



FÉDÉRATION SUISSE DE RUGBY

Macolin, 27.08.2016

Antidoping – Assignment to testing pool “Team Sports III” for NLA-Clubs

Dear Club Presidents of NLA Clubs

As you know, Swiss Antidoping assigned, with effect 31st March 2016 the **NLA teams** and the **Swiss National Team XV** men to the testing pool **Team Sports III**. With this, the NLA teams have **Whereabouts** obligations and the athletes of NLA clubs must respect the **Therapeutic Use Exemption enquiry (TUE)**.

With this letter, I want recap my today’s presentation at the Sport-Technical Meeting in Macolin to remind you and your athletes about the new antidoping obligations and provide you with further information about the topic.

1. Information

Clubs and athletes engaged in team sports at national or international performance level can be assigned to a testing pool either by Antidoping Switzerland or their corresponding International Federation. In the Swiss Antidoping-system exist three testing pools: Team Sports I, Team Sports II, Team Sports III. Rugby-Teams competing in NLA (“**NLA teams**”) are assigned to the testing pool **Team Sports III**.

(Note: all other Clubs/ teams (e.g. NLB, NLC, Ladies, U18, U16 and Rugby Schools) are not assigned to any of the three testing pools and are not subject to any particular requirements concerning whereabouts filing. A TUE has to be submitted retrospectively, only; for second teams of NLA clubs see attached Q&A).

As consequence, the NLA teams and their athletes are subject to different **whereabouts requirements** (“Meldepflichten”/ “obligations de renseigner”/ “obbligo di notifica”) as well as the procedure of a potential **Therapeutic Use Exemption enquiry (TUE)** (“Anträge zu therapeutischen Zwecken”, ATZ/ “Autorisation d’usage à des fins thérapeutiques”, AUT/ “Esenzione a fini terapeutici”, EFT).

Whereabouts

To allow Antidoping Switzerland to plan and execute doping controls, the concerned NLA teams must provide information about

- practice location(s) (with exact addresses) and
- practice days and time.

Required information can either be made available via **Website** (club website) or sent by **email** to simon@antidoping.ch.

Therapeutic Use Exemption enquiry (TUE)

Athletes of NLA teams must apply for Therapeutic use exemption (TUE) **in advance**, before using the prohibited substance or method for reasons of health (TUE application form in German and French see: <http://www.antidoping.ch/en/medicine-substances-and-methods/therapeutic-use-exemption-tue>).

Only if the application for a TUE is approved by the independent TUE Committee of Antidoping Switzerland, the athlete is allowed to use prohibited substances or methods on the List of Prohibited Substances and Methods (Prohibited List).

TUE applications have to be submitted for all **national competitions, trainings and off-season periods** to Antidoping Switzerland (for details see www.antidoping.ch).

Submitting a TUE application to Antidoping Switzerland (source: www.antidoping.ch):

- A TUE application must be submitted, as a rule 30 days before the start of treatment. The exception to this is an emergency treatment, in which case the application must be submitted soon after treatment is begun.
- The TUE form should be completed by the athletes and their doctors.
- The application, including the required medical documentation, should be sent to Antidoping Switzerland, Pharmacy and Medicine, Eigerstrasse 60, 3007 Bern (Fax: +41(0)31 550 21 02). The applicant should retain a copy of the application.
- The TUE application is considered by Antidoping Switzerland's independent TUE commission and is approved if it meets the following criteria:
 - The Prohibited Substance or Prohibited Method in question is needed to treat an acute or chronic medical condition, such that the Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld.
 - The Therapeutic Use of the Prohibited Substance or Prohibited Method is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the Athlete's normal state of health following the treatment of the acute or chronic medical condition.
 - There is no reasonable Therapeutic alternative to the Use of the Prohibited Substance or Prohibited Method.
 - The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.
- The TUE commission usually sends the athlete a written decision on the application within 30 days. A copy of the application and the TUE authorization must be retained by the athlete.
- If an application is rejected, the athlete has the right to refer the case to Swiss Olympic's Disciplinary Chamber for Doping Cases for further evaluation. The Disciplinary Chamber may review and reassess the TUE commission's decision.

2. Implementation in the clubs - Responsibilities

2.1 Whereabouts

The **club president** is responsible that the said information (see above) is available and kept up-to-date on the website of his Club or sent to simon@antidoping.ch.

Note: it is recommended that every NLA club nominate an **Antidoping Responsible** to fulfil the obligations of the club and support the athletes in fulfilling their obligations.

2.2 Therapeutic Use Exemption enquiry (TUE)

Every **athlete** is responsible for the respect of his obligations regarding TUE. The presidents of the concerned clubs inform the athletes accordingly.

3. Miscellaneous

3.1 Clubs promoted to NLA

Clubs promoted to NLA and their athletes must have in place the full structures to fulfil the requirements mentioned above from the beginning of the NLA season (including test matches). A barrage-match to promote to NLA is not considered a NLA –match for the participating NLB-Team.

3.2 Data protection

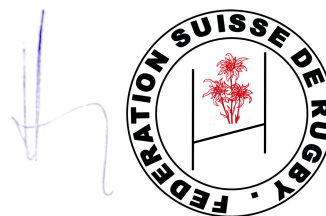
Information about TUE is sensitive information in the light of data protection (information about the health). The NLA-Clubs are recommended to not keep a database on athlete's TUE.

For further information, please see the website of Swiss Antidoping (www.antidoping.ch) (in German, French, Italian and English) or WORLD RUGBY Antidoping (<http://www.keeprugbyclean.worldrugby.org>) or contact antidoping@suisserugby.com.

The Clubs and the athletes are invited to fully collaborate with the antidoping controllers. Please make also sure that an adequate control infrastructure is available on match and training facilities.

Thank you in advance for your collaboration to keep Rugby clean. I wish you a very successful season.

Best Regards.



Matthias Herzig

Responsible Antidoping FSR

Goes to (email):

NLA- clubs (presidents)

CC to (email):

Swiss Antidoping
President FSR, CEO FSR, DTN FSR, Marketing FSR, CTJ, J+S Rugby, Regions

Attachment: Questions & Answers - TUE's for athletes in NLA clubs

Attachment: Questions & Answers - TUE's for athletes in NLA clubs

Please note that the following questions and answers refers only to questions of implementation to Testing Pool "Team Sports III" for A-National Team XV men and NLA-Clubs. For general questions regarding antidoping procedures (e.g. list of forbidden substances, procedure of a control, procedure of whereabouts, how to get a TUE), please see www.antidoping.ch and <http://www.keeperbyclean.worldrugby.org>.

Must a player print the TUE from Antidoping Switzerland and carry it with him in case of doping controls?

No. He is compliant as soon he gets the affirmative answer from Antidoping Switzerland. With the affirmative answer, the TUE is tracked in the files of Antidoping Switzerland and in case of a doping control, the player can inform the controller about the existing TUE.

How must a player of a second team of an NLA Club handle the TUE?

A player of a second or third team (as well as a junior player with authorization to play with the adult/ NLA team, "Surclassement") is considered an NLA-Player and then be subject to the TUE ruling as soon as he plays a match for the first (NLA-) Team (Match Sheet). As long as he only plays for the second or third team and don't have any ambition to play for the NLA team of his Club he must not mandatory ask a TUE.

Considering, that it needs ca. 3 weeks to get the TUE, the Clubs must plan very carefully the players for all the season. The FSR strongly recommends to treat all players of an NLA Club who could eventually play with the first (NLA-) Team, as players subject to the TUE ruling.

If a player comes from abroad and, in his country of former residence, he was a licensed player with TUE, must he apply for a new TUE with Swiss Antidoping?

First, the player is responsible to ensure that the TUE he has with the foreign federation doesn't lose validity when leaving his former national rugby federation he was licenced with.

Generally, Antidoping Switzerland accepts, on a unilateral basis, TUE's from official national antidoping organizations from other nations as well as TUE's delivered from WORLD RUGBY and from RUGBY EUROPE. However, if a player starts to play in an NLA-Team in Switzerland, it is expected that he will be, within a reasonable timeline, fully compliant to the rules in Switzerland.