Republic of Latvia

Cabinet

Regulation No. 661

Adopted 28 September 2021

**National Anti-Doping Regulations**

*Issued pursuant to*

*Section 11.1, Paragraphs one and two, Section 11.3, Paragraphs 2.3 and six, and Section 11.4, Paragraph six of the Sports Law*

**I. General Provisions**

1. The Regulation prescribes:

1.1. the definition of doping and anti-doping rule violations, governs the procedures and deadlines for proving them, the disqualification of results and sanctions, the procedures and time periods for the submission and examinations of appeals against the decisions taken by the authorities involved in the field of anti-doping, the procedures and deadlines for the recognition of the decisions of the authorities involved in the field of anti-doping, the restrictive rules for the application of sanctions, and also other provisions in conformity with the International Convention against Doping in Sport of 19 October 2005 and the Council of Europe Anti-Doping Convention No. 135 of 16 November 1989;

1.2. the procedures by which and time periods within which the Antidoping Bureau of Latvia (hereinafter – the Bureau), an athlete, and a sports employee shall address the Disciplinary Anti-Doping Commission, and the procedures by which and time periods within which the Disciplinary Anti-Doping Commission shall examine the potential anti-doping rule violations and decide thereon;

1.3. the procedures, conditions by which and time periods within which the Bureau shall decide on anti-doping rule violations, enter into an case resolution agreement with an athlete or sports employee for the admission of an anti-doping rule violation, and impose sanctions;

1.4. the procedures by which and time periods within which an athlete shall submit the therapeutic use exemption application form, and also the procedures by which and time periods within which the Therapeutic Use Exemptions Commission shall decide on the therapeutic use exemptions.

2. The national anti-doping regulation is governed by this Regulation and the World Anti-Doping Code adopted by the World Anti-Doping Agency (hereinafter – the Code). Definitions which are not included in the Sports Law and in this Regulation are used in accordance with Appendix 1 to the Code.

3. The definition of doping is laid down in Article 1 of the Code and the anti-doping rule violations – in Article 2 of the Code.

4. The International Standard for Prohibited Substances and Prohibited Methods is included in Annex 1 to the International Convention against Doping in Sport of 19 October 2005. Specified substances and methods are determined in Article 4.2.2 of the Code, substances of abuse – in Article 4.2.3 of the Code, but the right of the World Anti-Doping Agency to determine the prohibited substances and prohibited methods which will be included or excluded from the International Standard for Prohibited Substances and Prohibited Methods – in Article 4.3.3 of the Code.

5. The procedures for the recognition of the decisions of the authorities involved in the field of anti-doping shall be determined in accordance with Article 15 of the Code and provisions of this Regulation.

6. If an athlete is a minor, he or she shall exercise the right to appeal, and also other rights and obligations specified in this Regulation, except to the doping control, through a lawful representative or through another person authorised by the lawful representative in accordance with the procedures laid down in the Law on the Protection of the Children’s Rights and the Civil Law. An athlete who is a minor has the right to invite any person of legal age as a representative to a doping control.

**II. Anti-Doping Rule Violations and Proving Thereof**

7. Anti-doping rule violations shall be proven in accordance with Article 3 of the Code, they shall be investigated and evidence shall be gathered in accordance with Article 5.7 of the Code, ensuring the conducting and notification of anti-doping testing in accordance with Article 5.4 of the Code and this Regulation, and samples shall be analysed in accordance with Article 6 of the Code.

8. Individual sanctions and sanctions in team sports for anti-doping rule violations, case resolution agreements for the admission of an anti-doping rule violation and accepting of sanctions, and also the status during disqualification shall be determined in accordance with Articles 10, 11, and 12 of the Code, the procedures for the disqualification of results – in accordance with Articles 9 and 10 of the Code, the restricting rules for the imposition of sanctions – in accordance with Article 17 of the Code, but the right to appeal shall be exercised before the Appeals Commission in accordance with Paragraph 81 of this Regulation or before the International Court of Arbitration for Sport in accordance with Section 11.5, Paragraph 1.1 and Section 11.6 of the Sports Law, and also Article 13 of the Code.

9. Doping control may be conducted:

9.1. upon the initiative of the Bureau or according to the annual plan for the analyses of doping controls approved by the Bureau;

9.2. according to a submission of a sports federation recognised in Latvia, an international sports federation, the association *Latvijas Olimpiskā komiteja* [Latvian Olympic Committee], the association *Latvijas Paralimpiskā komiteja* [Latvian Paralympic Committee], the association *Latvijas Sporta federāciju padome* [Sports Federation Council of Latvia], or the ministry related to the sports sector for conducting the doping control;

9.3. upon request of anti-doping organisations of other countries when the Bureau operates as a service provider.

10. Expenditures related to doping controls shall be covered:

10.1. in the cases referred to in Sub-paragraph 9.1 of this Regulation and for candidates of the Olympic and Paralympic Games of Latvia – the Bureau from the funds from the State budget allocated thereto;

10.2. in the cases referred to in Sub-paragraphs 9.2 and 9.3 of this Regulation (except for expenditures related to doping controls for the candidates for the Olympic and Paralympic Games of Latvia) – the requester of doping control from its own funds.

11. Samples for the doping control of an athlete may be collected by:

11.1. a person employed by the Bureau on the basis of a written authorisation of the Bureau;

11.2. other persons – anti-doping organisations of other countries, international federations, major sporting event organisations, the World Anti-Doping Agency, or independent international doping control authorities.

12. The doping control form shall be filled electronically or in paper form.

13. A person employed by the Bureau shall present an authorisation issued by the Bureau and shall issue an athlete a written or electronic invitation to doping control. The athlete shall present a personal identification document and, by signing the document himself or herself in printed form or on the sensor of the hardware for obtaining the signature image, confirm that he or she has received the invitation.

14. If the doping control form is filled in electronically and information is requested from the athlete, the athlete shall confirm the information provided by signing himself or herself on the sensor of the hardware for obtaining the signature image.

15. In completing the doping control process, the athlete shall verify the accuracy of the information indicated in the doping control form and confirm it by signing himself or herself the document in printed form or on the sensor of the hardware for obtaining the signature image. A person employed by the Bureau shall confirm the conformity of the information indicated in the doping control form, and also completion of doping control by signing himself or herself the document in printed form or on the sensor of the hardware for obtaining the signature image.

16. If an athlete evades the sample collection, a person employed by the Bureau shall, without delay, inform the Bureau thereof, and also the organiser of the competition if the doping control is conducted during the competition.

17. Upon receipt of adverse analytical findings, the Bureau shall take measures in accordance with Articles 7.2 and 7.4 of the Code.

18. The Bureau shall, within three working days after receipt of the relevant information, concurrently notify the athlete, the relevant sports organisation, the national anti-doping organisation of the state, and the World Anti-Doping Agency of the adverse analytical findings, and also enter information in the Anti-Doping Administration and Management System (hereinafter – the ADAMS).

19. Upon receipt of the notice of atypical findings, the Bureau shall take the measures referred to in Article 7.2 of the Code, including the review.

20. The Bureau shall, within three working days after completion of the review, concurrently notify the athlete, the relevant sports organisation, the national anti-doping organisation, and the World Anti-Doping Agency of the results of the measures taken (including the review) in relation to atypical findings, and also enter the relevant information in the ADAMS.

21. In order to evaluate the parameters of the biological passport, the Bureau shall carry out a long-term collection and comparison of the data of the analysis results, observing the doping markers for the potential establishment of the use of prohibited substances or prohibited methods, and shall, within three working days after receipt of information on adverse passport findings, notify the athlete thereof.

22. An athlete has the right to provide explanations on the data provided in the adverse passport findings within 20 working days after receipt of the notice referred to in Paragraph 21 of this Regulation.

23. The Bureau shall, within three working days after receipt of the explanations of an athlete, send them for review to the expert panel of the Athlete Passport Management Unit accredited by the World Anti-Doping Agency.

24. If, upon review of the explanations of an athlete, the opinion of the expert panel referred to in Paragraph 23 of this Regulation unanimously confirms a potential anti-doping rule violation, the Bureau shall, within three working days after receipt of the opinion, concurrently notify the athlete, the relevant sports organisation, the national anti-doping organisation, and the World Anti-Doping Agency thereof in accordance with Article 7.2 of the Code, specifying the right for the athlete to provide explanations in accordance with Sub-paragraph 27.1 of this Regulation. If, upon review of the explanations of an athlete, the opinion of the expert panel referred to in Paragraph 23 of this Regulation does not unanimously confirm a potential anti-doping rule violation, the Bureau shall, within three working days after receipt of the opinion, concurrently notify the athlete and the World Anti-Doping Agency thereof, and also enter the relevant information in the ADAMS.

25. In case of other potential anti-doping rule violations, the Bureau shall, within three working days after the establishment of fact of violation, concurrently notify the athlete or sports employee, the relevant sports organisation, the national anti-doping organisation, and the World Anti-Doping Agency thereof, and also enter the relevant information in the ADAMS.

**III. Procedures for the Review of the Anti-doping Rule Violations**

26. Upon initiation of the review of an anti-doping rule violation, the Bureau shall compile the opinion of a laboratory accredited by the World Anti-Doping Agency or the Athlete Passport Management Unit accredited by the World Anti-Doping Agency, if the violation is related to the use of prohibited substances, the doping control form, and other evidence confirming the potential anti-doping rule violation.

27. An athlete or a sports employee is entitled, within five working days after receipt of a notice of a potential anti-doping rule violation:

27.1. to provide explanations at the Bureau in person or in writing, and also to submit other relevant documents;

27.2. to address the Bureau with a request to conduct the doping control analysis of B sample in a laboratory accredited by the World Anti-Doping Agency at his or her own expense.

28. The rights of an athlete or a sports employee which are not referred to in Paragraph 27 of this Regulation are indicated in the notice of a potential anti-doping rule violation as an integral part of the notice in accordance with Article 7.2 of the Code.

29. The Bureau shall, within 40 working days after the notice has been sent to the athlete or sports employee, evaluate the submitted information, gather additional evidence, and take the decision on the establishment of a potential anti-doping rule violation for the athlete or sports employee. If the athlete wishes to conduct the analysis of B sample in accordance with Article 7.2 of the Code as regards adverse analytical findings, the review of the potential anti-doping rule violation shall be suspended until receipt of the results of analysis of B sample. If, in accordance with Paragraph 35 of this Regulation, the process of reaching a case resolution agreement is commenced, the time period of investigation shall be suspended for the period of reaching the agreement.

30. The Bureau may extend the time period for taking the decision in relation to the establishment of a potential anti-doping rule violation for an athlete or sports employee by 20 working days where it is necessary to gather additional evidence for taking the decision or if delay in conducting the investigation and review which does not depend on the Bureau has been established.

31. If the doping control analysis of B sample does not confirm adverse analytical findings and provisional suspension has already been imposed on an athlete, it shall be revoked and, within five working days after receipt of the results of doping control analysis of B sample, the Bureau shall send a notice on the results of B sample concurrently to the athlete, the sports organisation, the national anti-doping organisation, and the World Anti-Doping Agency thereof, and also submit the relevant information to the ADAMS.

32. If the doping control analysis of B sample does not confirm adverse analytical findings, the Bureau shall continue the investigation and review within the time period referred to in Paragraph 29 of this Regulation in order to gather additional evidence of committing the violation specified in Article 2.2 of the Code. The Bureau shall, within five working days after the investigation, notify the athlete, the relevant sports organisation, the national anti-doping organisation, and the World Anti-Doping Agency of the results of the investigation and review, and also submit the relevant information to the ADAMS.

33. If, after the end of the time period for the provision of explanations by an athlete or sports employee, and also based on the additional evidence gathered, the Bureau still establishes an anti-doping rule violation, it shall, within five working days, send a notice of an anti-doping rule violation charge to the athlete or sports employee, the relevant sports organisation, and the World Anti-Doping Agency, and also submit the relevant information to the ADAMS.

34. An athlete or sports employee has the right, within five working days after receipt of the notice referred to in Paragraphs 18, 20, 24, and 25 of this Regulation, and also the notice of an anti-doping rule violation charge, to admit the anti-doping rule violation, to accept the sanctions imposed by the Bureau, and to send such information to the Bureau. If necessary, the specified time period may be extended by five working days. The Bureau shall, within 15 working days after the day when the admission of the anti-doping rule violation has been received, prepare a decision in accordance with Article 14 of the Code and, within three working days, notify it to the athlete, the sports employee, the relevant sports organisation, the national anti-doping organisation, the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games) and the World Anti-Doping Agency, and also enter the relevant information in the ADAMS. The decision may be appealed to the Appeals Commission in accordance with Paragraph 83 of this Regulation or to the International Court of Arbitration for Sport in accordance with Section 11.5, Paragraph 1.1 and Section 11.6 of the Sports Law.

35. An athlete or sports employee has the right, within five working days after receipt of the notice referred to in Paragraphs 18, 20, 24, and 25 of this Regulation, and also the notice of an of an anti-doping rule violation charge, to admit the anti-doping rule violation and to enter into a case resolution agreement with the Bureau in relation to the anti-doping rule violation. Prior to entry into an agreement with the Bureau, the athlete or sports employee is entitled to request entering into a without prejudice agreement if a case resolution agreement for the admission of an anti-doping rule violation is not being entered into. After preparation of a draft case resolution agreement, the Bureau shall, within three working days, send the draft agreement to the World Anti-Doping Agency for approval. After receipt of the approval of the World Anti-Doping Agency, the Bureau shall, within three working days, send the case resolution agreement to the athlete or sports employee for signing. The case resolution agreement for the admission of an anti-doping violation shall not be subject to appeal.

36. If a case resolution agreement is not entered into, investigation shall be resumed in accordance with Paragraph 29 of this Regulation.

37. An athlete or sports employee has the right, within five working days after receipt of the notice of an anti-doping rule violation charge, to contest the anti-doping rule violation established by the Bureau or the imposed sanctions in writing, and also to request the Bureau for the case to be examined in the Disciplinary Anti-Doping Commission. Upon receipt of the request, the Bureau shall, within three working days, transfer the case to the Disciplinary Anti-Doping Commission for examination and taking a decision.

38. If an athlete or sports employee has not performed the activities referred to in Paragraph 34, 35, or 37 of this Regulation within the indicated time period, it shall be established that the athlete or sports employee has waived his or her rights to examination of the case and has admitted the anti-doping rule violation, and also has accepted the sanctions imposed by the Bureau in the notice of an anti-doping rule violation charge. The Bureau shall, within 15 working days after performing the activities referred to in Paragraph 34, 35, or 37 of this Regulation, prepare a decision in accordance with Article 14 of the Code and, within three working days, notify it to the athlete, the sports employee, the relevant sports organisation, the national anti-doping organisation, the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games) and the World Anti-Doping Agency, and also enter the relevant information in the ADAMS. The decision may be appealed to the Appeals Commission in accordance with Paragraph 83 of this Regulation or to the International Court of Arbitration for Sport in accordance with Section 11.5, Paragraph 1.1 and Section 11.6 of the Sports Law.

39. If, after sending the notice of an anti-doping rule violation charge to an athlete or sports employee, the Bureau takes the decision to revoke the imposed sanctions, the Bureau shall, within three working days after the day when the decision was taken, send a notice of revoking sanctions to the athlete, the sports employee, the relevant sports organisation, the national anti-doping organisation, the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games) and the World Anti-Doping Agency, and also submit the relevant information to the ADAMS. The decision may be appealed to the Appeals Commission in accordance with Paragraph 83 of this Regulation or to the International Court of Arbitration for Sport in accordance with Section 11.5, Paragraph 1.1 and Section 11.6 of the Sports Law.

40. The Bureau shall accept the registered testing pool, and also other pools in accordance with Section 11.2, Paragraph one, Clause 2 of the Sports Law, determine the athletes to be included therein, and also whereabouts information of the athlete (for the purpose of planning and conducting controls). If an athlete included in the registered testing pool has not provided his or her whereabouts information, it shall be considered that he or she has committed an anti-doping rule violation in accordance with Article 2.4 of the Code. The Bureau shall, within five working days after taking the decision, notify the athlete and the relevant sports organisation of inclusion in the registered testing pool or other pools or exclusion from them, and also enter the relevant information in the ADAMS.

41. The World Anti-Doping Agency and other anti-doping organisations which have the right to conduct collection of samples for doping control shall have access in the ADAMS to the whereabouts information of the athletes included in the registered testing pool.

42. If the Bureau establishes that an athlete included in the registered testing pool has not provided accurate whereabouts information or has not supplemented it in accordance with the requirements of Article 5.5 of the Code within the specified time period (until a specific day in a quarter), the Bureau shall, within 10 working days from the day when inaccurate information on the location is established, send a notice to the athlete. The athlete may, within five working days after receipt of the notice, provide explanations, and also, within 48 hours from the moment of receipt of the notice, make corrections in order to avoid further violations in relation to the failure to provide whereabouts information. The Bureau has an obligation to verify that the athlete has made corrections in the whereabouts information entered in the ADAMS.

43. The Bureau shall, within 10 working days after the deadline for the provision of explanations, evaluate the information and documents at the disposal of the Bureau and take the decision on issuing a warning, and also, within three working days, send the decision concurrently to the athlete, the relevant sports organisation, the national anti-doping organisation, and the World Anti-Doping Agency, and also enter the relevant information in the ADAMS. The taken decision may be appealed to the Appeals Commission in accordance with Paragraph 83 of this Regulation or to the International Court of Arbitration for Sport in accordance with Section 11.5, Paragraph 1.1 and Section 11.6 of the Sports Law. Upon receipt of the decision of the international sports organisation on issuing a warning to the athlete, the Bureau shall, within three working days, notify the decision to the relevant sports organisation.

44. If the Bureau establishes that an athlete included in the registered testing pool has missed the test by the specified time-limit, the Bureau shall, within 10 working days after the athlete has missed the test, inform the athlete thereof and shall request the athlete to provide explanations for missing the test within five working days.

45. After the deadline for the provision of explanations, the Bureau shall, within 10 working days, evaluate the information and documents received on the athlete missing the test and take the decision to issue a warning, and also, within three working days, inform concurrently the athlete, the relevant sports organisation, the national anti-doping organisation, and the World Anti-Doping Agency thereof, and also submit the relevant information to the ADAMS. The taken decision may be appealed to the Appeals Commission in accordance with Paragraph 83 of this Regulation or to the International Court of Arbitration for Sport in accordance with Section 11.5, Paragraph 1.1 and Section 11.6 of the Sports Law. Upon receipt of the decision of the international sports organisation on issuing a warning to the athlete, the Bureau shall, within three working days, notify the decision to the relevant sports organisation.

46. An athlete has the right to address a written submission to the Bureau for the administrative review of the issued warning within five working days after receipt of the warning. The justification of the issued warning shall be reviewed by a person employed in the Bureau who was not involved in the evaluation and taking the decision on issuing a warning. After review of the justification of the issued warning, activities shall performed in accordance with Paragraph 45 of this Regulation.

47. For the athletes included in the registered testing pool who have retired the right to return to sports not earlier than six months after receipt of a submission of the athlete by the Bureau shall be determined in accordance with Article 5.6.1 of the Code, for the athletes who have retired after imposition of sanctions the right to return to sports not earlier than six months after receipt of a submission of the athlete by the Bureau shall be determined in accordance with Article 5.6.2 of the Code, and the right of the Bureau to continue investigation and review of the anti-doping rule violation after retirement of the athlete or sports employee shall be determined in accordance with Article 7.7 of the Code.

**IV. Operation and Decision-taking of the Disciplinary Anti-Doping Commission**

48. The functions of the secretariat in the Disciplinary Anti-Doping Commission shall be performed by members of the Disciplinary Anti-Doping Commission elected thereby.

49. The Bureau, an athlete, or a sports employee, and also the organisations specified in Section 11.6 of the Sports Law have the right to submit a request to the Disciplinary Anti-Doping Commission for the manner in which information on an anti-doping rule violation or a complaint of the athlete or sports employee should be examined. The decision of the chairperson of the Disciplinary Anti-Doping Commission on the number of members of the Disciplinary Anti-Doping Commission for the examination of the case and the manner in which information on the anti-doping rule violation or a complaint of the athlete or sports employee will be examined shall be taken within three working days after receipt of the submission. A member of the Disciplinary Anti-Doping Commission who establishes the existence of a conflict of interests must remove himself or herself from the examination of the case.

50. The Disciplinary Anti-Doping Commission shall examine information on an anti-doping rule violation or a complaint of an athlete or a sports employee basically in the composition of three members of the Commission. In evaluating the information received on an anti-doping rule violation or a complaint of an athlete or a sports employee, and also the scope and complexity of the case, the chairperson of the Disciplinary Anti-Doping Commission is entitled to specify a greater number of members of the Commission.

51. The Disciplinary Anti-Doping Commission shall, within five working days after receipt of information on an anti-doping rule violation, send information to the athlete or sports employee on the anti-doping rule violation, and also send information to the athlete or sports employee and the Bureau on the manner in which the case shall be examined, the place and time for the hearing of the Disciplinary Anti-Doping Commission, and the composition of members of the Commission, the right to invite witnesses, the right to contest the composition of the Commission within five working days after obtaining information on a conflict of interests, taking into account the existing conflict of interests, and also on other rights in accordance with Article 8 of the Code.

52. An athlete or a sports employee is entitled, within five working days after receipt of the information of the Disciplinary Anti-Doping Commission, to provide a response to the information received.

53. The Disciplinary Anti-Doping Commission shall, within one working day after receipt of a response from an athlete or a sports employee, send it to the Bureau.

54. The Disciplinary Anti-Doping Commission shall, within two working days after receipt of a complaint from an athlete or a sports employee, send it to the Bureau, and also send information to the athlete or sports employee and the Bureau on the manner in which the case shall be examined, the place and time for the hearing of the Disciplinary Anti-Doping Commission, and the composition of members of the Commission, the right to contest the composition of the Commission within one working day after obtaining information on a conflict of interests, taking into account the existing conflict of interests, and also information on inviting witnesses.

55. The Bureau is entitled, within one working day after receipt of the information of the Disciplinary Anti-Doping Commission, to provide a response to the information received.

56. The Disciplinary Anti-Doping Commission shall, within one working day after receipt of the response, send it to the athlete or sports employee.

57. The Disciplinary Anti-Doping Commission shall, within five working days after receipt of information on an anti-doping rule violation or a complaint of the athlete or sports employee, notify concurrently the relevant sports organisation, the national anti-doping organisation, the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games) and the World Anti-Doping Agency of the manner in which the case shall be examined, the place and time for the hearing of the Disciplinary Anti-Doping Commission, and the composition of members of the Commission, and also of the right to participate in the hearing of the Disciplinary Anti-Doping Commission in the status of an observer.

58. The Disciplinary Anti-Doping Commission shall, in a closed hearing, examine the information prepared by the Bureau on establishing a potential anti-doping rule violation by an athlete or sports employee or a complaint of the athlete or sports employee regarding the imposition of a provisional suspension.

59. An athlete or sports employee has the right, within five working days after imposition of a provisional suspension, to submit a complaint to the Disciplinary Anti-Doping Commission.

60. An athlete or a sports employee has the right to public examination of the case in accordance with Paragraph 49 of this Regulation or in accordance with the procedures laid down in Paragraph 52 of this Regulation by indicating it in the response which has been provided to the Disciplinary Anti-Doping Commission. The Bureau has the right to request public examination of the case in accordance with Paragraph 49 of this Regulation or in accordance with the procedures laid down in Paragraph 55 of this Regulation by indicating it in the response which has been provided to the Disciplinary Anti-Doping Commission if a written consent of the athlete or sports employee has been received. The athlete or sports employee has the right to refuse from public examination of the case also during examination of the case.

61. The Disciplinary Anti-Doping Commission shall, within three working days after receipt of a request, evaluate the request and may deny the request for public examination of the case in the interests of protecting morals, public order, national security, minors or private life of parties or where publicity would prejudice just examination of the case.

62. A hearing of the Disciplinary Anti-Doping Commission shall be organised within 10 working days after the deadline for the provision of a response by the athlete or sports employee in accordance with Paragraph 52 of this Regulation or within five working days after the deadline for the provision of a response by the Bureau in accordance with Paragraph 55 of this Regulation.

63. If the Disciplinary Anti-Doping Commission establishes that an athlete, a sports employee, or the Bureau has not appeared at the hearing of the Disciplinary Anti-Doping Commission due to objective reasons, the Disciplinary Anti-Doping Commission may decide on postponing the examination of the case due to objective reasons, however, not more than once during examination of the case. If the hearing of the Disciplinary Anti-Doping Commission is postponed, a repeated hearing of the Commission shall be organised:

63.1. within 10 working days after the day when the hearing of the Commission regarding the information submitted by the Bureau on the anti-doping rule violation was postponed;

63.2. within five working days after the day when the hearing of the Commission on the complaint submitted by the athlete or sports employee on imposing a provisional suspension was postponed.

64. If, during the period when the case regarding an anti-doping rule violation or a complaint regarding provisional suspension is examined in the Disciplinary Anti-Doping Commission, the athlete, the sports employee, or the Bureau submits new evidence, the Disciplinary Anti-Doping Commission may decide on accepting evidence and postponing the examination of the case, however, not more than once during examination of the case. The Disciplinary Anti-Doping Commission shall, within two working days, send the evidence received to the athlete, the sports employee, or the Bureau and give the athlete, the sports employee, or the Bureau the right to provide explanations within five working days. A repeated hearing of the Disciplinary Anti-Doping Commission shall be organised within 10 working days after the evidence received by the Commission have been sent to the athlete, the sports employee, or the Bureau.

65. An athlete or sports employee and the Bureau have the right, within five working days after obtaining information on a conflict of interests, to inform the Disciplinary Anti-Doping Commission thereof.

66. If an athlete, a sports employee, or the Bureau submits a submission for a conflict of interests before a hearing of the Disciplinary Anti-Doping Commission, the chairperson of the Disciplinary Anti-Doping Commission shall, within five working days after receipt of the submission, examine it, take a decision, and notify the decision taken to the athlete, the sports employee, or the Bureau. If the conflict of interests is related to the chairperson of the Disciplinary Anti-Doping Commission, the submission shall be examined and the decision shall be taken by the vice-chairperson of the Disciplinary Anti-Doping Commission. If a conflict of interests is established, the relevant member of the Disciplinary Anti-Doping Commission shall not participate in the examination of the case and a new member of the Commission who will participate in examination of the case shall be determined. If a conflict of interests is not established, examination of the case shall be continued in the previously determined composition of members of the Disciplinary Anti-Doping Commission.

67. If an athlete, a sports employee, or the Bureau claims a conflict of interests during a hearing of the Disciplinary Anti-Doping Commission, the chairperson of the Commission shall decide on the existence of a conflict of interests. If a conflict of interests is established, examination of the case shall be postponed and, within 10 working days after the relevant hearing of the Disciplinary Anti-Doping Commission, a new member of the Commission who will participate in examination of the case shall be determined, and also a new date, place, and time for the course of the hearing of the Disciplinary Anti-Doping Commission shall be determined. The athlete, the sports employee, or the Bureau shall be notified of the abovementioned changes. If a conflict of interests is not established, examination of the case shall be continued in the previously determined composition of members of the Disciplinary Anti-Doping Commission.

68. The Disciplinary Anti-Doping Commission shall take the decision on the anti-doping rule violation and imposition of sanctions within 15 working days, but the decision on imposing a provisional suspension – within three working days after the last hearing of the Commission. If additional time is necessary for taking the decision on the anti-doping rule violation due to objective reasons, it may not exceed two months after the day of the last hearing of the Disciplinary Anti-Doping Commission.

69. The sports organisation, the national anti-doping organisation, the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games), and also the World Anti-Doping Agency have the right to participate in the hearing of the Disciplinary Anti-Doping Commission in the status of an observer.

70. The Disciplinary Anti-Doping Commission shall, within three working days after the decision of the Commission has been taken, send a notice of the decision taken concurrently to the athlete or sports employee, the national sports organisations, and the Bureau. The Bureau shall, within three working days after receipt of the decision of the Commission, send a notice of the decision taken to the organisations specified in Section 11.6 of the Sports Law, and also the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games), and also enter the relevant information in the ADAMS. The decision of the Disciplinary Anti-Doping Commission may be appealed to the Appeals Commission in accordance with Paragraph 83 of this Regulation or to the International Court of Arbitration for Sport in accordance with Section 11.5, Paragraph 1.1 and Section 11.6 of the Sports Law.

71. The review and investigation of an anti-doping rule violation, including examination at the Disciplinary Anti-Doping Commission, shall be conducted within six months, except for the cases referred to in Paragraph 68 of this Regulation.

**V. Operation and Decision-taking of the Therapeutic Use Exemption Commission**

72. The functions of the secretariat of the Therapeutic Use Exemption Commission shall be performed by the Bureau.

73. An athlete who requires a therapeutic use exemption shall, as soon as the necessity to use a prohibited substance or prohibited method has become known, but not later than 20 working days before the day of the sports competition, submit to the Bureau the therapeutic use exemption application form (available on the website of the Bureau) (hereinafter – the application form) and the medical documentation attesting to the necessity to use the prohibited substance or prohibited method. The athlete has the right to apply for a therapeutic use exemption retroactively in accordance with Annex 2 to the UNCESCO Convention against Doping in Sport of 19 October 2005 and Article 4.4.5 of the Code. International-level athletes shall submit applications for the issuing of a therapeutic use exemption to the international federation of the respective sport.

74. The Bureau shall, within three working days after receipt of the application form and medical documentation, review the adequacy of the application form and medical documentation.

75. If the application form is incomplete or the submitted medical documentation is inadequate, the Bureau shall, within three working days after receipt of the inadequately completed application form or medical documentation, return it to the athlete, and the athlete shall submit an updated application form or adequate medical documentation to the Bureau within 10 working days. The updated application form or adequate medical documentation shall be examined in accordance with Paragraph 74 of this Regulation.

76. The Bureau shall, within one working day after receipt of a complete application form and medical documentation, send it to the Therapeutic Use Exemption Commission for evaluation.

77. The Therapeutic Use Exemption Commission shall, within 15 working days after receipt of the application form and medical documentation, decide in a closed hearing on granting the therapeutic use exemption.

78. The Therapeutic Use Exemption Commission shall have a quorum if at least one of the Commission members participates in the hearing. If more than one Commission member participates in the Therapeutic Use Exemption Commission, the decision shall be taken by simple majority of votes of the present Commission members in an open vote. In the event of a tied vote, the vote of the chairperson of the Therapeutic Use Exemption Commission shall be the casting vote.

79. If additional medical documentation or other information is required to decide on granting the therapeutic use exemption, the time period for taking the decision may be extended by 20 working days, giving a prior notice thereof to the athlete.

80. The Bureau shall, within three working days after the decision of the Therapeutic Use Exemption Commission has been taken, notify it to the athlete, and also, within 15 working days after the abovementioned decision has been taken, enter it in the ADAMS. The decision may be appealed to the Appeals Commission in accordance with Paragraph 83 of this Regulation. The World Anti-Doping Agency has the right to review the decision taken in accordance with Article 4.4 of the Code.

**VI. Procedures for the Appeal of the Decisions of Authorities Involved in the Field of Anti-Doping**

81. The functions of the secretary of the Appeals Commission shall be performed by members of the Appeals Commission elected thereby.

82. The Appeals Commission shall examine decisions in accordance with Section 11.5, Paragraph one of the Sports Law, taking into account the sanctions specified in the Code, except for cases which are related to international-level athletes and international-level events. Decisions in cases which are related to international-level athletes or arise from international-level events may be appealed to the International Court of Arbitration for Sport.

83. An athlete, a sports employee, or the Bureau, and also the organisations specified in Section 11.6 of the Sports Law may, within 20 working days after taking the decision, submit a submission for the cases referred to in Section 11.5, Paragraph one of the Sports Law, for examination in the Appeals Commission. Complaints of the World Anti-Doping Agency may be submitted within the time periods specified in Article 13.2.3.5 of the Code.

84. An athlete, a sports employee, or the Bureau, and also the sports organisations specified in Section 11.6 of the Sports Law are entitled to submit evidence, arguments, and also claims to the Appeals Commission which were not submitted or brought forward in the Disciplinary Anti-Doping Commission if they arise from the initial information of the Bureau on the anti-doping rule violation or a complaint of the athlete or sports employee, the facts and circumstances of the case.

85. A submission shall be examined in the Appeals Commission under the oral procedure or the decision of the Appeals Commission within 40 working days after the deadline for the provision of a response in accordance with Paragraph 88 of this Regulation. An athlete or sports employee and the Bureau, and also the organisations specified in Section 11.6 of the Sports Law have the right to submit a request to the Appeals Commission for the manner of examining the submission. The chairperson of the Appeals Commission shall, within three working days after receipt of the submission, decide on the number of members of the Appeals Commission and the manner in which the submission will be examined. A member of the Appeals Commission who establishes the existence of a conflict of interests must remove himself or herself from the examination of the submission.

86. The Appeals Commission shall basically examine submissions in the composition of three members of the Commission. In evaluating the submission received, the scope and complexity of the case, the chairperson of the Appeals Commission is entitled to specify a greater number of members of the Commission.

87. The Appeals Commission shall, within five working days after taking the decision referred to in Paragraph 85 of this Regulation, send the submission received to the athlete, the sports employee, the Bureau, or the organisations specified in Section 11.6 of the Sports Law, and also notify them of the manner in which the case shall be examined, the place and time of the hearing of the Appeals Commission, and the composition of members of the Commission, the right to invite witnesses, the right to contest the composition of the Commission within five working days after obtaining information on a conflict of interests, taking into account the existing conflict of interests, and also of other rights in accordance with Article 13 of the Code.

88. An athlete, a sports employee, the Bureau, or the organisations specified in Section 11.6 of the Sports Law are entitled, within five working days after receipt of the information of the Appeals Commission, to provide a response to the information received.

89. The Appeals Commission shall, within one working day after receipt of the response, send it to the athlete, the sports employee, the Bureau, or the organisations specified in Section 11.6 of the Sports Law.

90. If the Appeals Commission establishes that the athlete, the sports employee, the Bureau, or the organisations specified in Section 11.6 of the Sports Law have not appeared at the hearing of the Appeals Commission due to objective reasons, the Appeals Commission may decide on postponing the examination of the case, however, not more than once during examination of the case. If the hearing of the Appeals Commission is postponed, a repeated hearing of the Commission shall be organised within 10 working days after the day when the hearing of the Appeals Commission was postponed.

91. If an athlete, a sports employee, the Bureau, or the organisations specified in Section 11.6 of the Sports Law submit new evidence during the period when the submission is examined by the Appeals Commission, the Appeals Commission may decide on accepting evidence and postponing the examination of the case, however, not more than once during examination of the case. The Appeals Commission shall, within two working days, send the evidence received to the athlete, the sports employee, the Bureau, or the organisations specified in Section 11.6 of the Sports Law and give the athlete, the sports employee, the Bureau, or the organisations specified in Section 11.6 of the Sports Law the right to provide explanations within five working days. A repeated hearing of the Appeals Commission shall be organised within 10 working days after the received evidence have been sent to the athlete, the sports employee, the Bureau, or the organisations specified in Section 11.6 of the Sports Law.

92. An athlete or sports employee, the Bureau, and the organisations specified in Section 11.6 of the Sports Law, and also the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games) have the right, within five working days after obtaining information on a conflict of interests, to inform the Appeals Commission thereof.

93. If an athlete, a sports employee, the Bureau, the organisations specified in Section 11.6 of the Sports Law, and also the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games) submits a submission for a conflict of interests before a hearing of the Appeals Commission, the chairperson of the Appeals Commission shall, within five working days after receipt of the submission, examine it, take a decision, and notify the decision taken to the athlete or sports employee and the Bureau. If the conflict of interests is related to the chairperson of the Appeals Commission, the submission shall be examined and the decision shall be taken by the vice-chairperson of the Appeals Commission. If a conflict of interests is established, the relevant member of the Appeals Commission shall not participate in the examination of the case and a new member of the Commission who will participate in the examination of the case shall be determined. If a conflict of interests is not established, examination of the case shall be continued in the previously determined composition of members of the Appeals Commission.

94. If an athlete, a sports employee, the Bureau, the organisations specified in Section 11.6 of the Sports Law, and also the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games), claims a conflict of interest during a hearing of the Appeals Commission, the chairperson of the hearing of the Commission shall decide on the existence of a conflict of interests. If a conflict of interests is established, examination of the case shall be postponed and, within 10 working days after the relevant hearing of the Appeals Commission, a new member of the Appeals Commission who will participate in the examination of the case shall be determined, and also a new date, place, and time for the course of the hearing of the Appeals Commission shall be determined. The athlete or sports employee, the Bureau, the organisations specified in Section 11.6 of the Sports Law, and also the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games), shall be notified of the abovementioned changes. If a conflict of interests is not established, examination of the case shall be continued in the previously determined composition of members of the Appeals Commission.

95. An athlete, a sports employee, or the Bureau have the right to public examination of the case, indicating it in the submission which has been submitted to the Appeals Commission in accordance with the procedures referred to in Paragraph 85 of this Regulation or in the response which has been provided in accordance with the procedures referred to in Paragraph 88 of this Regulation. The Bureau has the right to request public examination of the case if a written consent of the athlete or sports employee has been received. The athlete or sports employee has the right to refuse from public examination of the case also during examination of the case.

96. The Appeals Commission shall, within three working days after receipt of a submission, evaluate the request and may deny the request for public examination of the case in the interests of protecting morals, public order, national security, minors or private life of parties or where publicity would prejudice just examination of the case.

97. The relevant sports organisation, the national anti-doping organisation of the state, the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in the Olympic or Paralympic Games), and also the World Anti-Doping Agency have the right to participate in the hearing of the Appeals Commission in the status of an observer.

98. The Appeals Commission shall take a decision within 15 working days, but the decision on imposing a provisional suspension – within three working days after the last hearing of the Commission in accordance with Article 13.2.2 and Article 14 of the Code.

99. The Appeals Commission shall, within three working days after the Commission has taken its decision, send the notice of the decision taken concurrently to the athlete or sports employee, the national sports organisations, and the Bureau. The Bureau shall, within three working days after receipt of the decision of the Commission, send the notice of the decision taken to the organisations specified in Section 11.6 of the Sports Law, and also the International Olympic Committee or the International Paralympic Committee, if the decision might affect the Olympic or Paralympic Games (including when the decision affects the right to participate in Olympic or Paralympic Games), and enter the relevant information in the ADAMS.

100. An athlete or sports employee has the right to address the Bureau with a submission to review the imposed sanctions in accordance with Article 27.3 or Article 27.6 of the Code. The submission referred to in this Paragraph shall be examined in accordance with the procedures referred to in Chapters III and IV of this Regulation.

101. If an athlete or sports employee has been sanctioned for an anti-doping rule violation which has been committed prior to coming into effect of the Code of 2021, and such athlete or sports employee commits another anti-doping rule violation after the coming into effect of the 2021 Code, the imposed sanction shall be assessed in accordance with Article 27.4 of the Code.

**VII. Closing Provision**

102. Cabinet Regulation No. 448 of 24 September 2019, National Anti-Doping Regulations (*Latvijas Vēstnesis*, 2019, No. 196), is repealed.

Prime Minister A. K. Kariņš

Minister for Health D. Pavļuts