *Other Person* to Discourage or Retaliate Against Reporting) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased by an additional period of *Ineligibility* of up to two (2) years depending on the seriousness of the violation and the nature of the aggravating circumstances, unless the *Person Responsible*, member of the *Support Personnel* or other *Person* can establish that he or she did not knowingly commit the *Doping Violation*.

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

If the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) establishes in an individual case that he bears *No Fault or Negligence* for the *Doping Violation*, the otherwise applicable period of *Ineligibility* and other *Sanctions* (apart from Article 9 (Automatic Disqualification of Results)) shall be eliminated in regard to such *Person*. When a *Banned Substance* and/or its *Metabolites* or *Markers* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Banned Substance*), the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) must also establish how the *Banned Substance* entered the *Horse's* system in order to have the period of *Ineligibility* and other *Sanctions* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the *Doping Violation* shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.9 below and shall not be considered a prior violation for the purpose of Article 8.4 (Hearing Process) of the *ECM Rules*.

Article 10.5 can apply in cases involving *Specified Substances*. Otherwise, Article 10.5 only applies in exceptional circumstances. No *Fault or Negligence* does not apply in the following circumstances:

a) where the presence of the *Banned Substance* in a *Sample* came from a mislabelled or contaminated supplement. *Persons Responsible* are responsible for what their *Horses* ingest and have been warned about the possibility of supplement contamination; and/or

b) the Administration of a *Banned Substance* by the *Person Responsible's* veterinary personnel or member of the *Support Personnel* without disclosure to the *Person Responsible*. *Persons Responsible* are responsible for their choice of veterinary personnel and *Support Personnel* and for advising veterinary personnel and *Support Personnel* that *Horses* cannot be given any *Banned Substance* at any time.

10.6. Reduction of the Period of *Ineligibility* based on *No Significant Fault or Negligence*

10.6.1. Reduction of *Sanctions* in Particular Circumstances

All reductions under Article 10.6.1 are mutually exclusive and not cumulative.

10.6.1.1. *Specified Substances*

10.6.1.2. Where the *Doping Violation* involves a *Banned Substance* that is a *Specified Substance* and the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility,* and, at a maximum, two (2) years of *Ineligibility*, depending on the *Person Responsible's* and/or other *Person's* degree of *Fault*. Where the *Person Responsible and/or member of the Support Personnel and/or other Person* intends to establish that he bears *No Fault or Negligence*, Article 10.5 shall apply.

10.6.1.3. *Contaminated Products* or Other Contamination

In cases where the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* can establish both *No Significant Fault or Negligence* and that the detected *Banned Substance* came from a *Contaminated Product* or that the detected *Banned Substance* was caused by another form of contamination, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on such *Person's* degree of *Fault*.

10.6.2. Application of *No Significant Fault or Negligence* beyond the Application of Article 10.6.1

If a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) establishes in an individual case where Article 10.6.1 is not applicable that he bears *No Significant Fault or Negligence,* then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of *Ineligibility* and other *Sanctions* (apart from Article 9 (Automatic Disqualification of Results)) may be reduced in regard to such *Person*, but the reduced period of *Ineligibility* may not be less than one half of

the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than eight (8) years. When a *Banned Substance* and/or its *Metabolites* or *Markers* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Banned Substance* or its *Metabolites* or *Markers*), the *Person* alleged to have committed the *Doping Violation* must also establish how the *Banned Substance* or its *Metabolites* or *Markers* entered the *Horse's* system in order to have the period of *Ineligibility* reduced.

10.7. Elimination, Reduction or Suspension of Period of *Ineligibility* or Other Consequences for Reasons Other than *Fault*

10.7.1. *Substantial Assistance* in Discovering or Establishing *Doping Violations*

The *Hearing Body* may, prior to an appellate *Decision* under Article 12 (Results Management Appeals) below or the expiration of the time to appeal, suspend a part or all of *the Consequences* (other than *Disqualification* and mandatory *Public Disclosure*) imposed in an individual case and only where the *BEF*, in its sole discretion, has agree that *Person Responsible* and/or member of the *Support Personnel* or other *Person* has provided *Substantial Assistance* to the *BEF*, *Sporting or Showing Discipline,* criminal authority or professional disciplinary body which results in (i) the *BEF* discovering or bringing forward a *Doping Violation*; and/or a *Controlled Medication Violation*; and/or an *FEI* Anti-Doping Rules for Human Athletes violation by another *Person* or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offence or the breach of professional rules by another *Person* and the information provided by such *Person* providing *Substantial Assistance* is made available to the *BEF*. Such *Substantial Assistance* must be independently corroborated in order to reduce the period of *Ineligibility* and under no circumstance should it amount only to blaming another *Person* or entity for the alleged *Doping Violation*.

The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the *Doping Violation* committed and the significance of the *Substantial Assistance* provided in an effort to promote doping-free equestrian sport, compliance with the *EAD Rules* and/or the integrity of equestrian sport. In any event, no more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this section must be no less than eight (8) years. For the purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 10.9.3.2 of these *EAD Rules*.

If so requested by *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who seeks to provide *Substantial Assistance*, the *Hearing Body* shall allow the *Person Responsible* and/or member of the *Support*

Personnel and/or other *Person* to provide the information to it subject to a *Without Prejudice Agreement*.

If the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of the *Consequences* was based, the *Hearing Body* shall reinstate the original *Consequences*. If the *Hearing Body* decides to reinstate suspended *Consequences* or decides not to reinstate suspended *Consequences*, that *Decision* may be appealed by any *Person* entitled to appeal pursuant to Article 12 (Results Management Appeals).

10.7.2. Admission of a *Doping* Violation in the Absence of Other Evidence

Where a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* voluntarily admits the commission of a *Doping Violation* before having received *Notice* of a *Sample* collection which could establish a *Doping Violation* (or in the case of a *Doping Violation* other than Article 2.1, before receiving first *Notice* of the alleged violation pursuant to Article 7 (Results Management, Responsibility, Initial Review and Notice) 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 below one half of the period of *Ineligibility* otherwise applicable.

10.7.3. Application of Multiple Grounds for Reduction of a Sanction

If the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two (2) or more of Articles 10.5, 10.6 or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.5 and 10.6. If the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under Article 10.7, then the period of *Ineligibility* may be reduced or suspended but not below one-quarter of the otherwise applicable period of *Ineligibility*.

10.8. Results Management Agreements

10.8.1. Six (6) Month Reduction for Certain Doping Violations Based on Early Admission and Acceptance of Sanction

Where a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person*, after being notified by the *BEF* of a potential *Doping Violation* that carries an asserted period of Ineligibility of two (2) years or more years (including any period of *Ineligibility* asserted under Article 10.4), admits the *Doping Violation* and accepts the asserted period of *Ineligibility* no later than twenty (20) days after receiving notice of a *Doping Violation* charge, the *Person Responsible*

and/or member of the *Support Personnel* and/or other *Person* may receive a six (6) month reduction in the period of *Ineligibility* asserted by the *BEF*. Where the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* receives the six (6) month reduction in the asserted period of *Ineligibility* under this Article 10.8.1, no further reduction in the asserted period of *Ineligibility* shall be allowed under any other Article.

10.9. Multiple Violations

10.9.1. Second and Third Doping Violation

10.9.1.1. For a *Person Responsible* and additional *Person Responsible's* and/or other *Person's* second *Doping Violation* the period of *Ineligibility* shall be the greater of:

a) six (6) months; or

b) a period of *Ineligibility* in the range between:

i. the sum of the period of *Ineligibility* imposed for the first *Doping Violation*; plus the period of *Ineligibility* otherwise applicable to the second *Doping Violation* treated as if it were a first violation; and

ii. twice the period of *Ineligibility* otherwise applicable to the second *Doping Violation* treated as if it were a first violation, with the period of *Ineligibility* within this range to be determined based on the entirety of the circumstances and the *Person Responsible* and/or member of the *Support Personnel's* and/or other *Person's* with respect to the second violation.

10.9.1.2. A third *Doping* V*iolation* will always result in a lifetime period of *Ineligibility*, except if the third violation fulfils the condition for elimination or reduction of the period of *Ineligibility* under Article 10.5 or 10.6, or involves a violation under Article 2.4. In these particular cases, the period of *Ineligibility* shall be from eight (8) years to lifetime *Ineligibility*.

10.9.1.3. The period of *Ineligibility* established in Articles 10.9.1.1 and 10.9.1.2 may then be further reduced by the application of Article 10.7.

10.9.2. A *Doping Violation* for which a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* has established *No Fault or Negligence* shall not be considered a prior violation for the purposes of this Article.

10.9.3. Additional Rules for Certain Potential Multiple Violations

10.9.3.1. For the purposes of imposing *Sanctions* under Article 10.9, except as provided in Article 10.9.3.2 and 10.9.3.3 a *Doping Violation* will only be considered a second *Doping Violation* if the *BEF* can establish that the *Person Responsible* or other *Person* committed the *additional Doping Violation* after the *Person Responsible* or other *Person* received *Notice* pursuant to Article 7 (Results Management, Initial Responsibility, Initial Review and Notice) or after *BEF* made reasonable efforts to give *Notice* of the first *Doping Violation*.

If the *BEF* cannot establish this, the violations shall be considered together as one single first violation, and the *Sanction* imposed shall be based on the violation that carries the more severe *Sanction*.

10.9.3.2. If the *BEF* establishes that a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of *Ineligibility* for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of *Ineligibility* is served consecutively, rather than concurrently, with the period of *Ineligibility* imposed for the earlier-noticed violation. Where this Article 10.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.3. If the *BEF* establishes that *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* committed a violation of Article 2.4 in connection with the *Doping Control* process for an underlying asserted *Doping Violation*, the violation of Article 2.4 shall be treated as a stand-alone first violation and the period of *Ineligibility* for such violation shall be served consecutively, rather than concurrently, with the period of *Ineligibility*, if any, imposed for the underlying *Doping Violation*. Where this Article 10.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.4. If the *BEF* establishes that *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* has committed a second or third *Doping Violation* during a period of *Ineligibility*, the periods of *Ineligibility* for the multiple violations shall run consecutively, rather than concurrently.

10.9.4. Multiple *Doping Violations* During a Ten-Year Period

For purposes of Article 10.9, each *Doping Violation* must take place within the same ten (10) year period in order to be considered multiple violations. In the case where the previous violation was an ECM Rule violation and there is a subsequent EAD Rule violation, the subsequent EAD Rule violation will only be considered as a multiple violation if the ECM Rule violation occurred within the previous 4 years.

10.9.5. Violations involving both a *Controlled Medication Substance* and a *Banned Substance*

Where a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* based on the same factual circumstances is found to have committed a violation involving both a *Controlled Medication Substance* and a *Banned Substance* under *these EAD Rules,* the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* shall be considered to have committed one (1) *Doping Violation* and the *Sanction* imposed shall be based on the *Banned Substance* that carries the most severe *Sanction*.

10.10. *Disqualification* of Results in *Competitions* Subsequent to *Sample* Collection or Commission of a *Doping Violation*

10.10.1. In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Results), all other competitive results obtained from the date a positive *Sample* was collected, or other *Doping Violation* occurred shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points, prizes and prize money.

10.10.2. As a condition of regaining eligibility after being found to have committed a *Doping Violation*, the *Person Responsible* must first repay all prize money forfeited under this Article and/or Article 9 (Automatic *Disqualification* of Results) and any other fines and/or costs attributed to the violation which have been ordered by the *Hearing Body* or otherwise accepted by the *Person Responsible*.

10.11. Commencement of *Ineligibility* Period

10.11.1. Where the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* is already serving a period of *Ineligibility* for a *Doping (or Controlled Medication) Violation*, any new period of *Ineligibility* shall commence on the first day after the current period of *Ineligibility* has been served. Otherwise, except as provided below, the period of *Ineligibility* imposed on any *Person* or *Horse* shall start on the date of the *Decision* providing for *Ineligibility,* or if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed or any other date specified by the *Hearing Body* in its *Decision*.

10.11.2. Delays Not Attributable to the *Person Responsible* or Other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* and the *Person Responsible* and/or member of the Support *Personnel* and/or other *Person* can establish that such delays are not

attributable to the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* alleged to have committed the *Doping Violation*, the *Hearing Body* may start the period of *Ineligibility* at an earlier date commencing as early as the date of the *Sample* collection or the date on which another *Doping Violation* last occurred. All competitive results achieved during the period of *Ineligibility* including retroactive *Ineligibility* shall be *Disqualified*.

10.12. Status During *Ineligibility*

10.12.1. Prohibition Against Participation During *Ineligibility*

No *Horse,* and/or *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who has been declared *Ineligible* may, during a period of *Ineligibility*, participate in any capacity at an *Event* or in a *Competition* or activity that is authorised or organised by the *BEF*, a *Sporting or Showing Discipline* or the *FEI* or any *National Federation* or be present at an *Event* (other than as a spectator) or participate in any capacity at an *Event or* in a *Competition* authorised or organised by any international or national-level *Event* organisation, or any elite or national-level sporting activity funded by a government agency.

In addition, for any *Doping Violation*, some of or all sport-related financial support or other sport-related benefits received by such *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* may be withheld by the *BEF* or *Sporting of Showing Discipline* as the case may be. In addition, any *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* or *Horse* subject to *Ineligibility* under Article 10 (Sanctions) may also be banned from any venues where a *Sporting or Showing Discipline's* competitions take place, whether or not the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* is a member of or registered with the *Sporting or Showing Discipline*.

10.12.2. Return to Training

As an exception to Article 10.12.1, a *Person Responsible* may return to train with a team or to use the facilities of a club or other member organisation of the *Sporting or Showing Discipline's* organisation during the shorter of: (1) the last two (2) months of the *Person Responsible's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.

10.12.3. Violation of the Prohibition of Participation During *Ineligibility*

Where a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who has been declared *Ineligible* or whose *Horse* has been

declared *Ineligible* violates the prohibition against participation or attendance during *Ineligibility* described in Article 10.12.1 above, the results of any such participation shall be *Disqualified* and a new period of *Ineligibility* equal in length to the original period of *Ineligibility* , including a reprimand and no period of *Ineligibility*, shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility* may be adjusted based on the *Person Responsible* and/or member of the *Support Personnel's* and/or other *Person's* degree *of Fault* or other circumstances of the case. In addition, further *Sanctions* may be imposed if appropriate. The determination of whether any *Person* has violated the prohibition against participation or attendance, and whether an adjustment is appropriate, shall be made by the *Hearing Body*. This *Decision* may be appealed under Article 12 (Results Management Appeals).

Where *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* assists a *Person* in violating the prohibition against participation during Ineligibility, the *Hearing Body* shall impose sanctions for a violation of Article 2.98 for such assistance.

10.12.4. Return of Prizes / Prize Money

Where the *Sanction* imposed on a *Person* includes the forfeiture of any related medals and/or prizes such medals and/or prizes and/or prize money must be returned to the relevant *Sporting or Showing Discipline* within fourteen (14) days of the imposition of the *Sanction*. Such *Sporting or Showing Discipline* shall take reasonable measures to allocate and distribute (or direct the allocation or distribution of) such any related medals and/or prizes and/or prize money to the next placed *Person* / team who would have been entitled to it had the forfeiting *Person* / team not competed.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1. If a member of a team, is found to have committed a *Doping Violation* during an *Event* where a team ranking is based on the addition of individual results, the results of the *Person Responsible* may be *Disqualified* in all *Competitions* and will be subtracted from the team result, to be replaced with the results of the next applicable team member. If, by removing the *Person Responsible*'s results from the team results, the number of *Persons counting* for the team is less than the required number, the team shall be eliminated from the ranking.

11.2. Notwithstanding the above, for all *Events*, exceptional circumstances may be considered.

ARTICLE 12 RESULTS MANAGEMENT APPEALS

12.1. *Decisions* Subject to Appeal

Decisions made under *these EAD Rules* may be appealed as set out below in Article 12.2 and 12.3. Such *Decisions* shall remain in effect while under appeal unless the appellate body orders otherwise.

12.2. Appeals from *Decisions* Regarding *Doping Violations* and *Consequences*

12.2.1. The following *Decisions* may be appealed exclusively as provided in this Article 12.2:

a) a *Decision* that a *Doping Violation* was committed;

b) a *Decision* imposing consequences for a *Doping Violation*;

c) a *Decision* that no *Doping Violation* was committed;

d) a *Decision* that a *Doping Violation* proceeding cannot go forward for procedural reasons (including, for example, exceeding the Statute of Limitations);

e) a *Decision* under Article 10.12.3 (Violation of the Prohibition of Participation during *Ineligibility);*

f) a *Decision* that the *BEF* lacks authority to rule on any alleged *Doping Violation* or its *Consequences*

g) a *Decision* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as a *Doping Violation*, or a *Decision* not to go forward with a *Doping Violation*;

h) a Decision to *suspend*, or not suspend *Consequences* or to reinstate, or not reinstate Consequences under Article 10.7.1; and

i) a decision under Article 10.12.3.

j) a Decision to impose or lift a Provisional Suspension of a Person as a result of a Preliminary Hearing or otherwise, in violation of Article 7.4

12.2.2. In cases under Article 12.2.1, the following parties shall have the right to appeal:

a. the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who is the subject of the *Decision* being appealed, or the *Owner* of the *Horse*, where its *Horse* is subject to *Ineligibility*;

b. the other party to the case in which the *Decision* was rendered;

c. the *BEF*;

d. the *Sporting or Showing Discipline* of the *Person* who is the subject of the *Decision* being appealed; and

e. UK Anti-Doping.

12.2.3. Cross appeals and other subsequent appeals by any respondent named in cases brought to an *NADP* appeal tribunal are specifically permitted. Any party with a right to appeal under this Article 12 (Results Management Appeals) must file a cross appeal or subsequent appeal at the latest with the party's answer.

12.2.4. An appeal pursuant to Article 12.2.1 shall be made to an *NADP* appeal tribunal following the procedures set out in the *NADP Rules*.

12.2.5. Decisions of an *NADP* appeal tribunal shall be final and binding.

12.3. Time for Filing Appeals

The time to file an appeal to the *NADP* shall be twenty-one (21) days from the date of *Receipt* of the *Hearing Panel Decision* by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the *Decision* subject to appeal:

a) within fifteen (15) days from *Notice* of the *Decision*, such party/ies shall have the right to request from the *Hearing Panel* having issued the Decision a copy of the full case file pertaining to the decision; and

b) if such a request is made within the fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to appeal to the *NADP*.

ARTICLE 13 APPLICATION, REPORTING, PUBLIC DISCLOSURE AND DATA PRIVACY

13.1. Application of *EAD Rules*

These EAD Rules shall either be incorporated directly into each *Sporting or Showing Discipline's* rules or be incorporated by reference. In the latter case, *Sporting or Showing Disciplines* shall include in their regulations the procedural provisions necessary to effectively implement *these EAD Rules*.

13.2. Statistical Reporting

The *BEF* may periodically publish anonymous *Testing* data received from *Testing* under the *BEF's* jurisdiction.

13.3. Public Disclosure

13.3.1. Neither the *BEF* nor the *Sporting or Showing Disciplines* shall publicly identify *Horses* or *Persons Responsible* and/or members of the *Support Personnel* and/or other *Person* whose *Horses' Samples* have resulted in *Adverse Analytical Findings*, or *Persons Responsible* who were alleged to have otherwise violated *the EAD Rule* until the completion of the administrative review and *Notification* described in Articles 7.1.2 and 7.1.4. Once a *Doping Violation* has been established, it shall be publicly reported in an expeditious manner via the *BEFAR Case Status Table* and in other manner as the *Sporting or Showing Discipline* shall consider appropriate. If the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* makes information concerning a *Doping Violation* public prior to release of this information on the *BEFAR Case Status Table*, the *BEF* may comment on such public information or otherwise publicly report the matter.

13.3.2. In any case where it is determined, after a hearing or appeal, that the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* did not commit a *Doping Violation*, the *Decision* may be *Publicly Disclosed* only with the consent of the *Person* who is the subject of the *Decision* or in response to public comments attributed to the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* or their representative. The *BEF* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the *Decision* in its entirety or in such redacted form as such *Person* and the *BEF* may jointly approve.

13.3.3. Publication shall be accomplished at a minimum by placing the required information on the website or publishing it through other means and leaving the information up for the longer of one month or the period of Ineligibility.

13.3.4. Neither the *BEF*, any *Sporting or Showing Discipline*, any *Approved Laboratory* or any official or employee of any of the above shall publicly comment on the specific facts of a pending case (as opposed to a general description of process and science) except in response to public comments attributed to the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* or their representatives.

13.3.5. The mandatory *Public Reporting* required in Article 13.3.1 shall not be required where the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who has been found to have committed a *Doping Violation* is a *Minor*. Any optional *Public Reporting* in a case involving a *Minor* shall be proportionate to the facts and circumstances of the case.

13.4. Data Privacy

13.4.1. The *BEF* may collect, store, process or disclose personal information relating to *Person Responsible* and/or member of the *Support Personnel*, and/or other *Person*, *Owners* and *Horses* where necessary and appropriate to conduct its

Anti-Doping Activities under these *EAD Rules* and in compliance with applicable law.

13.4.2. Without limiting the foregoing, the *BEF* shall: (a) Only process personal information in accordance with a valid legal ground; (b) Notify any *Participant* or *Person* subject to these *EAD Rules*, in a manner and form that complies with applicable laws that their personal information may be processed by the *BEF* and other *Persons* for the purpose of the implementation of these *EAD Rules*; (c) Ensure that any third-party agents with whom the *BEF* shares the personal information of any *Participant* or *Person* is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

13.5. Recognition of *Decisions* by *BEF* and *Sporting and Showing Disciplines*

13.5.1. Any *Decision* of the *Hearing Body* regarding a Doping Violation shall be recognised and enforced by all *Sporting and Showing Disciplines* and *Sporting and Showing Disciplines* shall take all necessary action to implement any and all ramifications relating to such *Decisions*.

13.5.2. A decision of a *Doping V*iolation made by the *FEI Tribunal*, or *CAS* shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon the *BEF* and *Sporting and Showing Disciplines*, with the effects described below:

13.5.2.1. A decision by any of the above-described bodies imposing a period of *Ineligibility* (after a hearing has occurred or been waived) automatically prohibits the Person Responsible and/or member of the Support Personnel and/or other Person from participation (as described in Article 10.12.1) in all sports within the authority of the *BEF* and/or *Sporting or Showing Discipline* for the period of Ineligibility.

13.5.2.2. A decision by any of the above-described bodies accepting a *Doping Violation* automatically binds the *BEF* and *Sporting and Showing Disciplines*.

13.5.2.3. A decision by any of the above-described bodies to Disqualify results under Article 10.10 for a specified period automatically Disqualifies all results obtained within the authority of the *BEF* and *Sporting and Showing Disciplines* during the specified period.

13.5.3. The *FEI*, *BEF* and *Sporting and Showing Disciplines* shall recognise and implement a decision and its effects as required by Article 13.5.2, without any further action required, on the date actual notice of the decision is received.

13.5.4. A decision by the *FEI Tribunal* or *CAS* to suspend, or lift, Consequences shall be binding upon the *BEF* and *Sporting and Showing Disciplines* without any further

action required, on the earlier of the date actual notice of the decision is received.

ARTICLE 14 STATUTE OF LIMITATIONS

No *Doping Violation* proceedings may be commenced under these *EAD Rules* against a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* for a *Doping Violation* unless he or she has been notified of the *Doping Violation* as provided in Article 7 (Results Management, Responsibility, Initial Review and Notice), or *Notification* has been reasonably attempted twelve (12) months from the date the *Doping Violation* is asserted to have occurred.

ARTICLE 15 ADDITIONAL ROLES AND RESPONSIBILITIES OF PERSONS RESPONSIBLE

15.1. To be knowledgeable of and comply with these *EAD Rules*.

15.2. To ensure their *Horse* is made available for *Sample* collection.

15.3. To take responsibility, in the context of anti-doping, for all substances that enter the body of their *Horse*.

15.4. To inform their grooms, veterinarians and other members of the *Support Personnel* of their obligations not to *Use Banned Substance*s and *Banned Methods* and to take responsibility to make sure that any veterinary treatment received does not violate these *EAD Rules*.

15.5. To cooperate with the *BEF* and/or *FEI* investigating *Doping Violations*. Failure by any *Person Responsible* and/or member of the *Support Personnel* to cooperate in full with *Anti-Doping Organisations* investigating *Doping Violations* may result in a charge of misconduct under the *BEF* and/or *FEI*'s disciplinary rules.

15.6. To disclose the identity of *Support Personnel* upon request by the *BEF*.

15.7. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a member of the *Support Personnel*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under the *BEF*'s, *Sporting or Showing Discipline's* disciplinary rules.

ARTICLE 16 ADDITIONAL ROLES AND RESPONSIBILITIES OF SUPPORT PERSONNEL

16.1. To be knowledgeable of and comply with these *EAD Rules*.

16.2. To cooperate with the *Testing* program.

16.3. To use their influence on *Person Responsible* values and behaviour to foster anti-doping attitudes.

16.4. To cooperate with *Anti-Doping Organisations*, including the *BEF* and *FEI*, investigating *EAD Rule* violations. Failure by any *Support Personnel* to cooperate in full with *Anti-Doping Organisations* investigating *EAD Rule* violations may result in a charge of misconduct under the *BEF*'s and/or *FEI's* disciplinary rules.

16.5. *Support Personnel* shall not *Use* or *Possess* any *Banned Substance* or *Banned Method*. Any such *Use* or *Possession* may result in a charge of misconduct under the *BEF*'s disciplinary rules.

16.6. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a member of the *Support Personnel*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under the *BEF*'s, *Sporting or Showing Discipline's* disciplinary rules.

ARTICLE 17 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE EAD RULES

17.1. To be knowledgeable of and comply with these *EAD Rules*.

17.2. To cooperate with *Anti-Doping Organisations*, including the *BEF* and *FEI*, investigating *Doping Violations*. Failure by any other *Person* subject to these *EAD Rules* to cooperate in full with the *BEF* investigating *Doping Violations* may result in a charge of misconduct under the *BEF*'s disciplinary rules.

17.3. Not to *Use* or *Possess* any *Banned Substance* or *Banned Method*.

17.4. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a *Person*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under the *BEF*'s, *Sporting or Showing Discipline's* disciplinary rules.

ARTICLE 18 ADDITIONAL ROLES AND RESPONSIBILITIES OF ORGANISING COMMITTEES ("*OCs*")

18.1. Each *Sporting and Showing Discipline* shall guarantee that all affiliated *OCs* are required to:

18.1.1. Be knowledgeable of and comply with these EAD Rules.

18.1.2. Foster a clean spirit of sport at their *Events*.

18.1.3. When notified by the *BEF* that *Testing* is planned at their *Event*, to provide adequate facilities for *Testing* as instructed by the *BEF*; and, where possible and if requested, staff or volunteers to assist with *Person Responsible* notification.

18.1.4. Maintain strict confidentiality on all aspects of any *Testing* session planned at its *Events*. It shall not disclose the *Testing* plan beyond a strict need to-know and shall not publish any details on such *Testing* plan.

18.1.5. Cooperate with the *BEF*'s clean sport educational initiatives at their *Events*.

18.1.6. Cooperate with the *Testing* plans of other *Anti-Doping Organisations* with *Testing* jurisdiction.

ARTICLE 19 AMENDMENT AND INTERPRETATION OF *EAD RULES*

19.1. These *EAD Rules* may be amended from time to time by the *BEF* in accordance with the *BEF* Rules.

19.2. Except as provided in Article 19.5, these *EAD Rules* shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

19.3. The headings used for the various parts and Articles of these *EAD Rules* are for convenience only and shall not be deemed part of the substance of these *EAD Rules* or to affect in any way the language of the provisions to which they refer.

19.4. The Introduction, Appendix 1 Definitions and the *Equine Prohibited Substances List* shall all be considered integral parts of these *EAD Rules*.

19.5. These *EAD Rules* have been adopted pursuant to the *BEF* Rules and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of the *BEF* Rules as well as other *BEF* rules and regulations including but not limited to the *BEF Veterinary Manual,* the National Equine Anti-Doping and Controlled Medication *Hearing Body* Rules*,* the *Standard for Laboratories* and the rules of the *Sporting and Showing Disciplines*. In the event of conflict with the *BEF* Rules, the *BEF* Rules shall apply. In the event of conflict with the *BEF Veterinary Manual, Standard for Laboratories,* and/or the rules of the *Sporting or Showing Disciplines*, these *EAD Rules* shall apply.

19.6. Where the term "days" is used in these *EAD Rules*, it shall mean calendar days unless otherwise specified.

19.7. The time limits fixed under these *EAD Rules* shall begin from the day after *Notification* by the *BEF* is received. Official holidays and non-working days are included in the calculation of time limits. The time limits fixed under these *EAD Rules* are respected if the communications by the parties are sent before midnight on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the UK, the time limit shall expire at the end of the first subsequent business day.

Article 20 FINAL PROVISIONS

20.1. These *EAD Rules* shall enter into force on the Effective Date. They repeal the *BEF Doping Rules* that came into effect on 1 January 2021.

20.2. These *EAD Rules* shall not apply retroactively to matters pending before the *Effective Date*. However:

20.2.1. *Doping Violations* taking place prior to the *Effective Date* count as "first violations" or "second violations" for purposes of determining sanctions under Article 10 (Sanctions) for violations taking place after the *Effective Date*.

20.2.2. Any *Doping Violation* case which is pending as of the *Effective Date* and any *Doping Violation* case brought after the *Effective Date* based on a *Doping Violation* which occurred prior to the *Effective Date*, shall be governed by the substantive *EAD Rule* in effect at the time the alleged *Doping Violation* occurred, and not by the substantive *EAD Rule* set out in these *EAD Rules*, unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.4 and the statute of limitations set forth in Article 14 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these *EAD Rules* (provided, however, that Article 14 (Statute of Limitations) shall only be applied retroactively if the statute of limitation period has not already expired by the *Effective Date*).

20.2.3. With respect to cases where a final decision finding a *Doping Violation* has been rendered prior to the *Effective Date*, but the *Person Responsible* or member of the *Support Personnel* or other *Person* is still serving the period of *Ineligibility* as of the *Effective Date*, the *Person Responsible* or member of the *Support Personnel* or other *Person* may apply to the *BEF* to consider a reduction in the period of *Ineligibility* in light of these *EAD Rules*. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 12.2. These *EAD Rules* shall have no application to any case where a final decision finding a *Doping Violation* has been rendered and the period of *Ineligibility* has expired.

20.2.4. For purposes of assessing the period of *Ineligibility* for a second *Doping Violation* under Article 10.9.1, where the sanction for the first *Doping Violation* was determined based on rules in force prior to the *Effective Date*, the period of *Ineligibility* which would have been assessed for that first *Doping Violation* had these EAD Rules been applicable, shall be applied.

20.2.5. Changes to the *Equine Prohibited Substances List* relating to substances on the *Equine Prohibited Substances List* shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a *Prohibited Substance* has been removed from the *Equine Prohibited Substances List*, a

Person Responsible or member of the *Support Personnel* or other *Person* currently serving a period of Ineligibility on account of the formerly *Prohibited Substance* may apply to the *BEF* to consider a reduction in the period of *Ineligibility* in light of the removal of the substance from the *Equine Prohibited Substances List*.

Chapter 2 Equine Controlled Medication (ECM) Rules

The *BEF* Medication Code and Rationale for the ECM Rules

1. These ECM Rules have been adopted in recognition of the following fundamental imperatives of equestrian sport:

A central and distinctive feature of equestrian sport is that it involves a partnership between two types of athlete, one human and one equine. One of these partners, the *Horse,* is unable to speak for itself. It is the *BEF's* and the *Sporting and Showing Disciplines'* responsibility to speak on behalf of and for the *Horse*, and to ensure that, at every stage of the governance, regulation, administration and practice of the sport the welfare of the *Horse* is paramount.

This includes regulating the administration of *Controlled Medication Substances* to *Horses* involved in the sport to ensure *Horse* welfare and the highest levels of professionalism.

In particular, all treatments must be given in the best health and welfare interests of the *Horse* and not for any other reasons.

Every treatment must be fully justifiable based on the medical condition of the *Horse* receiving the treatment.

Horses that cannot compete as a result of injury or disease must be given appropriate veterinary treatment and rest (or recovery period). *Persons Responsible and their Support Personnel* must obtain advice from their treating veterinarian or team veterinarian and only administer treatments prescribed based on the objective clinical opinion of the veterinarian.

It is advisable that a complete and accurate record of the administration of all *Controlled Medication Substances* and other treatments is maintained for each *Horse* competing in *Competitions* or *Events* run under the auspices of a *Sporting or Showing Discipline* in the form of a Medication Logbook.

2. These ECM Rules are to be interpreted and applied (including where an issue arises that is not expressly provided for in these ECM Rules) by reference to the need to follow the *BEF* Medication Code and to protect and advance the fundamental imperatives described above. This purposive interpretation and application will take precedence over any strict legal or technical interpretations that may otherwise be proposed.

ARTICLE 1 DEFINITION OF A *CONTROLLED MEDICATION VIOLATION*

A *Controlled Medication Violation* is defined as the occurrence of one or more of the violations set out in Article 2.1 to 2.5 of these *ECM Rules*.

ARTICLE 2 *CONTROLLED MEDICATION VIOLATIONS*

The purpose of Article 2 (Controlled Medication Violations) is to specify the circumstances and conduct which constitute *Controlled Medication Violations*. *Controlled Medication* cases under Chapter 2 will proceed based on the assertion that one or more of these specific rules have been violated.

Persons Responsible and/or their Support Personnel shall be responsible for knowing what constitutes a *Controlled Medication Violation* and the substances which have been included on the *Equine Prohibited Substances List* and identified as *Controlled Medication Substances*.

Where *Controlled Medication Substances* are involved, the following shall constitute *Controlled Medication Violations*:

2.1. The Presence of a *Controlled Medication Substance* or its *Metabolites* or *Markers* in a *Horse*'s *Sample*

2.1.1. It is each *Person(s) Responsible's* personal duty to ensure that no *Controlled Medication Substance* is present in the *Horse's* body during an *Event* and/or a *Competition*. *Persons Responsible* are responsible for any *Controlled Medication Substance* found to be present in their *Horse's Samples*., even though their *Support Personnel* may be considered additionally responsible under this Article and Articles 2.2 – 2.5 *ECM Rules* where the circumstances so warrant. It is not necessary that intent, *Fault*, negligence or knowing *Use* be demonstrated in order to establish a *Controlled Medication Violation* under Article 2.1.

2.1.2. Sufficient proof of a *Controlled Medication Violation* under Article 2.1 is established by any of the following:

a) presence of a *Controlled Medication Substance* and/or its *Metabolites* or *Markers* in the *Horse's A Sample* where the *Person(s) Responsible* waives analysis of the *B Sample* and the *B Sample* is not analysed; or

b) where the *Horse's B Sample* is analysed and the analysis of the *Horse's B Sample* confirms the presence of the *Controlled Medication Substance* and/or its *Metabolites* or *Markers* found in the *Horse's A Sample* during an *Event* and/or a *Competition* or where the *A* or *B Sample* is split into two (2) parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Controlled Medication Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Person(s) Responsible* waives analysis of the confirmation part of the split *Sample*.

An *Adverse Analytical Finding* may be established by a positive blood or urine *Sample*.

2.1.3. Excepting those *Controlled Medication Substances* for which a quantitative threshold is specifically identified in the *Equine Prohibited Substances List*, or where a *National Equine Therapeutic Use Exemption* has been granted, the presence of any reported quantity of a *Controlled Medication Substance* and/or its *Metabolites* or *Markers* in a *Horse's Sample* during an *Event* and/or a *Competition* shall constitute a *Controlled Medication Violation*.

2.1.4. As an exception to the general rule of Article 2.1, the *Equine Prohibited Substances List* or the *Standard for Laboratories* may establish special reporting criteria for the evaluation of *Controlled Medication Substances*.

2.2. *Use* or *Attempted Use* of a *Controlled Medication Substance*

2.2.1. It is each *Person(s) Responsible's* personal duty, along with members of their *Support Personnel,* to ensure that no *Controlled Medication Substance* enters into the *Horse's* body and that no *Controlled Medication Method* is *Used* during an *Event* and/or a *Competition without a valid NETUE*. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the part of the *Person Responsible* be demonstrated in order to establish a *Controlled Medication Violation* for *Use* of a *Controlled Medication Substance*. However, in accordance with the definition of *Attempt*, it is necessary to show intent in order to establish a *Controlled Medication Violation* for *Attempted Use* of a *Controlled Medication Substance*.

2.2.2. The success or failure of the *Use* or *Attempted Use* of a *Controlled Medication Substance* is not material. It is sufficient that the *Controlled Medication Substance* was *Used* or *Attempted* to be *Used* during an *Event* and/or a *Competition* for a *Controlled Medication Violation* to be committed.

2.3. . Intentionally omitted

2.4. Complicity

Assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving a *Controlled Medication Violation* or any *Attempted Controlled Medication Violation*.

2.5. Administration or *Attempted* Administration of a *Controlled Medication Substance*

ARTICLE 3 PROOF OF *CONTROLLED MEDICATION VIOLATION*

3.1. Burdens and Standards of Proof

The *BEF* shall have the burden of establishing that a *Controlled Medication Violation* has occurred. The standard of proof shall be whether the *BEF* has established a *Controlled Medication Violation* on the balance of probabilities. Where these *ECM Rules* place the burden of proof upon the *Person Responsible* and/or member of their *Support Personnel* and/or other *Person* to rebut a presumption or establish specified facts or circumstances, the standard of proof shall also be by a balance of probability, except where a different standard of proof is specifically identified.

3.2. Methods of Establishing Facts and Presumptions

Facts related to *Controlled Medication Violations* may be established by any reliable means, including admissions. The following rules of proof shall be applicable in *Controlled Medication Violation* cases brought under these *ECM Rules*:

3.2.1. The *Testing Laboratory* is presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *Standard for Laboratories*. The *Person Responsible* and/or member of his *Support Personnel* and/or other *Person* who is alleged to have committed the *Controlled Medication Violation* may rebut this presumption by establishing by a balance of probability that a departure from the *Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the preceding presumption is rebutted by showing that a departure from the *Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*, then the *BEF* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

3.2.2. Departures from and provision of these *ECM Rules* shall not invalidate analytical results or other evidence of a *Controlled Medication Violation*; provided however if the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) establishes by a balance of probability, that a departure from a provision of these *ECM Rules* could reasonably have caused the *Controlled Medication Violation* based on the *Adverse Analytical Finding* or other *Controlled Medication Violation*, then the *BEF* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the *Controlled Medication Violation*.

3.2.3. The facts established by a *Decision* of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Person Responsible* and/or member of *Support Personnel* and/or other *Person* to whom the *Decision* pertained with regards to the factual findings unless it can be established that the *Decision* violated principles of natural justice.

3.2.4. The *Hearing Body* presiding over a case alleging a *Controlled Medication Violation* may draw an inference adverse to the *Person Responsible* and/or member of *Support Personnel* and/or other *Person* who is asserted to have committed a *Controlled Medication Violation* based on the refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the *Hearing Body)* in order to answer questions from the *Hearing Body* or the *BEF*.

ARTICLE 4 THE *EQUINE PROHIBITED SUBSTANCES LIST*

4.1. Incorporation of the *Equine Prohibited Substances List*

These *ECM Rules* incorporate the *Equine Prohibited Substances List* which is published by the *FEI* from time to time. The *BEF* will publish a link to the current *Equine Prohibited Substances List* in such a manner that it is available to the *Sporting and Showing Disciplines* and their members and constituents, including, but not limited to, publication of the link on the *BEF* website.

4.2. Review and Publication of *Controlled Medication Substances* identified on the *Equine Prohibited Substances List*

The *Equine Prohibited Substances List*, as may be revised from time to time, shall come into effect at whichever is the earlier of a date published by the *BEF* or the publication of a link to the revised *Equine Prohibited Substances List* on the *BEF* website, but in any event no sooner than 90 days following publication of the link to the revised *Equine Prohibited Substances List* on the *FEI* website. All *Persons Responsible* and/or member of *Support Personnel* and/or other *Person* shall be bound by the *Equine Prohibited Substances List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Persons Responsible* and/or member of *Support Personnel* and/or other *Person* to familiarise themselves with the most up-to-date version of the *Equine Prohibited Substances List* and all revisions thereto.

4.3. Substances on the *Equine Prohibited Substances List*

The *FEI*'s categorisation of a substance on the *Equine Prohibited Substances List* as a *Controlled Medication Substance* including any establishment of a threshold for a *Controlled Medication Substance* and/or the quantitative amount of such threshold shall be final and binding on all parties and shall not be subject to challenge by a *Person Responsible,* or any other *Person,* on any basis including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a risk to the welfare of the *Horse* or violate the spirit of sport.

4.4. *National Equine Therapeutic Use Exemption (NETUE)*

4.4.1. Where a *Horse* is tested by the *BEF* under these *ECM Rules* and that *Horse* has experienced a recent veterinary emergency requiring the *Use* of a *Controlled Medication Substance*, the *Person Responsible* may, provided always that they submitted a *Medication Form* signed by their treating veterinarian and naming the *Controlled Medication Substance* and the clinical reason for its use to the *Testing Veterinarian* at the time of *Testing*, submit a retrospective application for a *National Equine Therapeutic Use Exemption (NETUE)* to the Testing Results Management Group no later than ten (10) working days after the date on which the *Horse's Sample* was taken.

4.4.2. The *BEF* may at its sole discretion extend the time limit for submission of the retrospective application set out in Article 4.4.1 provided always that the *Person Responsible* has shown good cause for such extension and any such *NETUE* application shall be resolved before any *Adverse Analytical Finding* or *Atypical Finding* relating to that *Horse's Sample* is processed under Article 7 (Results Management).

4.4.3. The Technical Committee shall determine the *NETUE* application in strict accordance with the criteria set out in the *Standard for NETUEs*. The *BEF* will notify the *Person Responsible* in writing of the *Technical Committee* grant or denial of the *Person Responsible's* application for the *NETUE*. It may also be granted subject to such conditions or restrictions as the *Testing Results Management Group* sees fit.

4.4.4. The submission of false or misleadingly incomplete information in support of an *NETUE* application may result in a charge of *Tampering* or *Attempted Tampering* under Article 4 of the EAD Rules.

4.5. *Specified Substances*

For the purposes of the application of Article 10 (Sanctions) *Specified Substances* shall be taken as meaning only those *Prohibited Substances* identified as such on the *Equine Prohibited Substances List*.

ARTICLE 5 *TESTING*

5.1. Authority to Test

All *Horses* registered with a *Sporting or Showing Discipline* or otherwise present or competing at an *Event* and/or a *Competition or a Pony Measurement* shall be subject to *Testing* by the *BEF* or its assignees or agents. The *BEF* shall be exclusively responsible for *Testing* at national *Events, Pony Measurement* and *Competitions* and no other body may conduct *Testing* at national *Events, Pony Measurement* and/or *Competitions* without the *BEF's* express written permission.

5.2. Responsibility for *BEF Testing*

The *BEF* shall be responsible for overseeing all *Testing* conducted by the *BEF*. *Testing* shall be conducted by the *Testing Veterinarians* or by any other qualified and authorised persons at a given *Event, Pony Measurement* or *Competition* as authorised by these *ECM Rules* or in writing by the *BEF* Chief Executive or their designee.

5.3. *Testing* Standards

Testing conducted by or on behalf of the *BEF* shall be in substantial conformity with the *Testing* procedures in the *BEF Veterinary Manual* in effect at the time of *Testing*.

5.4. Selection of *Horses* to be *Tested*

5.4.1. The *BEFAR Management Committee* shall determine the number of Tests to be performed in each calendar year.

5.4.2. The *BEF Veterinary Manual* sets out the procedure for selecting the *Horses* for *Testing*.

5.4.3. In addition to the selection procedures set forth in Article 5.4.12 above, *the BEFAR Programme Manager* and/or Testing Veterinarians may also select *Horses* for random Testing and/or Target Testing in cooperation with the relevant Sporting Discipline and/or Event Organiser where appropriate.

5.4.4. Nothing in these *ECM Rules* shall be construed to limit where the *BEF* is authorised to conduct *Testing* on *Horses* in competition.

ARTICLE 6 ANALYSIS OF *SAMPLES*

Samples collected under these *ECM Rules* and arising from *BEF Testing* are the property of the *BEF*. They shall be analysed in accordance with the following principles:

6.1. Use of *Approved Laboratory*

The *BEF* shall send *Samples* for analysis only to the *Testing Laboratory* (which is subject to the *Standard for Laboratories*). However, the *Person Responsible* may elect to have the *B Sample* analysed at a different laboratory than the one which performed the *A Sample* analysis. If such an election is made the *BEF* shall select the *B Sample* laboratory from the *FEI List of Approved Laboratories* and the *BEF* shall inform the *Person Responsible* accordingly.

As provided for in Article 3.2, facts related to *Controlled Medication Violations* may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of *FEI approved Laboratories*.

6.2. Purpose of Collection and Analysis of *Samples*

Samples and related analytical data or *Doping Control* information shall be analysed to detect *Controlled Medication Substances* identified on the *Equine Prohibited Substances List*. The *BEF* may also seek to detect other substances for research and monitoring purposes, as publicly announced by the *BEF* from time to time, pursuant to a defined monitoring programme. Samples may be collected and stored for future analysis.

6.3. Research on *Samples*

Samples, related analytical data and *Medication Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Person Responsible's* written consent. *Samples* and related analytical data and *Medication Control* information used for research purposes shall first be processed in such a manner as to prevent *Samples* and related analytical data or *Medication Control* information following written consent from the *Person Responsible* shall have all means of identification removed from the *Sample* so that it cannot be traced back to a particular *Horse* or *Person Responsible*.

All *Samples* shall be destroyed pursuant to the guidelines set out in the *Standard for Laboratories* and in no event later than the lapse of the *Statute of Limitations* in Article 14 below.

6.4. Standards for *Sample* Analysis and Reporting

The *Testing Laboratory* shall analyse *Samples* and report results in conformity with the *Standard for Laboratories*.

6.5. Retesting *Samples*

A *Sample* may be reanalysed for the purposes of research pursuant to Article 6.3 at any time exclusively at the direction of the *BEF*. Nothing herein, however, shall prevent the *BEF* from conducting subsequent tests on a *Sample* pursuant to an alleged *Controlled Medication Violation* under Article 2.1. The retesting of Samples may lead to a *Controlled Medication Violation* only if the *Controlled Medication Substance* or *Controlled Medication Method* was prohibited at the time the *Sample* was taken, all subject to Article 14 (Statute of Limitations).

6.6. Further Analysis of a Sample Prior to or During Results Management

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a *Sample* prior to the time the *BEF* notifies a *Person Responsible* that the *Sample* is the basis for an Article 2.1 *Controlled Medication Violation* charge. If after such notification the *BEF* wishes to conduct additional analysis on that *Sample*, it may do so with the consent of the *Person Responsible* or approval from a hearing body.

6.7. Further Analysis of a Sample After it has been Reported as Negative or has Otherwise not Resulted in a *Controlled Medication Violation* Charge

After a laboratory has reported a *Sample* as negative, or the *Sample* has not otherwise resulted in a Controlled Medication Violation charge, it may be stored and subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of either the *BEF*, other *Anti-Doping Organisation* that initiated and directed *Sample* collection or the *FEI*. Any other *Anti-Doping Organisation* with authority to test the *Horse* that wishes to conduct further analysis on a stored *Sample* may do so with the permission of the *BEF* that initiated and directed *Sample* collection or the *FEI*, and shall be responsible for any follow-up *Results Management*. Any *Sample* storage or further analysis initiated by the *FEI* or another *Anti-Doping Organisation* shall be at the *FEI's* or that organisation's expense. Further analysis of *Samples* shall conform with the requirements of the *FEI* Standard for Laboratories.

6.8. Split of *A or B Sample*

Where the *BEF*, an *Anti-Doping Organisation* with *Results Management* authority or *FEI* and/or a *FEI approved Laboratory* (with approval from the *FEI* or the *Anti-Doping Organization* with *Results Management* authority) wishes to split an *A or B Sample* for the purpose of using the first part of the split *Sample* for an *A Sample* analysis and the second part of the split *Sample* for confirmation, then the procedures set forth in the *FEI* Standard for Laboratories and/or relevant processes from the *FEI* approved *Laboratories* shall be followed.

6.9. *FEI's* Right to Take Possession of *Samples* and Data

The *FEI* may, in its sole discretion at any time, with or without prior notice, take physical possession of any *Sample* and related analytical data or information in the possession of a *FEI* approved *Laboratory*, *BEF* or *Anti-Doping Organisation*. Upon request by the *FEI*, the *FEI* approved *Laboratory*, *BEF* or *Anti-Doping Organisation* in possession of the *Sample* or data shall immediately grant access to and enable the *FEI* to take physical possession of the *Sample* or data as soon as possible. If the *FEI* has not provided prior notice to the *FEI* approved *Laboratory*, *BEF* or *Anti-Doping Organisation* before taking possession of a *Sample* or data, it shall provide such notice to the *FEI* approved *Laboratory*, *BEF* and each *Anti-Doping Organization* whose *Samples* or data have been taken by the *FEI* within a reasonable time after taking possession. After analysis and any investigation of a seized *Sample* or data, the *FEI* may direct another *Anti-Doping Organisation* with

authority to test the *Horse* to assume *Results Management* responsibility for the *Sample* or data if a potential *Controlled Medication Violation* is discovered.

6.10 **Investigations**

The BEF and/or any third party appointed by the BEF to conduct an investigation on its behalf shall have the power to conduct investigations arising from or relating to these *ECM Rules* in order to protect the integrity of the BEF and equestrian sport, as set forth in the BEF Rulebook. The refusal of a *Person Responsible* or member of the *Support Personnel* and/or other *Person* to cooperate with the BEF may result in an adverse inference being drawn against that *Person* in any related BEF proceeding(s). If the BEF determines that it has a good faith basis to pose questions relating to any investigation to a *Person Responsible* or member of the *Support Personnel* and/or other *Person* and such *Person* refuses to answer such questions, that *Person Responsible* or member of the *Support Personnel* and/or other *Person* may be prohibited from participating in any Sporting or Showing Discipline activities until such questions are answered to the satisfaction of the BEF.

ARTICLE 7 RESULTS MANAGEMENT

7.1. Results Management for *Tests* arising out of *BEF Testing* or other *Controlled Medication Violations*

Results management for *Tests* arising out of *BEF Testing* or other *Controlled Medication Violations* shall proceed as follows:

7.1.1. The results of all *Sample* analyses must be sent exclusively to the *BEF* in a report signed by an authorised representative of the laboratory. All communications must be conducted in such a way that the results of the *Sample* analyses are confidential.

7.1.2. Upon receipt of an *Adverse Analytical Finding*, the *BEF* in consultation with the *Technical Committee* shall conduct a review to determine whether:

(a) the *Adverse Analytical Finding* is consistent with an applicable *NETUE* that has been granted; or

(b) there is any apparent departure from the *Testing* procedures of the *BEF Veterinary Manual* or the *Standard for Laboratories* that caused the *Adverse Analytical Finding*. This may include a review of the *Laboratory Documentation Package* produced by the *Laboratory* to support the *Adverse Analytical Finding* (if available at the time of the review) and the relevant *Doping Control* form(s) and *Testing* documents.

7.1.3. If (i) the initial review under Article 7.1.2 reveals an applicable *NETUE* or apparent departure from the *Testing* procedures in the *BEF Veterinary Manual* or from the

Standard for Laboratories that caused the *Adverse Analytical Finding*, the entire test shall be considered negative, and/or (ii) upon the review, the *BEF Decides* not to bring forward the *Adverse Analytical Finding*, the *BEF* shall promptly *Notify* the *Person Responsible,* the *Owner* of the *Horse* (if applicable) and the *Person Responsible's Sporting or Showing Discipline*.

7.1.4. If the review of an *Adverse Analytical Finding* under Article 7.1 does not reveal an apparent departure from the *Testing* procedures of the *BEF Veterinary Manual* or the S*tandard for Laboratories* that caused the *Adverse Analytical Finding*, the *BEF* shall promptly *Notify and Charge the Person(s) Responsible with the ECM Rule violation(s) they are asserted to have breached and inform* the *Person Responsible's Sporting or Showing Discipline* and the *Owner* of the *Horse* (if applicable).

7.1.5. In the letter of charge the BEF shall

a) Notify the *Adverse Analytical Finding*;

b) *set out the provision(s) of ECM Rules asserted to have been violated by the Person(s) Responsible*;

c) inform the *Person(s) Responsible of their* right within sixteen (16) days to request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed irrevocably waived;

d) inform of the opportunity for the *Person(s) Responsible* and the *Owner* of the *Horse's* (if applicable) right to elect to have the *B Sample* analysed at a different laboratory than the one which performed the *A Sample* analysis, such laboratory to be chosen by the *BEF*, and the opportunity to send a representative (witness) to be present for the *B Sample* analysis within the time period specified in the *Standard for Laboratories* unless allowing such representative or witness to be present at the *B Sample* analysis is a threat to the integrity of the analysis process. Where both the *Person Responsible* and any additional *Person Responsible* have elected to have the *B Sample* analysed but one of them has elected to have the *B Sample* analysed at a different laboratory than the one which performed the *A Sample* analysis and the other one has elected to have the *B Sample* analysed at the same laboratory as the one which performed the *A Sample* analysis, it shall be for the *BEF* to decide the question taking into account all relevant circumstances;

e) inform of the right of the *Person(s) Responsible* to request copies of the *A* and *B Sample* (if applicable) *Laboratory Documentation Package* which includes information as specified in the *Standard for Laboratories*;

f) provide a detailed summary of the relevant facts upon which the assertion that there has been an ECM Rule violation is based;

g) indicate the *Consequences* being sought in the event that the asserted *ECM Rule* violation(s) is/are upheld and that such *Consequences* shall have binding effect on all *BEF* Member Bodies;

h) grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended subject to the prior written agreement of the BEF) to the Person(s) Responsible to either:

(i) admit the ECM Rule violation asserted and to accept the proposed *Consequences* by signing, dating and returning an acceptance of *Consequences* form, which shall be enclosed to the letter, or
(ii) to challenge in writing the BEF's assertion of an *ECM Rule* violation and/or *Consequences*, and/or make a written request for a hearing before the BEF Hearing Body;

i) Shall indicate that if the *Person(s) Responsible* does not challenge the *BEF's* assertion of an *ECM Rule* violation or proposed *Consequences* nor request a hearing within the prescribed deadline, the *BEF* shall be entitled to deem that the *Person(s) Responsible* has waived their right to a hearing and admitted the *ECM Rule* violation as well as accepted the *Consequences* set out by the BEF in the letter of charge;

j) the opportunity to provide *Substantial Assistance* as set out under Article 10.7.1, to admit the ECM *Rule* violation and potentially benefit from a three month reduction in the period of *Ineligibility* under Article 10.7.1 (if applicable);

k) the right of the *Person Responsible* and/or the *BEF* to request to the *Hearing Body* that Article 9.1 (Automatic Disqualification) be promptly applied where the *B Sample* analysis confirms the *A Sample* analysis or where the right to request the *B Sample* analysis is waived.

l) the *Person Responsible's* right to request a hearing or, failing such request within the deadline specified in the notification, that a hearing may be deemed waived; and where applicable, the availability of the *Administrative Procedure* described in Article 8.5.

7.1.6. Pursuant to Article 7.1.4(d), following receipt of the duly executed *Confirmatory Analysis Request Form* (*B Sample*) the *BEF* will propose possible dates for such analysis. If the *Person(s) Responsible* requests the *B Sample* analysis but claims

that they and/or their representative are not available on the scheduled date indicated by the *BEF*, the *BEF* shall liaise with the *Laboratory* and propose (at least) two (2) alternative dates. If the *Person(s) Responsible* and their representative claim not to be available on the alternative dates proposed, the *BEF* shall instruct the *Laboratory* to proceed regardless and appoint an *Independent Witness* to verify that the *B Sample* container shows no signs of *Tampering* and that the identifying numbers match that on the collection documentation.

The *Person(s) Responsible* may accept the *A Sample* analytical results by waiving the right to a *B Sample* analysis. The *BEF* may nonetheless elect, at its discretion, to proceed with the *B Sample* analysis. In such case the *B Sample* analysis shall only be used to confirm the *A Sample Adverse Analytical Finding*. The *Person(s) Responsible* is deemed to have waived his right to a *B Sample* analysis if he does not submit the *Confirmatory Analysis Request Form* within the time limit stipulated in the *Notification*.

7.1.7. In addition to the *Person(s) Responsible* and their representative (witness) a representative of the *Person(s) Responsible*'s *Sporting of Showing Discipline* as well as a representative of the *BEF* shall also be allowed to be present for the *B Sample* analysis.

7.1.8. If the *B Sample* proves negative, then the entire test shall be considered negative. The *BEF* shall be informed of the results confidentially and shall *Notify* the *Person(s) Responsible* and his *Sporting of Showing Discipline*.

7.1.9. If the *B Sample* analysis confirms the *A Sample* analysis the *BEF* shall be informed of the results confidentially and shall *Notify* the *Person(s) Responsible* and the *Person(s) Responsible* shall be required to pay the costs of the *B Sample* analysis.

7.1.10 The *BEF* may conduct any necessary follow-up investigation as may be required. Upon completion of such follow-up investigation, if any, the *BEF* shall promptly *Notify* the *Person Responsible's Sporting or Showing Discipline* of the results of the follow up investigation.

7.1.11. For the avoidance of doubt, an *Adverse Analytical Finding* confirmed by the *B Sample* analysis may result from blood or urine *Samples*, or any combination thereof (for example, a confirmatory *B Sample* analysis is valid if performed on a blood sample, even if the *A Sample Adverse Analytical Finding* arose from a urine *Test*, and vice versa). In addition, and also for the avoidance of doubt, where the *A Sample* is positive for a *Threshold Controlled Medication Substance* as it is quantitatively above the threshold level set for the *Controlled Medication Substance,* the *B Sample* shall be deemed to confirm the *A Sample* so long as

the level of the *B Sample* is also quantitatively above the threshold, even if the *B Sample* varies quantitatively from the *A Sample* level.

7.1.12. Where appropriate, additional *Persons Responsible* and/or other *Person* shall receive *Notification* of the *Controlled Medication* V*iolation* and all relevant corresponding documents.

7.1.13. If at any point during *Results Management*, the *BEF* decides not to move forward with a matter, it must notify the *Person(s) Responsible*, and/or member of the *Support Personnel* or other *Person* (provided that *Person(s) Responsible*, and/or member of the *Support Personnel* or other *Person* had been already informed of the ongoing *Results Management*) and give notice (with reasons) to the bodies with a right of appeal under Article 12.2.3.

7.1.14. The letter of charge notified to the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* shall simultaneously be notified by the *BEF* to the *Person Responsible*, member of the *Support Personnel* or other *Person's Sporting* or *Showing Discipline*.

7.1.15. In the event that the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* either (i) admits the *Controlled Medication Violation* and accepts the proposed *Consequences* or (ii) is deemed to have admitted the violation and accepted the *Consequences* as per Article 7.1.5 (i), the *BEF* Hearing Body shall promptly issue the Decision and notify it in accordance with Article 7.6.3.

7.1.16. If, after the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* has been charged, the *BEF* decides to withdraw the charge, it must notify the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* and give notice (with reasons) to the bodies with a right of appeal under Article 12.2.

7.1.17. In the event that the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* requests a hearing, the matter shall be referred to the BEF *Hearing Body* and be dealt with pursuant to Article 8 (Right to a Fair Hearing) and the *Hearing Body Rules*.

7.2. Review of Atypical Findings

7.2.1. In some circumstances *Laboratories* may report the presence of *Controlled Medication Substances,* which require further investigation as provided by the *BEF Atypical Findings Policy* and such reports shall be treated by the *BEF* as *Atypical*

Findings subject to further investigation. Upon receipt of an *A Sample Atypical Finding,* the *BEF* shall conduct a review to determine whether there is any apparent departure from the *Testing* procedures, the *Standard for Laboratories* or another *BEF* standard, *BEF Manual* or policy that caused the *Atypical Finding*. If that review does not reveal any departure that caused the *Atypical Finding* the *BEF* shall conduct the required investigation in accordance with the *BEF Atypical Findings Policy*.

7.2.2. The *BEF* need not provide *Notice* of an *Atypical Finding* until it has completed the investigation and it has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:

a) If the *BEF* determines that the *B Sample* should be analysed prior to the conclusion of the investigation under Article 7.2 the *BEF* may conduct the *B Sample* analysis after notifying the *Person Responsible* with such *Notice* to include a description of the *Atypical Finding* and the information described in Article 7.1.4 (c)-(e) and 7.1.6 above.

b) If the *BEF* receives a request, either from a *Major Event Organisation* shortly before one of its *Events* or from a sport organisation responsible for meeting an imminent deadline for selecting team members (or Horses) for an *Event*, to disclose whether any *Person Responsible* or *Horse* identified on a list provided by the *Major Event Organisation* or sport organisation has a pending *Atypical Finding*, the *BEF* shall identify any *Person Responsible* or *Horse* after first providing notice of the *Atypical Finding* to the *Person Responsible* or and the *Owner* of the *Horse* (if applicable).

c) If the *Atypical Finding* is likely to be connected to a serious pathology that requires urgent veterinary attention. If after the investigation is completed, the *BEF* decides to pursue the *Atypical Finding* as an *Adverse Analytical Finding*, then the procedure shall follow the provisions of Article 7.1.4 mutatis mutandi. The *Person Responsible's Sporting or Showing Discipline* shall be *Notified* as provided in Article 7.1 of these *ECM Rules*. The decision of the *BEF* to pursue or not pursue an *Atypical Finding* as an *Adverse Analytical Finding* is final and is not subject to appeal.

7.3. Notification for specific cases and Other *Controlled Medication Violations*

7.3.1. At such time as the *BEF* considers that the *Person(s) Responsible* and/or other *Person* have committed (a) *Controlled Medication Violation(s),* the *BEF* shall promptly *Notify* and charge the *Person(s) Responsible,* and/or member of the *Support Personnel;* and/or other *Person* (where applicable) with the *ECM Rule(s)* they are asserted to have breached. The letter of charge shall set out

a) the provision(s) of the ECM Rule(s) asserted to have been violated by the by the *Person Responsible*, member of the *Support Personnel* or other *Person*;

b) a detailed summary of the relevant facts upon which the assertion is based;

c) the relevant evidence in support of those facts that the *BEF* considers demonstrates that the *Person(s) Responsible* and/or member of the *Support Personnel* or other *Person* have committed (a) *Controlled Medication Violation(s);*

indicate the specific Consequences being sought in the event that the asserted ECM Rule violation(s) is/are upheld and that such Consequences shall have binding effect on all BEF Member Bodies;

d) the opportunity provide *Substantial Assistance* as set out under Article 10.7.1;

e) Shall grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended subject to the prior written agreement of the *BEF*) to the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* to either:

(i) admit the *ECM Rule* violation asserted and to accept the proposed *Consequences* by signing, dating and returning an acceptance of *Consequences* form, which shall be enclosed to the letter, or

(ii) to challenge in writing the BEF's assertion of an *ECM Rule* violation and/or *Consequences*, and/or make a written request for a hearing before the relevant hearing panel;

f) Shall indicate that if the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* does not challenge the BEF*'s* assertion of an *ECM Rule* violation or proposed *Consequences* nor request a hearing within the prescribed deadline, the *BEF* shall be entitled to deem that the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* has waived their right to a hearing and admitted the *ECM Rule* violation as well as accepted the *Consequences* set out by the *BEF* in the letter of charge;

7.3.2. If at any point during *Results Management*, the *BEF* decides not to move forward with a matter, it must notify the *Person(s) Responsible*, and/or member of the *Support Personnel* or other *Person* (provided that *Person(s) Responsible*, and/or member of the *Support Personnel* or other *Person* had been already informed of the ongoing *Results Management*) and give notice (with reasons) to the bodies with a right of appeal under Article 12.2.3.

7.3.3. The letter of charge notified to the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* shall simultaneously be notified by the *BEF* to the *Person Responsible*, member of the *Support Personnel* or other *Person's Sporting* or *Showing Discipline*.

7.3.4. In the event that the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* either (i) admits the *Controlled Medication Violation* and accepts the proposed *Consequences* or (ii) is deemed to have admitted the violation and accepted the *Consequences* as per Article7.3.1 f, the *BEF* Hearing Body shall promptly issue the Decision and notify it in accordance with Article 8.6.3.

7.3.5. If, after the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* has been charged, the *BEF* decides to withdraw the charge, it must notify the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* and give notice (with reasons) to the bodies with a right of appeal under Article 12.2.

7.3.6. In the event that the *Person(s) Responsible*, member of the *Support Personnel* or other *Person* requests a hearing, the matter shall be referred to the BEF *Hearing Body* and be dealt with pursuant to Article 8 (Right to a Fair Hearing) and the *Hearing Body Rules*.

7.4. Retirement from Sport

If a *Person Responsible* and/or member of the *Support Personnel* retires while a results management process is underway, the *BEF* retains authority to complete its results management process. If a *Person Responsible* and/or member of the *Support Personnel* retires before any results management process has begun and the *BEF* would have had *Results Management* authority over the *Person Responsible* or member of the *Support Personnel* or other *Person* at the time the *Person Responsible* or member of the *Support Personnel* committed a *Controlled Medication Violation*, the *BEF* similarly has jurisdiction to conduct results management.

7.5. Provisional Suspension

7.5.1. The *BEF* may provisionally suspend a *Person Responsible,* member of the *Support Personnel,* other *Person* and/or the *Person Responsible*'s *Horse* prior to the opportunity for a full hearing

a. if the *Person Responsible*, member of the *Support Personnel* or other *Person* or *Horse* has a pending *EAD* or *ECM Rule* violation or previously violated the *EAD Rules* in the last ten (10) years or the *ECM Rules* in the last four (4) years; or

b. where there is an admission that an *ECM Rule* violation has taken place (for the avoidance of doubt, an admission by any *Person* can only be used to provisionally suspend that *Person*); or

c. based on all of the following elements

   i. an *Adverse Analytical Finding* for two *Controlled Medication Substances* from the *A Sample* or A and *B Samples* provided that neither of the *Controlled Medication Substances* is a *Specified Substance*;

ii. the review described in Article 7.1.2; and
iii. the *Notification* described in Article 7.1.4 above.

7.5.2 For the discipline of Endurance, if the *BEF* provisionally suspends the *Person Responsible* pursuant to this Article 7.4.2, the *BEF* shall also provisionally suspend the registered Trainer (as defined in the FEI Endurance Rules) of the *Horse* and the registered Trainer shall be considered as a member of the *Support Personnel* for the purposes of these *ECM Rules*.

7.5.3 If a Provisional Suspension is imposed, either the hearing in accordance with Article 8 shall be advanced to a date which avoids substantial prejudice to the *Person Responsible* alleged to have committed the *ECM Rule* violation, or such *Person Responsible* shall be given an opportunity for a Preliminary Hearing either on a timely basis after imposition of the *Provisional Suspension* or before imposition of *the Provisional Suspension* in order to show cause why the *Provisional Suspension* should not be imposed (or should be lifted).

7.5.4 Where a *Horse* is provisionally suspended, the *Owner* of the *Horse* shall also have the right to request a Preliminary Hearing.

7.5.5 The imposition of a *Provisional Suspension* of a *Person*, or the *Decision* not to impose a *Provisional Suspension*, may be appealed in an expedited process in accordance with Article 12.2.

7.5.6 The imposition of a *Provisional Suspension* of a *Horse*, or the *Decision* not to impose a *Provisional Suspension* of the *Horse*, may not be appealed.

7.5.7 (a) The *Provisional Suspension* of a *Person* shall be maintained unless the *Person* requesting the lifting of the *Provisional Suspension* establishes to the comfortable satisfaction of the BEF Hearing Body that:

i. the allegation that an *ECM Rule* violation has been committed has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the allegation is based; or
ii. the *Person* can demonstrate that the evidence will show that the *Person* bears *No Fault* or *No Negligence* for the *ECM Rule* violation that is alleged to have been committed, so that any period of Ineligibility that might otherwise be imposed for such offence is likely to be completely eliminated by application of Article 10.5. below or that 10.6 below applies and the *Person* can demonstrate that the evidence will show that the *Person* bears *No Significant Fault* or *Negligence* and that the *Person* has already been provisionally suspended for a period of time that warrants the lifting of the *Provisional Suspension* pending the final *Decision* of the *BEF Hearing Body*
iii. exceptional circumstances exist that make it clearly unfair, in all of the circumstances of the case, to impose a *Provisional Suspension* prior to

final hearing of the *BEF Hearing Body*. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the *Provisional Suspension* would prevent the *Person* or *Horse* competing in a particular *Competition* or *Event* shall not qualify as exceptional circumstances for these purposes.

The BEF may also request the lifting of the Provisional Suspension.

7.5.7 (b) The *Provisional Suspension* of a *Horse* shall be maintained unless the *Person* requesting the lifting of the *Provisional Suspension* establishes to the comfortable satisfaction of the *BEF Hearing Body* that the allegation that an *EAD Rule* violation has been committed has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the allegation is based.

The BEF may also request the lifting of the *Provisional Suspension*.

7.6. Resolution without a Hearing

7.6.1. Waiver of Hearing

A *Person Responsible* or member of the *Support Personnel* and/or *Owner* and/or other *Person* may waive a hearing expressly and agree with the *Consequences* proposed by the *BEF*.

7.6.2. Deemed Admission and Waiver

If the *Person Responsible* and/or member of the *Support Personnel* and/or *Owner* and/or other *Person* against whom a *Controlled Medication Violation* is asserted fails to dispute that assertion within twenty (20) days of *Notification* (or within any other deadline as may be imposed in a specific case by the *BEF*), then they shall be deemed to have waived a hearing, to have admitted the *Controlled Medication Violation*, and to have accepted the proposed *Consequences*.

7.6.3. In cases where Article 7.6.1 or 7.6.2 applies, a hearing before a *Hearing Body* shall not be required. Instead, the *Hearing Body* shall promptly issue a written *Decision* which includes the full reasons for the *Decision*, any period of *Ineligibility* imposed the *Disqualification* of results under Article 10.9 and, if applicable, a justification for why the greatest potential *Consequences* were not imposed.

The *BEF* shall notify that *Decision* to the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person*, other *Anti-Doping Organisations* with a right to appeal under Article 12.2.2, and shall *Publicly Disclose* that decision in accordance with Article 13.3.

ARTICLE 8 RIGHT TO A FAIR HEARING

8.2. Hearings before the *Hearing Body*

8.2.1. The *Hearing Body* shall *Decide* all cases involving a violation of *these ECM Rules*.

8.2.2. When the *BEF* sends a *Notice* to a *Person Responsible* and/or a member of the *Support Personnel* and/or other *Person* and/or *Owner* asserting a *Controlled Medication Violation*, and the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* does not expressly or impliedly admit the violation under Articles 7.6.1 or 7.6.2 then the case shall be assigned to the *Hearing Body* for adjudication through the submission of a Request for Adjudication sent to the BEF Head of Secretariat.

8.2.3. Hearings pursuant to this Article 8 (Right to a Fair Hearing) shall be completed expeditiously following the completion of the results management or investigation process described in Article 7 (Results Management) above and the submission of all relevant evidence and pleadings by the parties. The *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) alleged to have committed a *Controlled Medication Violation* shall cooperate promptly in the submission of such evidence and pleadings and in attendance at a hearing if requested by the *Hearing Body*.

8.2.4. The *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) alleged to have committed a *Controlled Medication Violation* may attend the hearing under all circumstances.

8.2.5. The *Sporting or Showing Discipline* of the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* (where applicable) alleged to have committed a *Controlled Medication Violation* and/or a representative of UK Anti-Doping may attend the hearing as an observer.

8.2.6. A *Person Responsible* may acknowledge the *Controlled Medication Violation* and accept consequences consistent with Articles 8.5 (if the *Administrative Procedure* is elected) or Articles 9 (Automatic Disqualification of Results) and 10 (Sanctions) as proposed by the *BEF*.

8.2.7. *Decisions* of the *Hearing Body* may be appealed to the *NADP* as provided in Article 12 (Results Management Appeals).

8.3. Principles for a Fair Hearing

Hearings must be held in accordance with the following principles:

8.3.1. The *Hearing Body* must remain fair, impartial and *Operationally Independent* at all times;

8.3.2. The *Hearing process* shall be accessible and affordable;

8.3.3. The *Hearing process* shall be conducted within a reasonable time;

8.3.4. The right to be informed in a fair and timely manner of the asserted *Controlled Medication Violation*(s), the right to be represented by counsel at the *Person Responsible*, member of the *Support Personnel* (including the *Owner*) or other *Person's* own expense, the right of access to and to present relevant evidence, the right to submit written and oral submissions, the right to call and examine witnesses, and the right to an interpreter at the hearing at the *Person Responsible*, member of the *Support Personnel* (including the *Owner*) or other *Person's* own expense.

8.3.5. The parties shall be notified of the identity of the *Hearing Panel* member(s) appointed to hear and determine the matter and be provided with their declaration at the outset of the *Hearing Process*. The parties shall be informed of their right to challenge the appointment of any *Hearing Panel* member if there are grounds for potential conflicts of interest within seven (7) days from the ground for the challenge having become known..

8.4. Hearing Process

8.4.1. When the *BEF* sends a notice to a *Person Responsible*, member of the *Support Personnel* or other *Person* notifying them of a potential *Controlled Medication Violation*, and the *Person Responsible*, member of the *Support Personnel* or other *Person* does not waive a hearing in accordance with Article 7.6.1 or Article 7.6.2, then the case shall be referred to the *Hearing Body* for hearing and adjudication, which shall be conducted in accordance with the principles described above.

8.4.2. The *Judicial Panel Chair* shall appoint a *Hearing Panel* (which may include the Judicial Panel Chair) to hear that case.

8.4.3. Upon appointment by the Judicial Panel Chair as a member of the *Hearing Panel*, each member must also sign a declaration that there are no facts or circumstances known to him or her which might call into question their impartiality in the eyes of any of the parties, other than those circumstances disclosed in the declaration.

8.4.4. Hearings held in connection with *Events* in respect to *Person Responsible*, member of the *Support Personnel* or other *Person* who are subject to these *ECM Rules* may be conducted by an expedited process where permitted by the *HearingPanel*.

8.4.5. The *Sporting or Showing Discipline* of the *Person Responsible*, member of the *Support Personnel* or other *Person* may attend the hearing as observers. In any event, the *BEF* shall keep them fully apprised as to the status of pending cases and the result of all hearings.

8.5. *Administrative Procedure*

8.5.1. For *Adverse Analytical Findings* involving *Controlled Medication Substances*, the *Person Responsible* and/or member of the *Support Personnel* (where applicable) may elect to have their case proceed under the *Administrative Procedure* provided that:

a) no more than one (1) *Controlled Medication Substance* (including its *Metabolites* or *Markers*) is detected in the *Sample*; and

b) the *Person Responsible* and/or member of the *Support Personnel* (where applicable) and the *Horse* are first-time offenders (namely no record of any *Doping Violation* or *Controlled Medication Violation* or violations of any predecessor rule) without any pending or concluded cases within the last four (4) years preceding the *Sample* which caused the *Adverse Analytical Finding*. A prior *Doping Violation or Controlled Medication Violation* where the *Person Responsible* and/or member of the *Support Personnel* was found to have *No Fault* or *Negligence* shall not be considered as a violation for the purpose of this Article 8.5.1(b).

8.5.2. If the *Person Responsible* requests a hearing before the *Hearing Body*, Article 10 (Sanctions) below shall apply at the discretion of the *Hearing Body*.

8.5.3. Where the *Administrative Procedure* is applied by the *BEF*, the following consequences shall be imposed and no other consequences, including those set out in Article 10 (Sanctions) below or elsewhere in in these *ECM Rules* shall be applicable to any *Person* who has elected this *Administrative Procedure*:

a) *disqualification* of the competitor (whether that is the *Person Responsible* and/or the *Minor* in respect of whom the *Person Responsible* has accepted primary responsibility) who competed the *Horse* and *Horse* combination from the whole *Event* and forfeiture of all prizes and prize money won at the *Event;*

b) a *Fine* of £1000; and

c) costs of the analysis of the *A Sample*. However, if a *B Sample* analysis is requested and the *Administrative Procedure* accepted after the *B Sample* analysis, the costs shall be increased to cover the costs of the *B Sample* analysis.

Where the *Administrative Procedure* is applied by the *BEF* for a *Controlled Medication Violation*, that *Controlled Medication Violation* shall not count as a prior violation for the purposes of Article 10.8 (Multiple Violations) of these *ECM Rules* or Article 10.9 (Multiple Violations) of the EAD Rules.

8.5.4. In order to apply this *Administrative Procedure,* the *Person Responsible* and/or member of the *Support Personnel* (where applicable) must execute an acceptance form within twenty (20) days following the date of the *Notice* in which the *BEF* offers the *Administrative Procedure* to the *Person* alleged to have committed the *Controlled Medication Violation*. The *BEF* may reasonably extend such deadline provided the file has not yet been circulated to the *Hearing Body* or its members.

8.5.5. If the *Person Responsible* and/or member of the Support Personnel (where applicable) does not elect the *Administrative Procedure* within the fixed time limit, the *Administrative Procedure* shall be considered declined and the case submitted to the *Hearing Body* for final decision. The *Hearing Body* may impose *Sanctions* and costs which may be more or less severe than the ones provided for in the *Administrative Procedure*.

8.6. *Decisions*

8.6.1. At the end of the hearing, or adjudication on the basis of written submissions, or on a timely basis thereafter, the *Hearing Panel* shall issue a written *Decision* that includes the jurisdictional basis and applicable rules, detailed factual background; *Controlled Medication Violation(s)* committed, applicable *Consequences*, including (if applicable) a justification for why the greatest potential consequences were not imposed and the appeal route and the applicable deadline. The *Hearing* Panel may decide to communicate the operative part of the *Decision* to the parties, prior to the reasons. The *Decision* shall be enforceable from such notification of the operative part by courier, facsimile and/or electronic mail.

8.6.2. If no appeal is brought against the *Decision*, then (a) if the *Decision* is that a *Controlled Medication Violation* was committed, the *Decision* shall be *Publicly Disclosed* as provided in Article 13.3; but (b) if the *Decision* is that no *Controlled Medication Violation* was committed, then the *Decision* shall only be *Publicly Disclosed* with the consent of the *Person Responsible* and/or member of the *Support Personnel*. The *BEF* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the *Decision* in its entirety or in such redacted form as the *Person Responsible* and/or member of the *Support Personnel* may approve.

The principles contained in Article 13.3.5 shall be applied in cases involving a *Minor*.

8.6.3. Notification of Decisions

8.6.3.1. The *BEF* shall notify the *Decision* to the *Person Responsible*, member of the *Support Personnel* or other *Person* and to other *Anti-Doping Organisations* with

a right to appeal under Article 12.2. The *Decision* may be appealed as provided in Article 12 (Results Management Appeals).

8.6.3.2. When being notified of the *Decision*, the *Person Responsible*, member of the *Support Personnel* or other *Person*, must also be informed of the following if subject to a period of *Ineligibility*:

a) their status during *Ineligibility*, including the *Consequences* of a violation of the prohibition of participation during *Ineligibility*, pursuant to Article 10.11; and

b) that they remain subject to *Testing* during the period of *Ineligibility*.

ARTICLE 9 AUTOMATIC *DISQUALIFICATION* OF RESULTS

9.1. For cases other than those prosecuted under the *Administrative Procedure,* a violation of these *ECM Rules* in connection with a test in a given *Competition or Pony Measurement* automatically leads to the *Disqualification* of all results of the competitor (or *Person Responsible* in the case of Pony Measurement) (whether that is the *Person Responsible* and/or the *Minor* in respect of whom the *Person Responsible* has accepted primary responsibility) who competed the *Horse* and the *Horse* combination obtained in that *Competition* with all resulting consequences, including forfeiture of any related medals, points, prizes and prize money.

Even if a *Sanction* is reduced or eliminated under Article 10 (Sanctions) below, such reduction or elimination shall under no circumstances eliminate the automatic *Disqualification* of the result(s) mandated by this Article 9 (Automatic Disqualification of Results). Where applicable, consequences to teams are detailed in Article 11 (Consequences to Teams) below.

9.2. For the avoidance of doubt where the competitor is a *Minor* at the time of the *Competition,* the consequences to the *Minor* shall be limited to *Disqualification* from the *Competition* and forfeiture of all medals, points, prizes and prize money won at the *Competition*.

ARTICLE 10 *SANCTIONS*

The following rules relating to the *Disqualification* of results will apply to cases other than those prosecuted under the *Administrative Procedure*.

10.1. *Disqualification* of *Results* in the *Event* during which a *Controlled Medication Violation* occurs

10.1.1. A *Controlled Medication Violation* occurring during or in connection with an *Event* shall, upon the *Decision* of the *Hearing Body*, lead to *Disqualification* of all

of the *Person Responsible's* results obtained in that *Event*, with any and all *Horses* with which the *Person Responsible* competed, with all consequences, including forfeiture of all medals, points, prizes, and prize money, unless the *Horse(s)* tested negative in another *Competition(s)* prior to the *Competition* in which the *ECM Rules* were violated, in which case the result(s) obtained by the *Person Responsible* in that *Competition(s)* will not be *Disqualified*.

10.1.2. In addition, the *Person Responsible's Horse* may also be *Disqualified* from the entire *Event* with all consequences, including forfeiture of all medals, points, prizes and prize money even if earned while being ridden by someone other than the *Person Responsible* (including a *Minor* in respect of whom the *Person Responsible* has accepted primary responsibility), if the *Horse's* results in *Competitions* other than the *Competition* in which the *Controlled Medication Violation* occurred were likely to have been affected by the *Controlled Medication Violation*.

10.2. *Ineligibility* and *Fine* for Presence, *Use* or *Attempted Use* or Administration or *Attempted* Administration of *Controlled Medication Substances*

The period of *Ineligibility* for a violation of Articles 2.1, 2.2 or 2.5 shall be six (6) months, subject to potential reduction or suspension pursuant to Articles 10.45, 10.56 or 7.

A *Fine* of up to £4,000 shall also be imposed and appropriate legal costs.

10.3. *Ineligibility* for Other *Controlled Medication Violations*

The *Sanctions* for *Controlled Medication Violations* other than as provided in Articles 9 (Automatic Disqualification of Results), 10.1 and 10.2 shall be:

10.3.1. For violations of Article 2.4, the period of *Ineligibility* set forth in Article 10.2 shall apply unless the conditions for eliminating, reducing or increasing the *Sanction* provided in Articles 10.4, 10.5 or 6, are met. A *Fine* of up to £4,000 and appropriate legal costs shall also be imposed.

10.4. *Aggravating Circumstances* which may Increase the Period of *Ineligibility*

If the *BEF* establishes in an individual case involving a Controlled Medication Violation that *Aggravating Circumstances* are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased by an additional period of *Ineligibility* of up to six (6) months depending on the seriousness of the violation and the nature of the *Aggravating Circumstances*, unless the *Person Responsible*, member of the *Support Personnel* or other *Person* can establish that he or she did not knowingly commit the *Controlled Medication Violation*.

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

If the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* establishes in an individual case that he bears *No Fault or Negligence* for the *Controlled Medication Violation*, the otherwise applicable period of *Ineligibility* and other *Sanctions* (apart from Article 9 (Automatic Disqualification of Results)) shall be eliminated in regard to such *Person*. When a *Controlled Medication Substance* and/or its *Metabolites* or *Markers* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of a *Controlled Medication Substance*) the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* must also establish how the *Controlled Medication Substance* entered the *Horse's* system in order to have the period of *Ineligibility* and other *Sanctions* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the *Controlled Medication Violation* shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.8 below and shall not be considered a prior violation for the purpose of Article 8.5 (Administrative Procedure) above.

Article 10.5 can apply in cases involving *Specified Substances*. Otherwise, Article 10.5 only applies in exceptional circumstances.

No Fault or Negligence does not apply in the following circumstances:

a) Where the presence of a *Controlled Medication Substance* in a *Sample* came from a mislabelled or contaminated supplement. *Persons Responsible* are responsible for what their *Horses* ingest and have been warned about the possibility of supplement contamination.

b) The *Administration* of a *Controlled Medication Substance* by the *Person Responsible's* veterinary personnel or member of the *Support Personnel* without disclosure to the *Person Responsible*. *Persons Responsible* are responsible for their choice of veterinary personnel and *Support Personnel* and for advising veterinary personnel and *Support Personnel* that the presence of a *Controlled Medication Substance* in a *Horse's* system is forbidden during an *Event* or *Competition*.

10.6. Reduction of the Period of *Ineligibility* based on *No Significant Fault or Negligence*

10.6.1. Reduction of *Sanctions in Particular Circumstances*

All reductions under Article 10.6.1 are mutually exclusive and not cumulative.

10.6.1.1. *Specified Substances*

Where the *Controlled Medication Violation* involves a *Controlled Medication Substance* that is a *Specified Substance* and the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, six months of *Ineligibility*, depending on the *Person Responsible's* degree of *Fault*. Where the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* intends to establish that he bears *No Fault or Negligence*, Article 10.5 shall apply.

10.6.1.2. *Contaminated Products or Other Contamination*

In cases where the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* can establish *No Significant Fault or Negligence* and that the detected *Controlled Medication Substance* came from a *Contaminated Product* or that the detected *Controlled Medication* was caused by another form of contamination, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, six (6) months *Ineligibility*, depending on such *Person's* degree of *Fault*.

10.6.2. Application of *No Significant Fault or Negligence* beyond the Application of Article 10.6.1

If a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* establishes in an individual case where Article 10.6.1 is not available that he bears *No Significant Fault* or *Negligence*, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of *Ineligibility* and other *Sanctions* (apart from Article 9 (Automatic Disqualification of Results)) may be reduced in regard to such *Person*. When a *Controlled Medication Substance* and/or its *Metabolites* or *Markers* is detected in a *Horse's Sample* in violation of Article 2.1 (presence of *a Controlled Medication Substance* or its *Metabolites* or *Markers*) the *Person* alleged to have committed the *Controlled Medication Violation* must also establish how the *Controlled Medication Substance* or its *Metabolites* or *Markers* entered the *Horse*'s system in order to have the period of *Ineligibility* and other *Sanctions* reduced.

10.7. Elimination, Reduction or Suspension of Period of *Ineligibility* or other *Consequences* for Reasons Other than *Fault*

10.7.1. *Substantial Assistance* in Discovering or Establishing *Controlled Medication Violations*

The *Hearing Body* may, prior to a final appellate *Decision* under Article 12 (Results Management Appeals) below or the expiration of the time to appeal, suspend a part or all of the *Consequences* (other than *Disqualification* and mandatory *Public Disclosure*) imposed in an individual case where the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* has

provided *Substantial Assistance* to the *BEF*, *Sporting or Showing Discipline,* criminal authority or professional disciplinary body which results in (i) the *BEF* discovering or bringing forward a *Controlled Medication Violation* and/or *Doping Rule Violation*; and/or a violation of the Anti-Doping Rules for Human Athletes by another *Person* or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offence or the breach of professional rules by another *Person* and the information provided by such *Person* providing *Substantial Assistance* is made available to the *BEF*. Such *Substantial Assistance* must be independently corroborated in order to reduce the period of *Ineligibility* and under no circumstance should it amount only to blaming another *Person* or entity for the alleged *Controlled Medication Violation*. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the *Controlled Medication Violation* committed and the significance of the *Substantial Assistance* provided in an effort to promote medication-free *Competition*, compliance with the *ECM Rules* and/or the integrity of equestrian sport. In any event, no more than threequarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this section must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 10.8.3.2 of these *ECM Rules*.

If so requested by *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who seeks to provide *Substantial Assistance*, the *BEF* shall allow the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* to provide the information to it subject to a *Without Prejudice Agreement*.

If the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of the *Consequence(s)* was based, the *Hearing Body* shall reinstate the original *Consequence(s)*. If the *Hearing Body* decides to reinstate suspended *Consequence(s)* or decides not to reinstate suspended *Consequences* that *Decision* may be appealed by any *Person* entitled to appeal under Article 12 (Results Management Appeals).

10.7.2. Admission of a *Controlled Medication Violation* in the Absence of Other Evidence

Where a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* voluntarily admits the commission of a *Controlled Medication Violation* before having received *Notice* of a *Sample* collection which could establish a *Controlled Medication Violation* (or in the case of a *Controlled Medication Violation* other than Article 2.1, before receiving first *Notice* of the alleged violation pursuant to Article 7 (Results Management)) and that admission is the only reliable evidence of the violation at the time of admission,

then the period of *Ineligibility* may be reduced subject to the discretion of the *Hearing Body*.

10.7.3. Application of Multiple Grounds for Reduction of a Sanction

If a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two (2) or more of Articles 10.5, 10.6 or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.5 and 10.6. If the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under Article 10.7, then the period of *Ineligibility* may be reduced or suspended further subject to the discretion of the *Hearing Body*.

10.8. Multiple Violations

10.8.1. Second or Third *Controlled Medication Violation*

10.8.1.1. For a *Person Responsible's* and/or member of the *Support Personnel's* and/or other *Person's* second *Controlled Medication Violation,* within a period of four (4) years, the period of *Ineligibility* shall be the greater of:

a) three (3) months;

b) a period of *Ineligibility* in the range between:

i. the sum of the period of *Ineligibility* imposed for the first *Controlled Medication Violation* plus the period of *Ineligibility* otherwise applicable to the second *Controlled Medication Violation* treated as if it were a first *Controlled Medication Violation*; and
ii. twice the period of *Ineligibility* otherwise applicable to the second *Controlled Medication Violation* treated as if it were a first violation, with the period of *Ineligibility* within this range to be determined based on the entirety of the circumstances and the *Person Responsible* and/or member of the *Support Personnel's* and/or other *Person's* with respect to the second *Controlled Medication Violation*.

10.8.1.2. For a third *Controlled Medication Violation*, within a period of four (4) years, the *Hearing Body* shall have the discretion to increase the *Sanction* to up to four (4) years' *Ineligibility*. For a fourth or more *Controlled Medication Violation*, within a period of four (4) years, the *Hearing Body* shall have the discretion to impose a lifetime period of *Ineligibility* and shall in no circumstances render a *Sanction* of less than four (4) years' *Ineligibility*.

The period of *Ineligibility* established in Articles 10.8.1.1 and 10.8.1.2 may then be further reduced by the application of Article 10.7.

The conditions set out in Articles 10.8.1.1 and 10.8.1.2 shall apply in cases where one or more of the rule violations previously committed were *Doping Violations*. However, this Article shall also be applicable if the *Doping Violation* preceding the current *Controlled Medication Violation* occurred in the previous eight (8) years.

10.8.2. A *Controlled Medication Violation* for which a *Person Responsible* and/or member of *Support Personnel* or other *Person* has established *No Fault or Negligence* shall not be considered a prior violation for the purposes of this Article.

10.8.3. Additional Rules for Certain Potential Multiple Violations

10.8.3.1. For purposes of imposing sanctions under Article 10.8, except as provided in Article 10.8.3.2 and **Error! Reference source not found.** a *Controlled Medication Violation* will only be considered a second *Controlled Medication Violation* if the *BEF* can establish that *the Person Responsible* or other *Person* committed the additional violation after *the Person Responsible* received *Notice* pursuant to Article 7 (Results Management) or after the *BEF* made reasonable efforts to give *Notice* of the first *Controlled Medication Violation*. If the *BEF* cannot establish this, the 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*.

10.8.3.2. If the *BEF* establishes that a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of *Ineligibility* for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of *Ineligibility* is served consecutively, rather than concurrently, with the period of *Ineligibility* imposed for the earlier-noticed violation. Where this Article 10.8.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.8.1.

10.8.3.3. If the *BEF* establishes that the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* has committed a second or third *Controlled Medication Violation* during a period of *Ineligibility*, the periods of *Ineligibility* for the multiple *Controlled Medication Violations* shall run consecutively, rather than concurrently.

10.8.4. Violations involving both a *Controlled Medication Substance* and a *Banned Substance*

Where a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* based on the same factual circumstances is found to have committed a *Controlled Medication Violation* involving both a *Controlled Medication Substance under these ECM Rules* and a *Banned Substance under the EAD Rules,* the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* shall be considered to have committed one (1) *BEFAR* violation, and the *Sanction* imposed shall be based on the *Banned Substance* that carries the most severe *Sanction*.

10.9. *Disqualification* of Results in *Competitions* Subsequent to *Sample* Collection or Commission of a *Controlled Medication Violation*

10.9.1. In addition to the automatic *Disqualification* of the results in the *Event* or *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected, or other *Controlled Medication Violation* occurred shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points, prizes and prize money.

10.9.2. As a condition of regaining eligibility after being found to have committed a *Controlled Medication Violation*, the *Person Responsible* must first repay all prize money forfeited under this Article, and any other fines and/or costs attributed to the violation which have been ordered by the *Hearing Body* or otherwise accepted by the *Person Responsible*.

10.10. Commencement of *Ineligibility* Period

10.10.1. Where the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* is already serving a period of *Ineligibility* for a *Controlled Medication Violation* (or a *Doping Rule Violation*), any new period of *Ineligibility* shall commence on the first day after the current period of *Ineligibility* has been served. Otherwise, except as provided below, the period of *Ineligibility* imposed on any *Person* or *Horse* shall start on the date of the *Decision* providing for *Ineligibility* or if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed or any other date specified by the *Hearing Body* in its *Decision*.

10.10.2. Delays Not Attributable to the *Person Responsible* and/or member of the *Support Personnel* and/or Other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Medication Control* and the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* can establish that such delays are not attributable to the *Person Responsible* and the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* alleged to have committed the *Controlled Medication Violation*, the *Hearing Body* may start the

period of *Ineligibility* at an earlier date commencing as early as the date of the *Sample* collection or the date on which another *Controlled Medication Violation* last occurred. All competitive results achieved during the period of Ineligibility including retroactive *Ineligibility* shall be *Disqualified*.

10.11. Status During *Ineligibility*

10.11.1. Prohibition Against Participation During *Ineligibility*

No *Horse* or *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who has been declared *Ineligible* may, during a period of *Ineligibility*, participate in any capacity at an *Event* or in a *Competition or* activity that is authorised or organised by the *BEF*, a *Sporting or Showing Discipline*, the *FEI* or any *National Federation* or be present at an *Event (*other than as a spectator) that is authorised or organised by any international or national-level *Event* organisation or any elite or national-level sporting activity funded by a governmental agency. If so specified in the relevant *Notification* or *Decision*, the *Person* may also be barred temporarily or for a specific period of time from attending as a spectator any *Competition* or *Event* and/or any activities related to any *Competition* or *Event* that is authorised or organised by a *Sporting* or *Showing Discipline*. In addition, for any *Controlled Medication Violation*, some of or all sport-related financial support or other sport-related benefits received by such *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* may be withheld by the *BEF* or *Sporting Showing Discipline* as the case may be.

In addition, a *Person Responsible* and/or other *Person* or *Horse* subject to *Ineligibility* under Article 10 (Sanctions) may also be banned from any venues where a *Sporting or Showing Discipline's* competitions take place whether or not the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* can establish that such delays are is a member of or registered with the *Sporting or Showing Discipline*.

10.11.2. Return to Training

As an exception to Article 10.11.1, a *Person Responsible* may return to train with a team or to use the facilities of a club or other member organisation of the *BEF*'s member organisation during the shorter of: (i) the last two months of the *Person Responsible's* period of *Ineligibility*, or (ii) the last one-quarter of the period of *Ineligibility* imposed.

10.11.3. Violation of the Prohibition of Participation During *Ineligibility*

Where a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who has been declared *Ineligible* or whose *Horse* has been declared *Ineligible* violates the prohibition against participation or attendance during *Ineligibility* described in Article 10.11.1 above, the results of any such participation shall be *Disqualified* and a new period of *Ineligibility* equal in length to the original period of *Ineligibility,* including a reprimand and no period of *Ineligibility*, shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility* may be adjusted based on the *Person Responsible's* and/or member of the *Support Personnel* and/or other *Person's degree of Fault* or other circumstances of the case. In addition, further *Sanctions* may be imposed if appropriate. The determination of whether any *Person* has violated the prohibition against participation or attendance, and whether an adjustment is appropriate shall be made by the *Hearing Body*. This *Decision* may be appealed under Article 12 (Results Management Appeals).

Where a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility*, the *BEF* shall impose sanctions for a violation of Article 8 of the *EAD Rules* for such assistance.

10.11.4. Return of Prizes / Prize Money

Where the *Sanction* imposed on a *Person* includes the forfeiture of any related medals and/or prizes and/or prize money such medals/and or prizes and/or prize money must be returned to the relevant *Sporting or Showing Discipline* within fourteen (14) days of the imposition of the *Sanction*. Such *Sporting or Showing Discipline* shall take reasonable measures to allocate and distribute (or direct the allocation or distribution of) such any related medals and/or prizes and/or prize money to the next placed *Person* / team who would have been entitled to it had the forfeiting *Person* / team not competed.

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1. If a member of a team is found to have committed a violation of these ECM Rules during an *Event* where a team ranking is based on the addition of individual results, the results of the *Person Responsible* may be *Disqualified* in all *Competitions* and will be subtracted from the team result to be replaced with the results of the next applicable team member. If, by removing the *Person Responsible*'s results from the team results, the number of *Persons* counting for the team is less than the required number, the team shall be eliminated from the ranking.

11.2. Notwithstanding the above, for all *Events,* exceptional circumstances may be considered.

ARTICLE 12 RESULTS MANAGEMENT APPEALS

12.1. *Decisions* Subject to Appeal

Decisions made under these *ECM Rules* may be appealed as set out below in Article 12.2 and 12.3. Such *Decisions* shall remain in effect while under appeal unless the appellate body orders otherwise.

12.2. Appeals from *Decisions* Regarding *Controlled Medication Violations*, *Consequences*, Implementation of *Decisions* and Authority

12.2.1. The following *Decisions* may be appealed exclusively as provided in this Article 12.2:

a) a *Decision* that a *Controlled Medication Violation* was committed;

b) a *Decision* imposing *Consequences* for a *Controlled Medication Violation*;

c) a *Decision* that no *Controlled Medication Violation* was committed;

d) a *Decision* that a *Controlled Medication Violation* proceeding cannot go forward for procedural reasons (including, for example, exceeding the Statute of Limitations);

e) a *Decision* under Article 10.11.3 (Violation of the Prohibition of Participation during *Ineligibility);*

f) a *Decision* that the *BEF* lacks authority to rule on any alleged *Controlled Medication Violation* or its *Consequences*;

g) a *Decision* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as a *Controlled Medication Violation* or a *Decision* not to go forward with a *Controlled Medication Violation*;

h) a decision to suspend, or not suspend *Consequences*, or to reinstate, or not reinstate Consequences under Article 10.7; and

i) a decision under Article 10.11.3.

12.2.2. In cases under Article12.2.1, the following parties shall have the right to appeal:

a) the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* who is the subject of the *Decision* being appealed, or the *Horse* owner, where its *Horse* is subject to *Ineligibility*;

b) the other party to the case in which the *Decision* was rendered;

c) the *BEF*; and

d) the *Sporting or Showing Discipline* of the *Person* who is the subject of the *Decision* being appealed.

12.2.3. Cross appeals and other subsequent appeals by any respondent named in cases brought to an *NADP* appeal tribunal are specifically permitted. Any party with a right to appeal under this Article 12 (Results Management Appeals) must file a cross appeal or subsequent appeal at the latest with the party's answer.

12.2.4. An appeal pursuant to Article 12 shall be made to an *NADP* appeal tribunal following the procedures set out in the *NADP Rules*.

12.2.5. Decisions of an *NADP* appeal tribunal shall be final and binding.

12.3. Time for Filing Appeals

The time to file an appeal to the *NADP* shall be twenty-one (21) days from the date of *Receipt* of the *Hearing Body Decision* by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having led to the *Decision* subject to appeal:

a) Within fifteen (15) days from *Notice* of the *Decision*, such party/ies shall have the right to request from the *Hearing Body* having issued the *Decision* a copy of the full case file pertaining to the decision; a failure to make such request shall however not preclude such party from appealing to the *NADP* within the time period set forth above; and

b) If such a request is made within the fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to the *NADP*.

ARTICLE 13 APPLICATION, REPORTING, PUBLIC DISCLOSURE AND DATA PRIVACY

13.1. Application of *ECM Rules*

These *ECM Rules* shall either be incorporated directly into each *Sporting or Showing Discipline's* rules or be incorporated by reference. In the latter case, *Sporting or Showing Disciplines* shall include in their regulations the procedural provisions necessary to effectively implement these *ECM Rules*.

13.2. Statistical Reporting

The *BEF* may periodically publish anonymous *Testing* data received from *Testing* under the *BEF*'s jurisdiction.

13.3. Public Disclosure

13.3.1. Neither the *BEF* nor the *Sporting or Showing Disciplines* shall publicly identify *Horses* or *Persons Responsible* whose *Horses' Samples* have resulted in *Adverse Analytical Findings*, or *Persons Responsible* and/or members of the *Support Personnel* and/or other *Person* who were alleged to have otherwise violated these *ECM Rules,* until the earlier of completion of the administrative review and *Notification* described in Articles 7.1.2 and 7.1.4 above. Once a *Controlled Medication Violation* has been established, it shall be publicly reported in an expeditious manner via the *BEFAR Case Status Table* and in other manner as the *Sporting or Showing Discipline* shall consider appropriate. With regards to the *Administrative Procedure* set out in Article 8.5 above, publication shall occur on the acceptance of the *Administrative Procedure*. If the *Person Responsible* and/or member of *Support Personnel* or other *Person* makes information concerning a *Controlled Medication Violation* or alleged *Controlled Medication Violation* public prior to release of this information on the *BEFAR Case Status Table*, the *BEF* may comment on such public information or otherwise publicly report the matter.

13.3.2. In any case where it is determined, after a hearing or appeal, that the *Person Responsible* and/or member of *Support Personnel* or other *Person* did not commit a *Controlled Medication Violation*, the *Decision* may be *Publicly Disclosed* only with the consent of the *Person* who is the subject of the *Decision* or in response to public comments attributed to the *Person Responsible* or their representatives. The *BEF* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the *Decision* in its entirety or in such redacted form as such *Person* and the *BEF* may jointly approve.

13.3.3. Publication shall be accomplished at a minimum by placing the required information on the *BEF*'s web site or publishing it through other means and leaving the information up for the longer of one month or the period of Ineligibility.

13.3.4. Neither the *BEF*, any *Sporting or Showing Discipline*, any *Approved Laboratory* or any official or employee of any of the above, shall publicly comment on the specific facts of a pending case (as opposed to a general description of process and science) except in response to public comments attributed to the *Person Responsible* and/or other *Person* or their representatives.

13.3.5. The mandatory *Public Reporting* required in Article 13.3.1 shall not be required where the *Person Responsible* and/or member of *Support Personnel* or other *Person* who has been found to have committed a *Controlled Medication Violation* is a *Minor*. Any optional *Public Reporting* in a case involving a *Minor* shall be proportionate to the facts and circumstances of the case.

13.4. Data Privacy

13.4.1. The *BEF* may collect, store, process or disclose personal information relating to *Person Responsible* and/or member of the *Support Personnel*, and/or other *Person*, *Owners* and *Horses* where necessary and appropriate to conduct its Anti-Doping Activities under these *ECM Rules* and in compliance with applicable law.

13.4.2. Without limiting the foregoing, the *BEF* shall: (a) Only process personal information in accordance with a valid legal ground; (b) Notify any *Participant* or *Person* subject to these *ECM Rules*, in a manner and form that complies with applicable laws that their personal information may be processed by the *BEF* and other *Persons* for the purpose of the implementation of these *ECM Rules*; (c) Ensure that any third-party agents (including any *Delegated Third Party*) with whom the *BEF* shares the personal information of any *Participant* or *Person* is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

13.5. Recognition of Decisions by the *BEF* and *Sporting and Showing Disciplines*

13.5.1. Any *Decision* of the *Hearing Body* regarding a violation of these *ECM Rules* shall be recognised and enforced by all *Sporting and Showing Disciplines* and *Sporting and Showing Disciplines* shall take all necessary action to implement any and all ramifications relating to such *Decisions*.

13.5.2. A decision relating to a *Controlled Medication Violation* made by the *FEI Tribunal*, or *CAS* shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon the *BEF* and *Sporting and Showing Disciplines*, with the effects described below:

13.5.2.1. A decision by any of the above-described bodies imposing a period of *Ineligibility* (after a hearing has occurred or been waived) automatically prohibits the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* from participation (as described in Article 10.11.1) in all sports within the authority of the *BEF* and/or *Sporting or Showing Discipline* for the period of *Ineligibility*.

13.5.2.2. A decision by any of the above-described bodies accepting a *Controlled Medication Violation* automatically binds the *BEF* and *Sporting and Showing Disciplines*.

13.5.2.3. A decision by any of the above-described bodies to *Disqualify* results under Article 10.9 for a specified period automatically *Disqualifies* all results obtained within the authority of the *BEF* and *Sporting and Showing Disciplines* during the specified period.

13.5.3. The *FEI*, *BEF* and *Sporting and Showing Disciplines* shall recognise and implement a decision and its effects as required by Article 13.5.2, without any further action required, on the date actual notice of the decision is received.

13.5.4. A decision by the *FEI Tribunal* or *CAS* to suspend, or lift, *Consequences* shall be binding upon the *BEF* and *Sporting and Showing Disciplines* without any further action required, on the earlier of the date actual notice of the decision is received.

ARTICLE 14 STATUTE OF LIMITATIONS

No Controlled Medication Violation proceedings may be commenced under these *ECM Rules* against a *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* for a *Controlled Medication Violation* unless he or she has been *Notified* of the *Controlled Medication Violation* as provided in Article 7 (Results Management), or *Notification* has been reasonably attempted within twelve (12) months from the date the *Controlled Medication Violation* is asserted to have occurred.

ARTICLE 15 ADDITIONAL ROLES AND RESPONSIBILITIES OF PERSONS RESPONSIBLE

15.1. To be knowledgeable of and comply with these *ECM Rules*.

15.2. To ensure their *Horse* is available for Sample collection.

15.3. To take responsibility, in the context of anti-doping, for all substances that enter the body of their *Horse*.

15.4. To inform their grooms, veterinarians and other members of the *Support Personnel* of their obligations not to *use Controlled Medications* and to take responsibility to make sure that any veterinary treatment received does not violate these *ECM Rules*.

15.5. To cooperate with the *BEF* and/or *FEI* investigating *Controlled Medication Violations*. Failure by any *Person Responsible* and/or member of the *Support Personnel* to cooperate in full with *Anti-Doping Organisations* investigating *Controlled Medication Violation*s may result in a charge of misconduct under the *BEF* and/or *FEI's* disciplinary rules.

15.6. To disclose the identity of *Support Personnel* upon request by the *BEF*.

15.7. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a member of the *Support Personnel*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under the *BEF*'s, *Sporting or Showing Discipline's* disciplinary rules.

ARTICLE 16 ADDITIONAL ROLES AND RESPONSIBILITIES OF SUPPORT PERSONNEL

16.1. To be knowledgeable of and comply with these *ECM Rules*.

16.2. To cooperate with the *Testing* program.

16.3. To use their influence on *Person Responsible* values and behaviour to foster compliance with these *ECM Rules*.

16.4. To cooperate with *Anti-Doping Organisations*, including the *BEF* and *FEI*, investigating *Controlled Medication Violation*. Failure by any *Support Personnel* to cooperate in full with *Anti-Doping Organisations* investigating *Controlled Medication Violation* may result in a charge of misconduct under the *BEF*'s and/or *FEI*'s disciplinary rules.

16.5. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a member of the *Support Personnel*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under the *BEF*'s, *Sporting or Showing Discipline's* disciplinary rules.

ARTICLE 17 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE ECM RULES

17.1. To be knowledgeable of and comply with these *ECM Rules*.

17.2. To cooperate with *Anti-Doping Organisations*, including the *BEF* and *FEI*, investigating *Controlled Medication Violations*. Failure by any other *Person* subject to these *ECM Rules* to cooperate in full with the *BEF* investigating *Controlled Medication Violation*s may result in a charge of misconduct under the *BEF*'s disciplinary rules.

17.3. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a *Person*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under the *BEF*'s, *Sporting or Showing Discipline's* disciplinary rules.

ARTICLE 18 ADDITIONAL ROLES AND RESPONSIBILITIES OF ORGANISING COMMITTEES ("OCs")

18.1. Each *Sporting and Showing Discipline* shall guarantee that all affiliated OCs are required to:

18.1.1. Be knowledgeable of and comply with these *ECM Rules*.

18.1.2. Foster a clean spirit of sport at their *Events*.

18.1.3. When notified by the *BEF* that *Testing* is planned at their *Event*, to provide adequate facilities for *Testing* as instructed by the *BEF*; and, where possible and if requested, staff or volunteers to assist with *Person Responsible* notification.

18.1.4. Maintain strict confidentiality on all aspects of any *Testing* session planned at its Events. It shall not disclose the *Testing* plan beyond a strict need to-know and shall not publish any details on such *Testing* plan.

18.1.5. Cooperate with the *BEF*'s clean sport educational initiatives at their *Events*.

18.1.6. Cooperate with the *Testing* plans of other *Anti-Doping Organisations* with *Testing* jurisdiction.

19 AMENDMENT AND INTERPRETATION OF *ECM RULES*

19.1. These *ECM Rules* may be amended from time to time by the *BEF* in accordance with the *BEF Rules*.

19.2. Except as provided in Article 19.5, these *ECM Rules* shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

19.3. The headings used for the various parts and Articles of these *ECM Rules* are for convenience only and shall not be deemed part of the substance of these *ECM Rules* or to affect in any way the language of the provisions to which they refer.

19.4. The Introduction, Appendix 1 Definitions, and the *Equine Prohibited Substances List* shall all be considered integral parts of these *ECM Rules*.

19.5. These *ECM Rules* have been adopted pursuant to the *BEF Rules* and shall be interpreted, where applicable, in a manner that is consistent with applicable provisions of the *BEF Rules* as well as other *BEF* rules and regulations including but not limited to the *BEF Veterinary Manual,* the National Equine Anti-Doping and Controlled Medication *Hearing Body* Rules, the *Standard for Laboratories* and the rules of the *Sporting and Showing Disciplines*. In the event of conflict with the *BEF* Rules, the *BEF* Rules shall apply. In the event of conflict with the *BEF Veterinary Manual*, the *Standard for Laboratories* and/or the rules of the *Sporting or Showing Disciplines*, these *ECM Rules* shall apply.

19.6. The time limits fixed under these *ECM Rules* shall begin from the day after that on which *Notification* by the *BEF* is received. Official holidays and non-working days are included in the calculation of time limits. The time limits fixed under the present *ECM Rules* are respected if the communications by the parties are sent before midnight on the last day on which such time limits expire. If the last day of the time limit is an official holiday or a non-business day in the UK, the time limit shall expire at the end of the first subsequent business day.

ARTICLE 20 FINAL PROVISIONS

20.1. These *ECM Rules* shall enter into force on the *Effective Date*. They repeal the *BEF Controlled Medication Rules* that came into effect on 1 January 2021.

20.2. These *ECM Rules* shall not apply retroactively to matters pending before the *Effective Date*. However:

20.2.1. *Controlled Medication Violation*s taking place prior to the *Effective Date* count as "first violations" or "second violations" for purposes of determining sanctions under Article 10 (Sanctions) for *Controlled Medication Violation*s taking place after the *Effective Date*.

20.2.2. Any *Controlled Medication Violation* case which is pending as of the *Effective Date* and any *Controlled Medication Violation* case brought after the *Effective Date* based on a *Controlled Medication Violation* which occurred prior to the *Effective Date*, shall be governed by the substantive *ECM Rule* in effect at the time the alleged *Controlled Medication Violation* occurred, and not by the substantive *ECM Rule* set out in these *ECM Rules*, unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.8.4 and the statute of limitations set forth in Article 14 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these ECM Rules (provided, however, that Article 14 (Statute of Limitations) shall only be applied retroactively if the statute of limitation period has not already expired by the *Effective Date*).

20.2.3. With respect to cases where a final decision finding a *Controlled Medication Violation* has been rendered prior to the *Effective Date*, but the *Person Responsible* or member of the *Support Personnel* or other *Person* is still serving the period of *Ineligibility* as of the *Effective Date*, the *Person Responsible* or member of the *Support Personnel* or other *Person* may apply to the *BEF* to consider a reduction in the period of *Ineligibility* in light of these *ECM Rules*. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 12.2. These *ECM Rules* shall have no application to any case where a final decision finding a *Controlled Medication Violation* has been rendered and the period of *Ineligibility* has expired.

20.2.4. For purposes of assessing the period of *Ineligibility* for a second *Controlled Medication Violation* under Article 10.8.1, where the sanction for the first *Controlled Medication Violation* was determined based on rules in force prior to the *Effective Date*, the period of *Ineligibility* which would have been assessed for that first *Controlled Medication Violation* had these *ECM Rules* been applicable, shall be applied.

20.2.5. Changes to the *Equine Prohibited Substances List* relating to substances on the *Equine Prohibited Substances List* shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a *Prohibited Substance* has been removed from the *Equine Prohibited Substances List*, a *Person Responsible* or member of the *Support Personnel* or other *Person* currently serving a period of *Ineligibility* on account of the formerly *Prohibited Substance* may apply to the *BEF* to consider a reduction in the period of *Ineligibility* in light of the removal of the substance from the *Equine Prohibited Substances List*.

APPENDIX 1 – DEFINITIONS AND INTERPRETATION

1. Except where the context otherwise requires, references in *BEFAR* to a numbered Article are to the relevant numbered Article in the Chapter of *BEFAR* in which the reference appears.

2. Unless otherwise defined herein, any capitalised and/or italicised words in *BEFAR* shall have the meanings assigned to them in the BEF Rulebook, *FEI Regulations* or other applicable *FEI Rules*.

DEFINITIONS

A Sample: At the time of testing, the sample of bodily fluids is split into two: an A Sample, which is tested first, and the *B Sample*, which may be tested if the A Sample requires *Confirmatory Analysis* or *Confirmatory Analysis* is requested.

Active Substance: Any chemical or compound that affects the function of the body of a human or animal. These substances can be artificial or natural, i.e., those created by the body in response to stimulation or injury. Active substances are often not the same as a product's trade name and it is therefore necessary to check for the list of active substance within a product before use.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance*. However, this definition shall not include the actions of bona fide veterinary personnel involving a *Controlled Medication Substance* used for genuine and legal therapeutic purposes or other acceptable justification.

Administrative Procedure: The procedural mechanism available to a *Person Responsible* alleged to have committed a *Controlled Medication Violation* as set out in Article 8.5 of the *ECM Rules*.

Adverse Analytical Finding: A report from an *Approved Laboratory* or other approved *Testing* entity that, consistent with the *Standard for Laboratories*, establishes in a *Sample* the presence of one or more *Prohibited Substances* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

Anti-Doping Organisation: An organisation that is responsible for initiating, implementing or enforcing any part of the Doping or Medication Control process, including, for example, *BEF*, The *FEI* and *UK Anti-Doping*.

Anti-Doping Activities: Anti-doping Education and information, test distribution planning, conducting Testing, organizing analysis of Samples, gathering of intelligence and conduct of investigations, Results Management, hearings, monitoring and enforcing compliance with any Consequences imposed, and all other activities related to anti-

doping to be carried out by or on behalf of an Anti-Doping Organization, as set out in these EADCM Regulations.

Approved Laboratory: A laboratory approved by the *FEI* to analyse *Samples*.

Athlete: Any *Person* that takes part in an *Event* or *Competition* run by or under the auspices of a *Sporting or Showing Discipline*. Such *Person* may be, including but not limited to, a rider, a driver, a lunger, or a vaulter.

Attempt/Attempting: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of a *BEFAR* violation. Provided, however, there shall be no *BEFAR* violation based solely on an *Attempt* to commit a violation if the *Person* renounces the attempt prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding: A report from an *Approved Laboratory* which requires further investigation according to the process set out in the *BEF's Atypical Findings Policy*.

Banned Method: Any method so described on the Equine Prohibited Substances List.

Banned Substance: A substance *(*including its *Metabolites* or *Markers)* that is classified in the *Equine Prohibited Substances List* as a *Banned Substance*. *Banned Substances* have been deemed by the *FEI List Group* to have: (a) no legitimate use in the competition *Horse* and/or (b) have a high potential for abuse. *Banned Substances* are prohibited at all times.

B Sample: At the time of testing, the sample of bodily fluids is split into two portions: An *A Sample*, which is tested first, and the B Sample, which may be tested if the *A Sample* requires *Confirmatory Analysis* or *Confirmatory Analysis* is requested.

BEF: The British Equestrian Federation.

BEFAR: The *BEF* Equine Anti-Doping and Controlled Medication Rules.

BEFAR Case Status Table: The table provided on the *BEF* website which sets out the status of *Doping Violations* and *Controlled Medication Violations*.

BEF Manual: Any manual approved and distributed by the *BEF* such as but not limited to the *BEF Veterinary Manual*.

BEF Rulebook: the BEF Rulebook approved and adopted by the BEF Board from time to time;

BEF Veterinary Manual: The veterinary manual of the *BEF* as approved by the *BEF* from time to time.

CAS: The Court of Arbitration for Sport.

Competition: An individual class in which competitors are placed in an order of merit and for which prizes may be awarded run under the auspices of a *Sporting or Showing Discipline*.

Confirmatory Analysis: An analysis of a *B Sample* to confirm an *A Sample Adverse Analytical Finding*. *Persons Responsible* as well as the *BEF* can request a confirmatory analysis if an *Adverse Analytical Finding* results from the *A Sample* during testing.

Confirmatory Analysis Request Form: The written form sent to the *Person Responsible* by the *BEF* that must be completed and returned if the *Person* wants a confirmatory analysis of the *B Sample* to be undertaken following an *Adverse Analytical Finding* resulting from the *A Sample*.

Consequences of Doping Violations ("*Consequences*"): A *Person Responsible* or member of the *Support Personnel's* or other *Person's* violation of *BEFAR* may result in one or more of the following: (a) *Disqualification* means the *Person Responsible's* results in a particular Competition or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Person Responsible* or member of the *Support Personnel* or other *Person* is barred on account of a *BEFAR* violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Articles 10.12 of the *EAD Rules* or 10.11 of the *ECM Rules*; (c) *Financial Consequences* means a financial sanction imposed for *Regulation* violation or to recover costs associated with a *BEFAR* violation; and (d) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 13 (Application, Reporting, Public Disclosure and Data Privacy) of the *EAD Rules* and Article 13 (Application, Reporting, Public Disclosure and Data Privacy) of the *ECM Rules*.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable internet search.

Controlled Medication Method: Any method so described in the Equine Prohibited Substances List.

Controlled Medication Substance: A substance, or its *Metabolites* or *Markers* that is classified in the *Equine Prohibited Substances List* as a Controlled Medication Substance. *Controlled Medication Substances* are considered therapeutic and/or commonly used in equine medicine substances, and considered to have:

(a) the potential to affect performance, and/or

(b) a potential welfare risk to the *Horse*.

Controlled Medication Substances: are prohibited in *Competition* and must not be present in a *Horse's* body during an *Event* and/or a *Competition*.

Controlled Medication Violation: The occurrence of one or more of the violations set out in Articles 2.1 to 2.5 of *the ECM Rules* (see Chapter 2 Article 1).

Decision/Decide: An authoritative determination reached or pronounced after consideration of facts and/or law.

Disqualification/Disqualify/Disqualified: A consequence of a *Doping* or *Controlled Medication Violation* whereby the *Person(s) Responsible's* results in a particular *Competition* or *Event, including a Pony Measurement Period,* are invalidated, with all resulting consequences including forfeiture of any medals, points, prizes and prize money.

Doping See Chapter 1 Article 1.

Doping Control: All steps and processes from test distribution planning, through to ultimate disposition under the *EAD Rules,* of any appeal and the enforcement of the *Consequences* including all steps and processes in between, including but not limited to *Testing*, investigations, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals and investigations or proceedings relating to violations of Articles 10.12 of the *EAD Rules* and Article 10.11 of the *ECM Rules* (Status during *Ineligibility*).

Doping Violation: The occurrence of one or more of the violations set out in Article 2.1 to 2.10 of the *EAD Rules* (see Chapter 1 Article 1).

ECM Rules: The Equine Controlled Medication Rules

Equine Prohibited Substances List: The list identifying the *Prohibited Substances and Banned Methods/Controlled Medication Methods* as published by the *FEI* from time to time. Substances with the same biological or chemical effect as a *Prohibited Substance* shall also be considered as appearing on the *Equine Prohibited Substances List* as a legal matter, even if they are not specifically listed by name. This is to prevent anyone using substances that are almost identical to a specifically listed *Prohibited Substance* in either their chemical composition or biological effect. The *Equine Prohibited Substances List* is revised by a group of experts (List Group) who propose changes to the *FEI* Board once a year. All changes come into effect 90 days after publication. The *Equine Prohibited Substances List* is available in the "Resources" section of this Clean Sport toolkit, on the Clean Sport website (www.cleansport.org) and as a smartphone app.

Event: An Event refers to a complete meeting, event, show, championship or games run in whole or in part under the auspices of a *Sporting or Showing Discipline or any Pony Measurement Period held under the auspices of a Sporting or Showing Discipline*.

Fault: Any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing a *Person Responsible*'s and/or member of *Support Personnel* or other *Person's* degree of *Fault* include, for example, the *Person Responsible's* and/or member of *Support Personnel* or other *Person's* experience, whether the *Person Responsible* and/or member of *Support Personnel* or other *Person* is a *Minor*, special considerations such as impairment, the degree of risk that should have been perceived by the *Person Responsible* and/or member of *Support Personnel* or other *Person* and the level of care and investigation exercised by the *Person Responsible* and/or member of *Support Personnel* or other *Person* in relation to what should have been the perceived level of risk. In assessing the *Person Responsible's* and/or member of *Support Personnel* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Person Responsible's* and/or member of *Support Personnel* or other *Person's* departure from the expected standard of behaviour. Thus, for example, the fact that the *Person Responsible* and/or member of *Support Personnel* or other *Person* would lose the opportunity to earn large sums of money during a period of *Ineligibility,* or the fact that the *Person Responsible* and/or member of *Support Personnel* or other *Person* only has a short time left in his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.6.1 or 10.6.2 of the *EAD Rules* and/or Article 10.6.1 or 10.6.2 of the *ECM Rules*.

FEI: The Fédération Equestre Internationale acting through its applicable representative as determined in its Statutes, General Regulations, other regulations or rules, or by its Secretary General from time to time.

FEI Regulations: The *FEI* Equine Anti-Doping and Controlled Medication Regulations.

FEI Rules: The *FEI* Statutes, *FEI* General Regulations, *FEI* Veterinary Regulations, *FEI* Code of Conduct for the Welfare of the Horse, *FEI* Anti-Doping Rules for Human Athletes and any other rules, policies or documents issued by the *FEI* from time to time.

Fine: A consequence of a *Doping* or *Controlled Medication Violation* whereby the *Person Responsible* receives a financial penalty.

Hearing Body: A *a body appointed by the BEF Board composed of the Judicial Panel, and the Stewards Panel*

Hearing Panel: A panel appointed by the Judicial Panel Chair in accordance with either Article 8.1.3 of the *EAD Rules* or 8.2.3 of the *ECM Rules* to hear a case.

Hearing Body Rules: The rules of the *Hearing Body* published on the *BEF* website as amended from time to time.

Horse: A horse, pony or other member of the genus Equus competing in a *Sporting or Showing Discipline Competition*. A *Horse* shall be born from a mare.

In-Competition; Unless stated otherwise in the relevant *Sporting* or *Showing Discipline* rules, the period commencing one (1) hour before the beginning of the first *Horse* inspection and terminating half an hour after the announcement of the final results of the last *Competition* at the *Event*.

Independent Witness: A *Person*, invited by the *FEI* or *Laboratory* to witness parts of the *Analytical Testing* process. The *Independent Witness* shall be independent of the *Person Responsible*, the owner of the *Horse* and his/her representative(s), the *Laboratory* and *FEI*. The *Independent Witness* may be indemnified for his/her service.

Ineligibility: A consequence of a *BEFAR violation* whereby the *Person Responsible, Horse* or other *Person* is barred for a specified period of time from participating in any *Competition* or *Event* or other activity or funding. In the discipline of *Endurance* where an *Ineligibility* period is imposed on the registered *Trainer* of the *Horse*, for the duration of the period of *Ineligibility*: - the *Trainer* is prohibited from training any *Horses* and from having any *Horses* under his direct or indirect care; and – Endurance GB shall not:

i. accept any entries for any *Horses* registered with, or under the direct or indirect care of, the *Trainer* for any *Competition* or *Event* (at national or international level), except where the relevant *Competition* or *Event* will take place after the expiration of the period of *Ineligibility*; or
ii. permit any *Horse*, registered with, or under the direct or indirect care of, the *Trainer* to participate in any *Competition* or *Event* (at a national or international level) even if duly entered; or
iii. permit any *Horse* that was registered with the *Trainer* at the time of the *Hearing Body Decision* (but is no longer registered with the *Trainer*) and subsequently participated in any *Competition* or *Event* (at either national or international level) to be re-registered with the *Trainer* until the *Ineligibility* period has expired; or
iv. permit any *Horse* that was under the direct or indirect care of the *Trainer* at the time of the *Hearing Body Decision* (but has since left the direct or indirect care of the *Trainer*) and subsequently participated in any *Competition* or *Event* (at either national or international level) to return to the direct or indirect care of the *Trainer* until the *Ineligibility* period has expired.

Judicial Panel Chair: The Judicial Panel Chair appointed by the BEF Board from time to time.

Laboratory: A laboratory approved by the *FEI* to analyse *Samples*.

Laboratory Documentation Package: The material produced by an *Approved Laboratory* to support an analytical result such as, for example, an *Adverse Analytical Finding*.

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

Measuring In: where a Pony measures within the height for a Pony as determined by the relevant Sporting Discipline rules;

Medication Control: All steps and processes from test distribution planning, through to ultimate disposition under the *ECM Rules* of any appeal including all steps and processes in between such as test distribution planning, *Sample* collection and handling, laboratory analysis, results management, *NETUE*s, hearings and appeals.

Member Body: A Member Body of the *BEF*.

Metabolite: Any substance produced by a biotransformation process.

Minor: A natural *Person* who has not reached the age of 18 years at the date of the alleged *Doping* OR *Controlled Medication Violation*.

NADP / National Anti-Doping Panel: The panel of arbitrators administered by Sport Resolutions or its successors to whom matters may be referred for appeal under *BEFAR*.

National Equine Therapeutic Use Exemption (NETUE): An authorisation to compete granted by the *Testing Results Management Group* when a *Controlled Medication Substance* has been administered or used for legitimate therapeutic purposes in a *Horse*.

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 *BEFAR*.

National Federation: The one national governing body from any country approved and recognised as such by the *FEI*.

No Fault or Negligence: The *Person Responsible* and/or member of the *Support Personnel* or other *Person* establishing that he did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had administered to the *Horse*, or the *Horse*'s system otherwise contained, a *Prohibited Substance* or he had *Used* a *Prohibited Substance* on the *Horse* or otherwise violated *BEFAR*. For any violation of Article 2.1 of the *EAD Rules* and Article 2.1 of the *ECM Rules*, the *Person Responsible* must also establish how the *Prohibited Substance* entered the *Horse's* system.

No Significant Fault or Negligence: The *Person Responsible* and/or member of the *Support Personnel* or other *Person* establishing that his fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the *BEFAR* violation. For any violation of Article 2.1 of the *EAD Rules* and Article 2.1 of the *ECM Rules*, the *Person Responsible* and/or member of the *Support Personnel* or other *Person* must also establish how the *Prohibited Substance* entered the *Horse's* system.

Notice/Notify/Notification: Notice to a *Person Responsible* and/or member of the Support Personnel or other Person who was a member of a *Sporting or Showing*

Discipline or *National Federation* at the time the alleged *BEFAR* violation was committed may be accomplished by delivery of the *Notice* to the *Sporting or Showing Discipline* or *National Federation* as the case may be but, where possible, will also be sent to the *Person Responsible* and/or member of the *Support Personnel* or other *Person* directly. *Notice* of anything relevant to *BEFAR* will be deemed to have occurred upon *Receipt* by the relevant *Person*.

Operational Independence: This means that (1) board members, staff members, consultants and officials of the BEF or its Member Bodies with responsibility for Results Management, as well as any *Person* involved in the investigation of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any Decision) of hearing panels of the BEF and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the BEF or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the Decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

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

Owner: Person or entity having a property interest in whole or in part of one or more *Horses*.

Participant: Any *Person Responsible* and/or member of the *Support Personnel* or other *Person*, *Minor or Horse*.

Person: A natural *Person* or an organisation or other entity.

Person(s) Responsible: The competitor who rides, drives or vaults the *Horse* during an *Event* except in the case that such competitor is a *Minor* in which case the *Person Responsible* shall be the person who takes primary responsibility for the *Minor and/or* the *Horse* and is named as such on application for membership/renewal of membership of a *Sporting or Showing Discipline*. The *Owner* of the *Horse* and member of *Support Personnel*, including but not limited to coaches, grooms and veterinarians, may be regarded as additional *Persons Responsible* if they have made a relevant decision about the *Horse*. In vaulting the lunger shall always be an additional *Person Responsible*. For an *EAD/ECM Rule* violation(s) arising in connection with an *In Competition Test* that occurs at a Pony Measurement, the *Person Responsible* shall be the *Owner* of the *Horse*. The *Person Responsible* for an *AAF* arising in connection with an *Out-of-Competition Test* or otherwise alleged to have occurred *Out-of-Competition* for the discipline of Endurance shall be the *Registered Trainer*.

Pony: A Pony is a small Horse whose height at the withers does not exceed 148.0cm without shoes.

Pony Measurement: The process where measuring veterinarians assess the height of an equid, particularly a Pony, to determine their eligibility for Pony Competitions run by a Sporting or Showing Discipline;

Pony Measurement Period: the period which commences as of the time of the arrival of the Pony at the Pony Measurement Station until its departure from the Pony Measurement Station following completion of the Pony Measurement process (including all related paperwork) and BEFAR testing (where applicable). A Horse shall be considered as being "In-Competition" during the Pony Measurement Period.

Possession: The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise exclusive control over the *Banned Substance* or the premises in which a *Banned Substance* exists); provided, however, that if the *Person Responsible* does not have exclusive control over the *Banned Substance* or the premises in which a *Banned Substance* exists, constructive *Possession* shall only be found if the *Person Responsible* knew about the presence of the *Banned Substance* and intended to exercise control over it. Provided, however, there shall be no *Doping Violation* based solely on *Possession* if, prior to receiving *Notification* of any kind that the *Person Responsible* has committed a *Doping Violation*, the *Person Responsible* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to the *BEF* or the *FEI*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Banned Substance* constitutes *Possession* by the *Person* who makes the purchase.

Prohibited Substance: A substance classified in the *Equine Prohibited Substances List* as a *Banned Substance* or a *Controlled Medication Substance*. *Prohibited Substances* are not permitted in the competition *Horse* either: (a) during competition (*Controlled Medication Substances*); or (b) at any time (*Banned Substances*).

Provisional Suspension: A consequence of an *EAD or ECM Rule* violation or admission whereby the *Person Responsible* and/or member of the *Support Personnel* and/or a Horse is barred temporarily from participating in any capacity in a *Competition* or activity or being present at an *Event* that is authorised or organised by the *BEF* or any *Member Body* or at *Competitions* authorised or organised by any international- or national-level Event organisation prior to the final Decision at a hearing conducted under Article 8 (Right to a Fair Hearing) and the Hearing Body Rules. If so specified in the Notification, the *Person Responsible* and/or member of the *Support Personnel* and/or other *Person* may be barred temporarily from participating in or attending, in any capacity, including as a spectator, any *Competition* that is authorised or organised by the *BEF* or any *Member Body*.

Publicly Disclose/Publicly Report: To disseminate or distribute information to the public or to *Persons* beyond those *Persons* entitled to earlier *Notification* in accordance with Article 13 (Application, Reporting, Public Disclosure and Data Privacy) of Chapters 1 and 2 *BEFAR*.

Receipt: When a *Person* receives something of relevance to *BEFAR*. For the avoidance of doubt, in the event there is no specific confirmation of receipt, receipt shall be assumed to have occurred after ten (10) business days from dispatch.

Results Management: The process encompassing the timeframe between notification as per Article 7.1.4 of the *EAD Rules* and Article 7.1.4 of the *ECM Rules*, or in certain cases (e.g., *Atypical Finding*), such pre-notification steps expressly provided for in Articles 7.1.2 and 7.2 of the *EAD Rules* 7.1.2 and 7.2 of the *ECM Rules*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

Sample: Any biological or other material collected for the purposes of *Doping Control* or *Medication Control*.

Sanction: A sanction provided in Article 10 of the *EAD Rules* and Article 10 of the *ECM Rules* and *Sanctions* shall be construed accordingly.

Showing Discipline: A member of the Showing Council which has adopted *BEFAR*.

Specified Substances: Those *Prohibited Substances* identified as *Specified Substances* in the *Equine Prohibited Substances List*.

Sporting Discipline: A *Member Body* of the *BEF* which is recognised by the *BEF* as the entity governing an *FEI* sport at national level.

*Sport Resolutions: S*port Resolutions (UK).

Standard for Laboratories: The standards setting out the criteria to apply in respect of analyses, custodial procedures and reports thereon as determined by the *FEI* from time to time. Compliance with this standard (as opposed to another alternative standard, practice or procedure) in force at the time of *Sample* analysis shall be sufficient to conclude that the procedures addressed by this standard were performed properly.

Standard for NETUEs: The standards set by the *Technical Committee* from time to time setting out the criteria for the determination of *NETUE* applications.

Substantial Assistance: For the purposes of Article 10.7.1 of the *EAD Rules* and Article 10.7.1 of the *ECM Rules* a *Person* providing *Substantial Assistance* must (1) fully disclose in a signed written statement all information he or she possesses in relation to *Doping Violations* or other proceeding described in Article 10.7.1 of each of the *EAD Rules* and *ECM Rules*; and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by the *BEF* or the *Hearing Body*. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Support Personnel: Any *Person*, coach, *Trainer*, athlete, *Horse* owner, groom, steward, chef d'equipe, team staff, official, veterinarian, medical or paramedical personnel assisting in any fashion a *Person Responsible* participating in or preparing for equine *Sporting or Showing Discipline Competition,* or presenting a pony for *Pony Measurement*. Veterinarians are included in the definition of *Support Personnel* with the understanding that they are professionals subject to professional standards and licenses. An allegation that a veterinarian violated a *BEFAR* rule will only be made where the factual circumstances surrounding the case indicate a likelihood that the veterinarian was involved in the violation.

Tampering: Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organisation* or Hearing Bodu, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organisation* or Hearing Body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

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

Technical Committee: A committee appointed from time to time by the BEF and Sporting Disciplines to provide technical advice in relation to testing carried out under *BEFAR*.

Testing or Test: The parts of the *Doping Control* or *Medication Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Testing Results Management Group: A group comprised of experts to include at a minimum of two veterinary experts appointed from time to time to provide technical advice in relation to the results management process under *BEFAR*

Testing Laboratory: The laboratory designated from time to time to carry out all analysis of *Samples* obtained under *BEFAR*.

Testing Veterinarians: Qualified veterinarians appointed from time to time to carry out equine testing under *BEFAR* and a single such veterinarian shall be referred to as a *Testing Vet*.

Threshold Banned or Controlled Medication Substance Prohibited Substances: for which there is an established quantitative threshold or ratio which must be exceeded in order to be declared an *Adverse Analytical Finding* as described in the *Equine Prohibited Substances List*.

Trafficking: Selling, giving, transporting, sending, delivering or distributing or *Possessing* for any such purpose a *Banned Substance* (either physically or by electronic or other means).

Use: The application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance*.

WADA: The World Anti-Doping Agency.

WADC: The World Anti-Doping Code.

Without Prejudice Agreement: For purposes of Articles 10.7.1 of the *EAD Rules* and Article 10.7.1 of the *ECM Rules*, a written agreement between the *BEF* and a *Person Responsible* or member of the *Support Personnel* and/or other *Person* that allows the *Person Responsible* or member of the *Support Personnel* and/or other *Person* to provide information to the *BEF* in a defined time-limited setting with the understanding that, if an agreement for *Substantial Assistance* or a case resolution agreement is not finalised, the information provided by the *Person Responsible* or member of the *Support Personnel* and/or other *Person* in this particular setting may not be used by the *BEF* against *Person Responsible* or member of the *Support Personnel* and/or other *Person* in any *Results Management* proceeding under these *BEFAR*, and that the information provided by the *BEF* in this particular setting may not be used by the *Person Responsible* or member of the *Support Personnel* and/or other *Person* against the *BEF* in any *Results Management* proceeding under these *BEFAR*. Such an agreement shall not preclude the *BEF*, *Person Responsible* or member of the *Support Personnel* and/or other *Person* from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.