



CANCELARIA DE STAT A REPUBLICII MOLDOVA

Nr. 17-69-2498

Chișinău

11.03.2022

La nr.18-23-2357 din 7.03.2022

Agenția Națională Antidoping

Ca urmare a examinării *proiectului de lege pentru prevenirea și combaterea dopajului în sport* (număr unic 163/ANA/2022), în limitele competențelor funcționale, expunem următoarele.

La art. 42 alin. (3) din proiectul de lege, ținând cont de denumirea articolului și de prevederile art. 52 alin. (2) din Legea nr.100/2017 cu privire la actele normative, cuvintele „comisiei de audieri” se vor substitui cu cuvintele „comisiei de apel”.

Prevederile alin. (4) al art. 42 cu privire la stabilirea indemnizației lunare pentru activitatea prestată în comisia de apel urmează a fi revizuite, fără a face trimitere la funcția secretarului general al Guvernului.

De asemenea, considerăm oportună substituirea cuvintelor „finanțarea cheltuielilor de personal” cu cuvintele „finanțarea indemnizației” și excluderea cuvintelor „Cancelaria de Stat” din alin. (5) al art. 42 din proiectul de lege.

**Secretar general adjunct
al Guvernului**

/semnat electronic/

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CANCELARIA DE STAT A REPUBLICII MOLDOVA

Nr. 17-69-3940

Chișinău

15.04.2022

La nr.11-22 din 5.04.2022

Agenția Națională Antidoping

Ref. la număr unic 163/ANA/2022

Ca urmare a examinării repetate a *proiectului de lege pentru prevenirea și combaterea dopajului în sport*, în limitele competențelor funcționale, comunicăm următoarea obiecție.

Ținând cont de terminologia utilizată în Legea nr. 270/2018 privind sistemul unitar de salarizare în sistemul bugetar, la art. 42 alin. (4) și art. 43 alin. (4) referința la remunerația directorului general al Agenției (“indemnizația lunară”) se va expune – “salariu de bază”.

**Secretar general adjunct
al Guvernului**

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AGENȚIA MEDICAMENTULUI
ȘI DISPOZITIVELOR MEDICALE



GUVERNUL
REPUBLICII MOLDOVA

Nr. ANAD-001690 din 04.04.2022
La Nr.11-22 din 05.04.2022

Agenția Națională Antidoping

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Prin prezenta, Agenția Medicamentului și Dispozitivelor Medicale comunică despre lipsa obiecțiilor referitor la proiectul de hotărâre definitivat, *cu privire la aprobarea proiectului de lege pentru prevenirea și combaterea dopajului în sport (număr unic 163/ANA/2022)*.

Director general adjunct

Lina GUDIMA

Ex.: A. Talpalaru
Șef Serviciul juridic

Avizat: O. Costachi
Șef, CPCD
Oleg.costachi@amdm.gov.md

Agenția Medicamentului și Dispozitivelor Medicale
Medicines and Medical Devices Agency

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AGENȚIA MEDICAMENTULUI
ȘI DISPOZITIVELOR MEDICALE



GVERNUL
REPUBLICII MOLDOVA

Nr. 18-23-2357 din 07.03.2022
La nr. 18-23-2357 din 07.03.2022

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Prin prezenta, Agenția Medicamentului și Dispozitivelor Medicale comunică despre lipsa obiecțiilor referitor la proiectul de hotărâre cu privire la aprobarea proiectului de lege pentru prevenirea și combaterea dopajului în sport (număr unic 163/ANA/2022).

Director general

Dragoș GUȚU

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Ex. O. Costachi
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Vizat: A. Talpalaru
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Montreal
02/06/2022

Mr. Artiom Jucov
Director
National Anti-Doping Agency of the Republic of Moldova

Via email: Artiomjucov@anad.gov.md

Subject: Compliance with the World Anti-Doping Code

Dear Mr. Jucov,

We are writing as a follow-up to the Corrective Action Report (CAR) that the World Anti-Doping Agency (WADA) issued to the National Anti-Doping Agency of the Republic of Moldova on 22 February 2022 since the legislation currently in force in Moldova (*Law of the Republic of Moldova of 11 July 2012 No. 185 on the prevention of and fight against doping in sport*) is not in line with the World Anti-Doping Code (Code). We would like to thank you for your efforts over the last few months to implement the corrective action identified in your CAR. We greatly appreciate your organization's commitment in this regard.

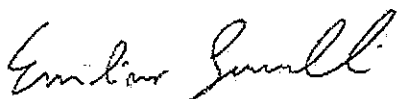
This being said, according to our assessment, and based on the information provided by the National Anti-Doping Agency of the Republic of Moldova, the critical corrective action which was due on 22 May 2022 has not yet been implemented.

WADA's Compliance Taskforce (the Taskforce) discussed this matter at its 2 June 2022 meeting. The Taskforce concluded that the current situation of the National Anti-Doping Agency of the Republic of Moldova is not in compliance with the Code in respect to this point. The Taskforce is an internal, multi-departmental group responsible for addressing Code compliance-related matters and, in case issues cannot be solved by the relevant signatories, reporting them to WADA's external Compliance Review Committee (CRC).

In accordance with the International Standard for Code Compliance by Signatories (ISCCS), we are pleased to provide you with a final opportunity, of up to three months, to address the above-mentioned outstanding issue before the matter is referred to the CRC. Consequently, should the required amendments to the current legislation not be adopted and enter into force by **2 September 2022**, the Taskforce will have to present the case to the CRC for further discussion and a possible recommendation of non-compliance of your organization to the WADA Executive Committee.

We thank you for your continued cooperation and remain available should you have any questions or concerns.

Yours sincerely,



Mr. Emiliano Simonelli
Head of the Compliance Unit, WADA

Cc: Ms. Elena Arhip, Deputy Director, National Anti-Doping Agency of the Republic of Moldova
(Elenaarhip@anad.gov.md)

Mr. Sébastien Gillot, Director, European Office and Sport Movement Relations, WADA
(Sebastien.Gillot@wada-ama.org)

Mr. Tom May, Director, NADO/RADO Relations, WADA (Tom.May@wada-ama.org)

Montreal 22.02.2022

D-lui Artiom Juçov
Director
Agenția Națională Antidoping a Republicii Moldova

Prin e-mail: Artiomjuçov@anad.gov.md

Subiect: Conformitate cu Codului mondial anti-doping - Raport de Acțiune Corective

Stimate D-le Juçov,

După cum sa indicat în corespondența noastră anterioară, legislația prezentă care este în vigoare în Republica Moldova (*Legea Republicii Moldova din 11 iulie 2012 nr. 185 privind prevenirea și combaterea dopajului în sport*) nu este conformă cu Codul Mondial Antidoping 2021, care a fost aprobat la 7 noiembrie 2019 la Conferința Mondială privind Dopajul în Sport și care a intrat în vigoare la 1 ianuarie 2021.

În vederea asigurării că sistemele juridice anti-doping continuă să fie armonizate la nivel mondial, ceea ce este critic pentru a oferi sportivilor condiții de concurență echitabile, este crucial ca toți semnatarii Codului să aibă sisteme juridice anti-doping în conformitate cu Codul din 2021.

Ca urmare, vă scriu în numele WADA pentru a vă furniza un Raport de Acțiune Corectivă (CAR).

CAR clasifică această neconformitate drept „critică”. În conformitate cu Standardul internațional pentru conformitatea codului de către semnatori (ISCCS), constatățile critice sunt prioritate majoră privind termenii de implementare și obligativitatea acestora, constituind criteriul de bază ale Codului și Standardelor internaționale. Conform ISCCS, organizația Dumneavoastră are la dispoziție trei luni de la data prezentei scrisori (**termenul limită expiră la 22 mai 2022**) pentru a implementa acțiunile corective relevante, și anume pentru a se asigura că modificările necesare la legislație sunt adoptate și intrate în vigoare, în vederea aducerii legislației pe deplin în conformitate cu Codul.

WADA ar fi încântată să ofere orice îndrumări în acest proces, dacă este necesar. Dacă acesta este cazul, vă rugăm să nu ezitați să o contactați pe dna Olympia Karavasili, Manager, Relații cu Guvernul și NADO, Biroul European (Olympia.Karavasili@wada-ama.org) și/sau pe domnul Raphael Rezende, Manager, Relații NADO (Raphael.Rezende@wada-ama.org).

Vă mulțumim pentru cooperarea dumneavoastră în acest proces.

Cu stimă,

DI Emiliano Simonelli
Șeful Unității de conformitate, WADA

Cc: Ms. Elena Arhip, Deputy Director, National Anti-Doping Agency of the Republic of Moldova (Elenaarhip@anad.gov.md)

Mr. Sébastien Gillot, Director, European Office and Sport Movement Relations, WADA (Sebastien.Gillot@wada-ama.org)

Mr. Tom May, Director, NADO/RADO Relations, WADA (Tom.May@wada-ama.org)

DRAFT LAW ON PREVENTION OF AND FIGHT AGAINST DOPING IN SPORT

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Chapter I GENERAL PROVISIONS AND CONCEPTS

Article 1. The Object and Purpose of the Law

(1) The law regulates the principles and objectives of the national policy on the prevention and fight against doping, ~~the areas of state intervention in this field,~~ as well as the requirements and responsibilities of the actors/subjects of policies in the field of prevention and fight against doping in sport at the national level, by the adoption and enforcement of anti-doping policies and regulations; encouragement of a clean sports practice to protect the athletes' health and the respect for fair-play in sports; discouragement of doping by enforcing strict rules and sanctions; promotion and support of research on the doping phenomenon; development of state policy on human health protection, and promotion of a healthy lifestyle.

(2) The purpose of this law is to protect the Athletes' and citizens' fundamental right to participate in a clean, doping-free, fair sport, thus, contributing to health protection.

Article 2. Definition of Doping

(1) Doping in sport is the occurrence of one or more violations of the anti-doping rules outlined in Paragraph (2) of the present Law. Athletes or other Persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the Prohibited List.

(2) The following constitute anti-doping rule violations:

1) The presence of a prohibited substance or its metabolites or markers in the Athlete's sample.

a) It is the Athletes' personal duty to ensure that no prohibited substance enters their body. The Athletes are responsible for ~~the presence of~~ any prohibited substance, or its metabolites, or markers ~~detected~~ found to be present in their samples. Accordingly, it is not necessary that intent, fault, negligence or ~~intentional~~ knowing use on the athlete's part be demonstrated in order to establish an anti-doping rule violation under this p. 1).

b) The sufficient proof of an anti-doping rule violation under this p. 1) is established by ~~one or more~~ any of the following: the presence of a prohibited substance or its metabolites or markers in the Athletes' A sample, in case the Athlete waives analysis of the B sample, and the B-sample is not analysed; or when the Athlete's B sample is analysed, and the analysis of the B sample confirms the presence of the prohibited substance or its metabolites or markers found in the Athletes' A sample; or, in a situation where the Athletes' A or B sample is ~~divided~~ split into two parts, and the analysis of the confirmation part of the ~~divided~~ split sample confirms the presence of a prohibited substance or its metabolites or markers found in the first part of the split sample, or if the Athlete waives analysis of the confirmation part of the ~~divided~~ split sample.

c) The presence of any reported quantity of a prohibited substance or its metabolites or markers in the Athletes' sample shall constitute an anti-doping rule violation, except for those substances for which a Decision Limit is specifically identified on the Prohibited List or in a technical document.

d) As an exception to the general rule outlined in p. 1), the Prohibited List, International Standards or Technical Documents may establish special criteria for the reporting or evaluation of certain prohibited substances.

2) The use or ~~an Athlete's attempted to~~ use by an athlete of a prohibited substance or a prohibited method.

a) It is the Athletes' personal duty to ensure that no prohibited substance enters their body and that no prohibited methods are used. Therefore, it is not necessary that ~~no~~ intent, fault, negligence or ~~intentional~~ knowing use ~~by~~ on an Athlete's part ~~needs to~~ be demonstrated to establish an anti-doping rule violation for the use of a prohibited substance or prohibited method.

b) The success or failure of the use or attempted ~~to~~ use of a prohibited substance or prohibited method is not material. It is sufficient that a prohibited substance or a prohibited method ~~has been~~ was used or ~~that any~~ attempted to be used ~~one of these has been made~~ for an anti-doping rule violation to be committed.

3) Evading sample collection or refusing or failing to ~~provide~~ submit to ~~a~~ sample collection by an athlete, without compelling justification after notification by a duly authorised person.

4) ~~Violation of the w~~Whereabouts ~~regulation~~ Failures by an Athlete, meaning any combination of three missed tests and/or filing failures, as defined in the International Standard for Results Management, within 12 months period by an Athlete in a Registered Testing Pool.

5) The tampering or attempted tampering ~~attempt for~~ with any part of the doping control by an Athlete or ~~any~~ other person.

6) The possession of a prohibited substances or a prohibited methods by an Athlete or Athlete's Support Personnel.

(a) The possession by an Athlete in-competition of any prohibited method or prohibited substance, or the possession by an Athlete out-of-competition of any prohibited method or prohibited substance that is prohibited out of competition, unless the Athlete proves that the possession is ~~part~~ consistent with ~~of~~ the Therapeutic Use Exemption (TUE) granted under this law or other acceptable justification.

b) The possession by the Athlete support personnel in-competition of any prohibited method or any prohibited substance, or the possession by Athlete support personnel out-of-competition of any prohibited method or any prohibited substance which is prohibited out-of-competition in connection with an Athlete, competition or training, unless the Athlete support personnel ~~demonstrate~~ establishes that the possession is consistent with a TUE granted to an Athlete under this Law, or ~~provide a satisfactory~~ other acceptable justification.

7) The trafficking or attempted trafficking ~~of~~ in any prohibited substance or prohibited method by the Athlete or other person.

8) The administration or attempted administration by an Athlete or ~~any~~ other person of any prohibited substance or prohibited method to any athlete in-competition, or the administration or attempted administration to any Athlete out-of-competition of any prohibited substance or any prohibited method that is prohibited out of competition.

9) The complicity or attempted complicity ~~of~~ by the Athlete or ~~another~~ person by assisting, encouraging, ~~supporting,~~ ~~instigating~~ aiding, abetting, conspiring, covering up or any other type of intentional complicity or attempted complicity involving a violation or attempted violation of an anti-doping rules, or a violation of Article 69 par. (1)-(3) by another person.

10) Prohibited Association by an Athlete or Other Person

a) Association by an Athlete or ~~another~~ person under the authority of an Anti-Doping Organisation ~~based on~~ a professional or ~~sporting relationship~~ sport-related capacity ~~, on the one hand, and, on the other hand,~~ with any ~~member of the~~ Athlete support personnel who:

(i) if he or she is under the authority of an Anti-Doping Organisation, he/she is ~~subject to~~ serving a period of ineligibility; or

(ii) if not subject to the authority of an Anti-Doping Organisation and when the ineligibility has not been addressed in a results management process ~~in conformity with~~ pursuant to the Code, he or she has been convicted, or found in the criminal, disciplinary or professional proceeding to have engaged in ~~guilty of~~ conduct which would constituted an anti-doping rule violation ~~in circumstances where the if Code compliant regulations~~ rules had been ~~applied~~ applicable to ~~that~~ such person. The disqualifying ~~ication~~ status of such ~~a~~ person shall be in force for the longer ~~a~~ period of up to a maximum of 6 years from the criminal, disciplinary or professional decision or ~~for~~ the duration of the ~~imposed sanction of a criminal, disciplinary or professional nature~~ sanction imposed; or

(iii) is ~~serve~~ serving as a front or intermediary for an individual ~~one of the aforementioned persons~~ described in points (i) or (ii) above.

b) To establish a violation of the provisions of p. 10) NADA or other Anti-Doping Organization ~~shall prove~~ must establish that the Athlete or other person ~~was aware~~ knew of the disqualifying status of the ~~member of the~~ Athlete support personnel.

c) It shall be the ~~responsibility~~ burden of the Athlete or the other person to ~~prove~~ establish that ~~the~~ any association with ~~a member of the~~ Athlete support personnel described in let. a) (i) ~~and~~ (ii) is not in ~~of~~ a professional or sport-related ~~individual~~ capacity and/or that such an association could not have been reasonably avoided.

d) The Anti-Doping Organisations that are aware of ~~members of~~ the Athlete support personnel who meet the criteria set out in Let. a) (i), (ii) or ~~—~~(iii) must report this information to WADA.

11) The actions of by an Athlete or other person to discourage or retaliate against reporting to the authorities, ~~unless where such actions~~ conduct does not otherwise constitute ~~are an anti-doping rule~~ a violation, ~~provided in~~ of paragraph (2) p. 5).

a) Any act ~~of~~ which threatens or seeks to intimidate ~~ion of~~ another person with the intent of, ~~to~~ discouraging ~~him~~ ~~or her~~ the person from reporting in good faith of the information ~~concerning~~ that relates to an alleged anti-doping rule violation, or an ~~suspected~~ alleged non-compliance with the Code to WADA, an Anti-Doping Organisation, a law-enforcement body, a regulatory body or a professional disciplinary body, a hearing body, or ~~a~~ person conducting an investigation for WADA, or an Anti-Doping Organisation.

b) Retaliation against a person who, in good faith, has provided evidence or information that relates ~~regarding to~~ an alleged anti-doping rule violation, or ~~a suspected~~ alleged non-compliance with the Code to WADA, an Anti-Doping Organisation, a law-enforcement body, a regulatory body or a professional disciplinary body, a hearing body, or ~~a~~ person conducting an investigation for WADA, or an Anti-Doping Organisation.

c) The retaliation, threatening and intimidation include any act ~~committed~~ taken against such ~~a~~ person, either because the act lacks a good faith basis or because it constitutes a disproportionate response.

Article 3. Proof of Doping

(1) NADA will have the burden of ~~proving~~ establishing that the anti-doping rule violation has occurred in accordance with the principles of burdens and standards of proof set out in the Code, this law and anti-doping rules.

(2) The standard of proof shall be whether ~~to which NADA relates~~ ~~encompasses the responsibility to prove~~ has established an ~~the~~ anti-doping rule violation to the comfortable satisfaction ~~s~~ ~~in a sufficiently convincing manner for~~ of the Hearing Panel, ~~taking into account~~ bearing in mind the seriousness of the ~~formulated~~ ~~presumptive~~ allegation which is made. In all cases, ~~these~~ this standard of proof ~~s~~ ~~have a~~ is greater weight than a ~~simple~~ mere balance of probabilities, but ~~a smaller weight~~ less than the proof beyond the reasonable doubt.

(3) In the event that this Law, ~~or the Code or anti-doping rules~~ ~~establishes~~ place that the burden of proof ~~falls~~ upon the Athlete or ~~the~~ other person alleged to have committed an ~~violated~~ anti-doping rule violations, to ~~disprove~~ rebut a ~~the~~ presumption or to establish specified facts or circumstances, except as provided ~~outlined~~ in Paragraphs (4), let. b) and c). , the standard of proof will be by the balance of probabilities.

(4) The facts related ~~ing~~ to violations of anti-doping rules ~~can~~ may be established by any reliable means, including admission. The following rules of proof will be applicable in doping cases:

a) Analytical methods or Decision Limits approved by WADA after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any Athlete or other Person seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. The initial hearing body, appellate body or CAS, on its own initiative, may also inform WADA of any such challenge. Within ten (10) days of WADA's receipt of such notice and the case file related to such challenge, WADA shall also have the right to intervene as a party, appear as amicus curiae or otherwise provide evidence in such proceeding. In cases before CAS, at WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

b) WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding. If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then the Anti-Doping Organization shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

c) Departures from any other International Standard or other anti-doping rule or policy set forth in this Law, the Code or ~~in an Anti-Doping Organization's~~ rules shall not invalidate analytical results or other evidence of an

anti-doping rule violation, and shall not constitute a defence to an anti-doping rule violation; provided, however, if the Athlete or other Person establishes that a departure from one of the specific International Standard provisions listed below could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or whereabouts failure, then the Anti-Doping Organization shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or whereabouts failure:

(i) a departure from the International Standard for Testing and Investigations related to Sample collection or Sample handling which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case the Anti-Doping Organization shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;

(ii) a departure from the International Standard for Results Management or International Standard for Testing and Investigations related to an Adverse Passport Finding which could reasonably have caused an anti-doping rule violation, in which case the Anti-Doping Organization shall have the burden to establish that such departure did not cause the anti-doping rule violation;

(iii) a departure from the International Standard for Results Management related to the requirement to provide notice to the Athlete of the B Sample opening which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case the Anti-Doping Organization shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;

(iv) a departure from the International Standard for Results Management related to Athlete notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case the Anti-Doping Organization shall have the burden to establish that such departure did not cause the whereabouts failure.

d) The facts established by a decision of a Court or a Professional Disciplinary Committee of competent jurisdiction, which is not the subject of a pending appeal, shall constitute irrebuttable evidence against the Athlete or other person to whom ~~subject to the decision based on~~ pertained of those facts unless the Athlete or other Person establishes that the decision violated the ~~general~~ principles of natural justice.

e) The hearing panel in hearing an anti-doping rule violation may ~~reach a negative verdict concerning~~ draw an inference adverse to the Athlete or other person who is ~~alleged~~ asserted to have committed ~~violated an the~~ anti-doping rule violations based on the Athlete's or other person's refusal to appear at the hearing after a request made in ~~within~~ a reasonable time in advance of the ~~having been requested to attend the~~ hearing (either in person or by telephone as ~~requested~~ directed by the hearing panel) and to answer the questions of the Hearing Panel or ~~the Agency~~ NADA.

Article XX. Consequences of Anti-Doping Rule Violations

(1) An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following:

(a) Disqualification. It means the Athlete's results in a particular Competition or Event are invalidated, with all resulting Consequences including forfeiture of any medals, points and prizes, as further specified in Articles XX of this Law / Anti-Doping Rules;

(b) Ineligibility. It means the Athlete or other Person is barred on account of an anti-doping rule violation for a specified period of time from participating in any Competition or other activity or funding as provided in Code Article 10.14 / Articles XX of this Law / Anti-Doping Rules;

(c) Provisional Suspension. It means the Athlete or other Person is barred temporarily from participating in any Competition or activity prior to the final decision at a hearing conducted under Code Article 8 / Articles XX of this Law / Anti-Doping Rules;

(d) Financial Consequences. It means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation as further specified in Article XX of this Law and Anti-Doping Rules; and

(e) Public Disclosure. It means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with Code Article 14 / Article XX of this Law / Anti-Doping Rules.

(2) Teams in Team Sports may also be subject to Consequences as provided in Code Article 11 / Article XX of this Law / Anti-Doping Rules.

Article 4. Scope of application

The following are subject to this Law:

- a) Athletes;
- b) Athlete support personnel;
- c) Recreational Athletes, people who practice sport;
- d) any persons participating in events, competitions and other activities taking place in Moldova;
- d) National Sports Federations, including any clubs, teams, associations or leagues, their members and their legitimized staff, board members, directors and officers;
- e) The Agency personnel, including its board members, directors, officers ~~persons appointed to its Administrative Body;~~
- F) Members of the Hearing Panel and the Appellate Board;
- g) Members of the TUE Committee and other NADA-established committees;
- h) Third-party delegates and their employees involved in any aspect of a doping control;
- I) Persons involved in any aspect of a doping control;
- j) Sports Competitions Organisations, members and their legitimized staff, board members, directors and officers;
- k) Any other person in relation to whom this Law confers authority on the Agency, including all Athletes who are nationals or residents of Moldova, and all Athletes who are present in Moldova, whether to compete, to train or otherwise.

Article 5. Legal Framework

(1) The Activities of the Authorities for the supervision, control, prevention of and fight against doping in sport are regulated by the Constitution of the Republic of Moldova, the present Law, other laws and regulations, anti-doping rules and by International Treaties to which the Republic of Moldova is a party, and in particular, The International Convention Against Doping in Sport, UNESCO, adopted in Paris on 19 October 2005, it was ratified by the Law no. 298-XVI of 21.12.2007; The Anti-Doping Convention, adopted in Strasbourg on 16 November 1989, ratified by Law no. 247-XVI of 27.11.2008 and the Additional Protocol thereto, and the World Anti-Doping Code, hereinafter referred to as the Code, ~~drafted~~ approved by the World Anti-Doping Agency, hereinafter referred to as WADA.

(2) This Law, other legislative and normative acts in force, which prevent and prohibit doping for reasons of an ethical and medical nature and guarantee the right of ~~citizens~~ persons to practice a clean sport in terms of respect for the principles of fair play and health protection.

Article 6. Definitions

For the purposes of this Law, the terms and expressions below are defined as follows:

without prejudice agreement - for purposes of Article 60, a written agreement ~~concluded~~ between an Anti-Doping Organisation and an Athlete or ~~another~~ person, allowing the Athlete or ~~another~~ person to provide information to the Anti-Doping Organisation ~~within a specified~~ in a defined time-limited ~~frame~~ setting, with the ~~acceptance~~ understanding that, if an agreement for substantial assistance or a case resolution agreement is not ~~concluded within that specified time frame~~ finalized, the information provided by the Athlete or ~~another~~ person ~~within the specified setting and context~~ in this particular setting, may not be used by the Anti-Doping Organisation ~~shall not use it~~ against the Athlete or ~~another~~ person in any results management proceedings ~~carried out following~~ under the Code, and that the information provided by the Anti-Doping Organisation in ~~that specific context~~ this particular setting may ~~will~~ not be used by the Athlete or ~~another~~ person against the Anti-Doping Organisation in any results management proceedings ~~carried out in compliance with~~ under the Code. Such an Agreement shall not ~~prevent~~ preclude the Anti-Doping Organization, Athlete or ~~another~~ person from using ~~the~~ any information or evidence gathered from any source; other than ~~within the specified range as provided for~~ during the specific time-limited setting described in the Agreement;

anti-doping activities - ~~activities on~~ anti-doping information and education, planning the test distribution, maintaining a registered testing pool, managing the Athlete biological passports, conducting testing, organizing sample analyses, gathering ~~information~~ of intelligence and conducting investigations, processing TUE ~~requests and~~ applications, ~~managing~~ results management, ~~hearings~~, monitoring and enforcing compliance with ~~all~~ any consequences imposed, as well as ~~any~~ all other ~~anti-doping~~ activities related to anti-doping ~~that are~~ to be carried out by and on behalf of an Anti-Doping Organisation, as set forth in the Code and/or the International Standards;

ADAMS - the Anti-Doping Administration and Management System is a web-based database management tool for the data entry, storage, ~~dissemination~~ sharing and reporting ~~intended~~ designed to assist ~~beneficiaries~~ stakeholders and WADA in their anti-doping operations, ~~in accordance~~ in conjunction with ~~the personal data~~ processing and protection legislation;

administration - supplying, providing, supervising, facilitating or otherwise participating in the use ~~by~~ ~~another person~~ or the attempted use by another person of a prohibited substance or prohibited method. However, this definition shall not include the actions of the medical personnel in good faith involving a prohibited substance or a prohibited method ~~that is~~ used for legal and genuine therapeutic purposes or other acceptable justification and does not include actions involving prohibited substances that are not prohibited in out-of-competition testing, unless the circumstances ~~evaluated~~ as a whole demonstrate that such prohibited substances are not intended for genuine and legal therapeutic purposes, or ~~they are used~~ intended to enhance ~~the Athlete's~~ sport performance;

testing authority - the Anti-Doping Organization that authorizes testing on Athletes ~~testing~~ under its authority;

aggravating circumstances - circumstances ~~relating to~~ involving, or actions ~~committed~~ by, an Athlete or ~~another person~~ which ~~could~~ may justify the imposition of a ineligibility period greater than the standard sanction. Such circumstances and actions shall include, but not be limited to the following: the Athlete or other person used or possessed ~~a number of~~ multiple prohibited substances ~~and~~ or prohibited methods, used or possessed a prohibited substance or a prohibited method on multiple ~~times~~ occasions, or committed multiple violations of the anti-doping rules; ~~there is the possibility that~~ a normal ~~person~~ individual would be likely to ~~benefit~~ enjoy ~~from~~ the performance-enhancing ~~element~~ effects of the anti-doping rules violation beyond the period of ineligibility otherwise applicable; the Athlete or ~~other person~~ engaged in ~~deceptively~~ or ~~misleading~~ obstructive conduct to avoid detection or ~~prosecution~~ adjudication ~~for~~ of an ~~the~~ anti-doping rule violation; or the Athlete or other person engaged in tampering ~~activities~~ during the results management ~~process~~. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive, and other similar circumstances or conduct may ~~warrant~~ also justify the imposition of a longer ~~ineligibility/~~ ineligibility period;

competition - a single race, match, game or a singular sports contest. For example, a basketball match or the Olympic final in the 100-meter race. For stage races and other sporting ~~events~~ contests in which prizes are awarded on a daily or another interim basis, the distinction between competition and an event will be ~~made according~~ as provided in ~~to~~ the regulations of the respective International Federation;

financial consequences - the financial sanction imposed ~~as a result of~~ for an anti-doping rule violations or to recover the ~~incurred~~ costs associated with an anti-doping rule violation;

doping control - all ~~the~~ steps and process ~~beginning from~~ ~~with~~ the test distribution planning through to ~~the~~ ultimate disposition of any appeal, and the enforcement of ~~its wide-reaching~~ consequences, including all steps and processes in between, including but not limited to, testing, investigations, ~~and~~ whereabouts, therapeutic use exemptions, sample collection and handling, laboratory analysis, results management, ~~as well as to the~~ and investigations or proceedings relating to violations of Chapter XII provisions;

~~Case~~-CAS - The Court of Arbitration for Sport, hereinafter referred to as CAS;

disqualification - the invalidation of the Athlete's results in a ~~certain~~ particular competition or sporting event, with all the resulting consequences, including the forfeiture of any medals, points, ~~awards~~ and prizes;

technical document - a document adopted and published by WADA from time to time ~~on a regular basis~~, containing the mandatory technical requirements on certain anti-doping ~~issues~~ topics as set forth in an International Standard;

education - the learning process to instil values and develop behaviours that ~~promote~~ foster and protect the spirit of sport, and to prevent intentional ~~or~~ and unintentional doping;

~~falsification-tampering~~ - the intentional conduct ~~that undermines~~ which subverts the doping control process but which would not otherwise be included in the definition of prohibited methods. Tampering shall include, but not be limited to, the offering or acceptance of a bribe to perform, or failure to perform an activity, preventing the collection of the sample, affecting or making it impossible to analyse the sample, the falsification of documents submitted to an Anti-Doping Organisation, a TUE committee, or a hearing panel, the procurement of false testimonies from witnesses, the commission of any other fraudulent activities ~~related to~~ upon the Anti-Doping Agency Organization, or the hearing panel, ~~thus~~ to affecting the results management, or the imposition of consequences, as well as any other similar intentional interference or attempted interference with ~~every~~ any aspect of doping control;

results management - the process encompassing the ~~period~~ timeframe ~~from~~ between the notification set forth in Article 5 of the International Standard for Results Management ~~and~~ or, in ~~some~~ certain cases (such as in atypical findings, Athlete biological passport or whereabouts failure), such ~~the~~ steps prior to the notification expressly referred to in Article 5 of the International Standard for Results Management, through the charge until the final resolution of the ~~case~~ matter, including the end of the hearing process at first instance or on appeal, if an appeal was lodged;

public disclosure - ~~publication~~ dissemination or distribution of information to the general public or persons ~~other than~~ beyond those persons entitled to earlier notification under Chapter VIII and Anti-Doping Rules;

in-competition - the period commencing at 11:59 p.m. on the day ~~preceding~~ before a competition in which the Athlete is scheduled to participate through the end of such competition and the sample collection process related to ~~that~~ such competition, unless WADA approves, for a particular sport, an alternative definition if an International Federation provides ~~reasonable~~ a compelling justification that a different definition is necessary for its sport;

out-of-competition - any period that is not in-competition;

decision limit - the value of the result for a threshold substance in a sample, ~~beyond~~ above which an adverse analytical finding (~~positive result~~) is reported, as defined in the International Standard for Laboratories;

no-fault or negligence - ~~proof by~~ the Athlete or other person's establishing that he or she did not know or suspect, and could not reasonably have known or suspected, even with the exercise of utmost caution, that he or she had used or been administered the prohibited substances or prohibited methods ~~or that he or she had~~ otherwise violated an the anti-doping rules. Except in the case of a protected person or a recreational Athlete, for any violation of Article 2, Paragraph (2), Point 1), the Athlete must also establish how the prohibited substance entered the Athlete's ~~body~~ system;

no significant fault or negligence - ~~proof by~~ the Athlete or other person's establishing that ~~his or her~~ any fault or negligence, when viewed in ~~light of all~~ the totality of circumstances and taking into account the ~~established~~ criteria for no fault or negligence, was not significant in relationship to the violation of anti-doping rules. Except in the case of a protected person or a recreational Athlete, for any violation of Article 2, Paragraph (2), ~~Letter a)~~ point (1), the Athlete must also establish how the prohibited substance entered the Athlete's ~~body~~ system;

registered testing pool - the pool consists of ~~top-level elite~~ highest-priority Athletes established separately at the international level, by each International Federation and at the national level, by the National Anti-Doping Organizations, who are subject to focused in-competition and out-of-competition testing, as part of the test distribution plan of ~~that~~ international ~~organization or federation concerned~~ or National Anti-Doping Organization, and who are therefore required to provide information on their whereabouts, in accordance with the provisions of the Code and the International Standard for Testing and Investigations and Anti-Doping Rules;

sports event - the series of individual competitions ~~organized~~ conducted together ~~by a single~~ ~~decision-making~~ under one ruling body (e.g. the Olympic Games, World Championships of an International Federation, or Pan American Games);

international sports event - an event or competition where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major Event Organization or another body organising a major sporting event or other international sports organisation are the decision-making and is the ruling body for the sports event or appoints technical officials for the event;

marker - a compound, group of compounds or biological variables that indicates the use of a prohibited substance or prohibited methods;

prohibited method - any method thus described on the Prohibited List;

Prohibited List – the list identifying the prohibited substances and prohibited methods;

¶

minor - a natural person who has not reached the age of 18 years;

doping control officer - an official who has been trained and authorized by the Sample Collection Authority National Anti-Doping Agency to perform the responsibilities assigned to doping control officers in the International Standard for Testing and Investigations;

major sporting event organisations - the continental associations of National Olympic Committees and other international multi-disciplinary sports organizations, which function as the decision-making ruling body of for any continental, regional or other international sporting event;

anti-doping organization - WADA or a Code signatory that is responsible for adopting regulations-rules for initiating, implementing or enforcing any part of the doping control process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other major sports-event organisations that carry out testing in sporting at their events under their auspices, International Federations and National Anti-Doping Organisations;

National Anti-Doping Organization - entity designated by each country as possessing, having the primary authority and responsibility to adopt and enforce- implement anti-doping rules, coordinate-direct the sample collection-activity, manage test results and conduct Results Management at the national level. In the Republic Of Moldova, it there is the National Anti-Doping Agency (NADA);

Regional Anti-Doping Organization — a regional entity at the regional level, designated by member countries to coordinate and manage delegated areas of their national anti-doping programmes, which may include the adoption and implementation of anti-doping rules, the planning and collection of samples-collection, the management of results, the review of TUE requests, the conduct of hearings and the coordination-conduct of educational programmes at the regional level;

Athlete biological passport - the programme and methods of data collating-ecting and gathering in accordance with the International Standard for Testing and Investigations and the International Standard for Laboratories;

person — a natural or legal person or an (organisation) or any other entity;

protected person - an Athlete or other natural person, who at the time of the anti-doping rule violations is in one of the following situations: has not reached the age of 16 years; has not reached the age of 18 and is not included in any registered testing pool and has not-participated-never competed in any international sporting event in an open category; or for reasons other than age, the lack of legal capacity under applicable national legislation has been established.

Athlete support personnel - any coach, trainer, manager, agent, team management-staff, official, medical or paramedical personnel, the parent or any other person who works-working with, treating or assisting the Athlete participating in or preparing to for participate-in sports competitions;

possession - the actual, physical possession or constructive possession (that shall not be proven-found only if unless the person has exercises-exclusive control or intends to exercise exclusive control over the prohibited substance or prohibited method, or the premises in which where a prohibited substance or prohibited method is-located exists). However, if the person does not have exercise-exclusive control over the prohibited substance or prohibited method or the premises in which a prohibited substance or prohibited method is-found exists, the-constructive possession shall only be established-found if the person knew about the presence of the prohibited

substance or prohibited method and intended to exercise control over it. However, there shall be no ~~an~~ anti-doping rule violation based ~~shall only be established~~ solely on the basis of their possession if, prior to receiving notification of any kind that the person has committed an anti-doping rule violation, the person has taken concrete action demonstrating that he or she never intended to have possession and has renounced possession by explicitly ~~stating~~ declaring it ~~this~~ to the Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase, including by any electronic or other means, of a prohibited substance or prohibited method constitutes possession by the person ~~making~~ who makes the purchase;

sample - any biological material collected for the purposes of doping control;

contaminated product - a product that contains ~~ing~~ a prohibited substance ~~which~~ that is not disclosed on the product label or in the information ~~accessible~~ available in a reasonable search on the Internet;

Anti-doping rules (ADR) - a set of regulations developed and approved by NADA ~~and approved by WADA~~ in accordance with the responsibilities of compliance with the provisions of the World Anti-Doping Code. The Anti-doping rules (ADRs) are approved by the Order of the General Director of NADA, published in the Official Gazette and placed on the NADA website.

atypical finding - a report from a laboratory accredited by WADA or another laboratory approved by WADA, requiring further investigation under the provisions of the International Standard for Laboratories or the ~~corresponding~~ related technical documents, ~~before~~ prior to the determination of an adverse analytical finding- ~~(positive result) is established;~~

adverse analytical finding - a report from a laboratory accredited by WADA or another laboratory approved by WADA, which ~~under~~ consistent the International Standard for Laboratories establishes in a sample the presence of a prohibited substance or, its metabolites, or markers or evidence of the use of a prohibited method;

adverse biological passport finding - a report identified as an adverse passport finding as defined in applicable International Standards;

atypical biological passport finding - a report ~~identified~~ described as an atypical passport finding as defined in applicable International Standards;

Therapeutic Use Exemption (TUE) - a therapeutic use exemption allows an Athlete with a medical condition to use a prohibited substance or prohibited method, but only if ~~provided the requirements~~ the conditions set out ~~of~~ in the Code and the International Standard on Therapeutic Use Exemptions are met;

signatories - those entities that accept the Code and ~~undertake~~ agree to implement ~~its provisions~~ the Code, as provided in Article 23 of the Code;

team sport - a sport in which the ~~replacement~~ substitution of players is ~~allowed~~ permitted during ~~the~~ a competition;

individual sport - any sport that is not a team sport;

Athlete - any person competing in sport at the international level, as determined by each International Federation, or at the national level, as determined by each National Anti-Doping Organization, as well as any other person competing in a sport and legitimized by a sports club or a Sports Federation, and any other person competing in sport at a lower level;

national-level Athlete - an Athlete competing in sport at the national level, defined as such by each National Anti-doping Organization in accordance with the International Standard for Testing and Investigations. In Moldova, NADA defines the exact scope of national-level athletes in Anti-Doping Rules. ~~In Romania, an Athlete is one who competes in sport at national and/or international level, legitimized at a sports club affiliated to National Federations and/or professional leagues or who is not defined as an international Athlete by the International Federation to which he or she belongs;~~

international-level Athlete - an Athlete who competes ~~internationally~~ in sport at the international level, as defined ~~as such~~ by each International Federation, in compliance with the International Standard for Testing and Investigations;

~~69~~ *recreational Athletes* - national-level or international-level Athletes, retiring from the sport, as well as any person who is not a national-level or international-level Athlete, and who participates in the sports events held

in Romania-Moldova with a recreational purpose; however, this definition shall not include any person who, for a period of 5 years prior to the perpetration of a violation of anti-doping rules, was an international-level Athlete, as defined by each International Federation, in accordance with the International Standard for Testing and Investigations or a national-level Athlete, as defined by each National Anti-Doping Organization, and in compliance with the International Standard for Testing and Investigations, he or she represented a country at an international event of an open category or was included in a registered testing pool or other whereabouts pool owned by any of the International Federation or National Anti-Doping Organization;

substantial assistance - for purposes of Article 60, a person ~~who provides~~ substantial assistance must: ~~declare~~ (1) fully disclose in a signed written statement or a recorded interview all the information he or she ~~holds~~ possesses in relation ~~ed~~ to violations of anti-doping rules or other proceedings described in Article 60, ~~and~~ (2) fully cooperate with the investigation and ~~trial~~ adjudication of any case or matter related ~~ing~~ to that information, including, for example, ~~giving~~ presenting a testimony at a hearing, if the Anti-Doping Organisation or the hearing panel requests it. Furthermore, the information provided must be credible and ~~form~~ must comprise an important part of ~~the~~ any case or proceeding which is initiated or, if no ~~a~~ case or proceeding is ~~not~~ initiated, must have provided a sufficient basis on which a case or proceeding could have been ~~supported~~ brought;

international standard - a standard adopted by WADA in support of the ~~provisions of the Code~~. Compliance with the International Standard, as opposed to another alternative standard, ~~another alternative~~ practice or procedure, shall be sufficient to conclude that the procedures ~~referred to~~ addressed by ~~in~~ the International Standard ~~have been~~ were properly performed. The International Standards shall ~~comprise~~ include any technical documents issued pursuant to the International Standard.

prohibited substance - any substance or class of substances so described on the Prohibited List;

ineligibility/ineligibility - ~~the Prohibition ordered to~~ the Athlete or ~~a~~ other person ~~who~~ is barred for a specified period of time, on ~~the basis of violation~~ account of an anti-doping ~~regulation~~ rule violation, ~~to~~ from participating in any competition ~~, to carry out or any~~ other activity or ~~to receive~~ funding; in accordance with Article 95 Paragraphs (1) - (4) of this Law;

provisional suspension - a temporarily ordered ban on the Athlete or other ~~a~~ person ~~against whom an accusation of anti-doping rule violations has been made~~, from participating in any competition ~~, or from carrying out any~~ activity prior to the final decision at a hearing conducted under Code Article 8, in accordance with Article 95 Paragraphs (1) - (4) of this Law;

attempt - ~~the intentional~~ purposely engagement in ~~an action~~ conduct that constitutes ~~as an important~~ a substantial step in a course of conduct planned to culminate in the commission of a violation of anti-doping rules. However, ~~in any case~~, there shall be no anti-doping rule violation ~~s will not be established solely~~ based solely on the attempt to commit ~~such a violation~~; if the person renounces the attempt ~~before~~ prior to it ~~is~~ being discovered by a third party; not involved in ~~the~~ attempt;

~~therapeutic - which relates to or is related to the treatment of a medical condition with curative agents or methods or which help to cure;}}~~

testing - the parts of the doping control process ~~, which involves~~ test distribution planning, sample collection, sample handling and sample transporting to the laboratory;

trafficking - selling, giving, transporting, sending, delivering or distributing ~~to a third party~~, or the possession for any of such purposes, of a prohibited substance or a prohibited method, either physically ~~possession~~ or by any electronic or other means, by the Athlete, ~~a member of the Athlete support personnel~~ or any ~~another~~ person under the authority of an Anti-Doping Organization to any third party. However, this definition does not ~~cover~~ include actions ~~committed~~ in good faith by the medical personnel involving a prohibited substance used for legal and genuine therapeutic purposes or other acceptable justifications ~~able purposes~~, and does not ~~cover~~ include actions involving prohibited substances which are not prohibited in out-of-competition testing, ~~unless the circumstances as a whole demonstrate that the~~ such prohibited substances are not intended for legal and genuine therapeutic purposes or are ~~aimed~~ intended ~~at~~ to enhancing the sport performance;

fault- any breach of duty or any lack of ~~due~~ care appropriate to ~~in accordance with~~ a particular situation. The factors to be taken into ~~account~~ consideration in the assessment of the Athlete's or other person's degree of fault shall include, for example, the Athlete's or other person's experience, ~~and the fact that~~ whether the Athlete or ~~the other person concerned~~ is a protected person, special considerations such as ~~a physical disability (impairment)~~, the degree of risk that should have been perceived by the Athlete and the level of ~~detail~~ care and investigation exercised by the Athlete ~~concerning~~ in relation to what ~~it is supposed to~~ should have been the perceived level of risk. In assessing the Athlete's or other person's degree of fault, the circumstances considered shall be specific and relevant to explain the Athlete's or ~~concerned~~ other person's ~~deviation~~ departure from the expected standard of behaviour. Therefore, for example, the fact that an Athlete would lose the opportunity to earn ~~considerable~~ large sums of money during ~~the~~ a period of ineligibility, or the fact that the Athlete only has a ~~relatively~~ short ~~span~~ time left in ~~of his~~ a career, or the timing of the sporting calendar, would not be relevant factors to be ~~taken into account~~ considered in ~~the~~ reducing the period of ineligibility under the Code and provisions of Article 86 and Article 87 of this Law.

Chapter II THE NATIONAL ANTI-DOPING AGENCY

Article 7. Statute

(1) With the purpose of preventing and combating the doping in sports phenomenon, the National Anti-Doping Agency (hereinafter-Agency or NADA) was established in the Republic of Moldova, with the statute of a Public Institution with legal personality, with decision-making and operational autonomy in anti-doping activity and scientific research, subordinated to the Government.

(2) The Regulation on the Organisation and Functioning of the Agency shall be approved by the Government.

(3) The Agency shall be financed from the state budget, including revenue collected under the legislation. The Agency shall have financial autonomy and shall operate based on its budget. The Agency's budget comprises budget allocations, own income, donations and sponsorships.

(4) NADA is independent in its decisions and operational activities from Sports and Government structures, including, without limitation by prohibiting any involvement in ~~their~~ NADA's operational decisions or activities by any person who is, at the same time, involved in the management or operational activity of an International Federation, a National Federation, a Major Event Organization, a National Olympic Committee, a National Paralympic Committee, or a governmental structure with responsibilities in the field of sport and anti-doping.

Article 8. NADA Objectives and Mission

The objectives of the Agency are:

- a) Prevent and combat doping at the national level by adopting and enforcing anti-doping rules, policies and regulations;
- b) Encourage the practice of a clean sport in terms of Athlete health protection and respect for the principle of fair play in sport;
- c) Deter doping by enforcing rigorous rules and sanctions;
- d) Promote state policy in the field of human health protection and promotion of a healthy lifestyle;
- e) Promote and support the research on doping in sport.

Article 9. Functions and Duties

In view of achieving the objectives set out in Article 8, the Agency shall perform the following tasks:

- 1) plan, draft, develop and enforce public policy acts in the field of anti-doping;
- 2) submit proposals to amend the national legislation by harmonizing it with international regulations in the field;
- 3) adopt, publish and ensure the enforcement of the National Anti-doping Rules ~~under~~ compliant with the provisions of the Code and International Standards;
- 4) ensure the enforcement of normative acts, take concrete measures on sanctioning doping cases in sports;

- 5) responsible for conducting doping tests and ensure the results management and the hearing procedure in accordance with the Code and International Standard for Results Management;
- 6) draft and update the doping test distribution plan pursuant to the provisions of the Code and the International Standard for Testing and Investigations;
- 7) organize and carry out doping controls in- and out-of-competitions; ~~The exceptions are International Competitions organized in the Republic of Moldova where controls are carried out by International Sports Federations;~~
- 8) investigate atypical results and atypical data in the Athlete's biological passport;
- 9) investigate any intelligence resulting from analyses or from other sources or data indicating the violation of one or more anti-doping rules, either to exclude the suspicion of the violation of the regulation(s) or to consolidate evidence supporting the initiation of a case of anti-doping rule violation;
- 10) encourage and assist the sports structures, the National Olympic and Sports Committee and Paralympic Committee in ~~adopting~~ implementing testing programs and of prevention and combating the phenomenon fight against of doping in sports national anti-doping program;
- 11) cooperate with other Anti-Doping Organizations for the purpose of mutual testing;
- 12) publish annually the list of prohibited substances and prohibited methods in accordance with the WADA Prohibited list;
- 13) publish and update annually, in collaboration with the Ministry of Health, Labor and Social Protection, the list of pharmaceutical preparations authorized and marketed in the Republic of Moldova, which have doping substances in their chemical composition;
- 14) inform WADA about doping cases in Moldova and/or among Moldovan Athletes, both at the national and the international levels;
- 15) ensure the organization and functioning of the Therapeutic Use Exemptions Committee and keep records of TUE for national Athletes, pursuant to the International TUE Standard;
- 16) initiate, promote and support educational and prevention programs against doping in sport, as well as of promotion of fair play in sport;
- ~~17) ensure training and continuous professional development of Agency personnel;~~
- 18) cooperate with other national, and International Organizations and Public Institutions, Governmental and Non-Governmental Organizations and other Anti-Doping Organizations;
- 19) cooperates fully with WADA concerning investigations carried out by WADA where WADA has initiated its own investigations into anti-doping regulatory violations and other activities that may favour doping;
- 20) notifies Public Authorities to withdraw funds for the Athletes, ~~and~~ Athlete support personnel and other Persons who violated the anti-doping rules;
- 21) promotes anti-doping research;
- 22) facilitates the process of monitoring compliance with the Code according to the International Compliance Standard;
- 23) Collects, stores, processes or communicates personal data concerning athletes and other persons, when necessary and applicable in the conduct of anti-doping activities, in accordance with the Code, the International Standard for the Protection of Privacy and Personal Information and applicable national law;
- 24) submits an Annual Activity Report to the Government;
- 25) publish, annually, the Statistical Report on the doping control activities undertaken, a copy of which is sent to WADA;
- 26) establish specialized committees to examine and solve anti-doping related issues;
- 27) carries out other activities pursuant to the provisions of the ~~Regulation on the Organization and Functioning of the Agency,~~ The World Anti-Doping Code and the National Anti-doping rules and the Regulation on the Organization and Functioning of the Agency;
- 28) approves and publishes the tariffs for conducting doping tests;
- 29) authorizes sports clubs and fitness centres.

Article 10. Agency Personnel

(1) The Agency Personnel shall consist of staff employed under the individual employment contract in the budgetary/public institution, fully financed from the state budget.

(2) The General Director of the Agency shall be appointed by the Government, shall report directly to the Prime Minister.

(3) The General Director shall be assisted by a Deputy General Director, appointed and dismissed by the Government on the proposal of the General Director under the Law applicable national legislation.

(4) In the exercise of his duties, the General Director of NADA issues orders, instructions, decisions and ordinances.

(5) The term of office of the General Director and Deputy General Director shall cease pursuant to the legislation in force.

(6) A person who is provisionally suspended or who is serving in an ineligibility period under the Code (other than anti-doping rehabilitation or education programme) shall not be appointed to any position related to doping control.

Article 11. Agency's Administrative Board

(1) ~~The management of the Agency shall be ensured by a Management Board, the decision-making body.~~ The Administrative Board is a supervisory body within the Agency, as an advisory body consisting of 9 members, including:

- a) the General Director of the Agency, appointed by the Government,
- b) a Representative of the Specialized Central Public Administration,
- c) a Representative appointed by the National Olympic and Sports Committee,
- e) a Representative appointed by the Ministry of Health, Labour and Social Protection,
- f) a Representative appointed by the Ministry of Internal Affairs,
- g) a performance Athlete, selected by contest (medal winner or winner of the European Championships),
- h) a Representative of National Sports Federations, (registered with the Ministry of Justice and internationally recognized), selected by contest,
- e) a Representative of the Civil Society in the field, selected by contest,
- f) a Representative of the academic community, selected by contest.

(2) The nominal composition of the Administrative Board shall be approved by order of the Director General of the Agency.

(3) The Administrative Board shall provide independent strategic advice on the following:

- a) ~~approve~~ public policy proposals of the National Anti-Doping Agency;
- b) educational and doping prevention programs in sports;
- c) programs of actions and research activities towards eradication of doping in sports;
- d) ~~approve the~~ attraction, acceptance and administration of additional funding, including donor funds, to ensure the work of the National Anti-Doping Agency;
- e) ~~make decisions on~~ ensuring the transparency of public procurement procedures;
- f) ~~decide on~~ other matters of importance to the Agency submitted by the Director.
- g) ~~approve the~~ amendment of Normative Acts.

(4) The activity of the Administrative Board shall be headed by a Chairperson ~~President~~, who shall be elected by a majority of the members at the first meeting. The Chairperson of the Administrative Board may not be ~~namely~~ the General Director of the Agency.

(5) The members of the Administrative Board are appointed for a 4-year term, which is irrevocable, except for the cases provided in par. (6).

(6) The mandate of the members of the Administration Board shall be terminated prior to the 4-year term in the following situations:

- a) resignation from membership;
- b) transfer to another Public Authority or Body;
- c) enforcement of a disciplinary sanction;
- d) non-fulfilment of the obligations;
- e) loss of quality they were appointed for;
- f) death;
- ~~g) revocation of the mandate by the appointing authority.~~

(7) In the cases provided in par. (6) a new representative shall be appointed, whose term shall last until the expiration of the term of the person in whose place he was appointed.

(8) The members of the Administrative Board are obliged to and shall commit to respect professional secrecy, to avoid conflicts of interest and to act for protection of clean sport.

(9) The Administrative Board shall meet ~~quarterly~~ at least twice per year in ordinary meetings and extraordinary meetings, whenever necessary, at the request of the ~~General Director of the Agency~~ Chairperson or of at least two-thirds of its members.

(10) The convening of the Administrative Board shall be made with a notice of at least 5 working days prior to the meeting date and shall necessarily include the Agenda and the necessary documentation.

Article 12. Contributions

The Agency is under an obligation to pay contributions to the fulfilment of the commitments of the Republic of Moldova to the International Organizations of which it is a member state, pursuant to the International Convention against Doping in Sport - UNESCO, adopted in Paris on 19 October 2005, and ratified by the Law no. 298-XVI of 21.12.2007.

Chapter III PROHIBITED LIST AND TUE

Article 13. Prohibited Substances and Prohibited Methods

(1) ~~The Prohibited Substances and Prohibited Methods List~~ (The Prohibited List) shall ~~comprise~~ identify those prohibited substances and prohibited methods that are ~~banned~~ prohibited as doping ~~in all circumstances~~ at all times (both in-competition and out-of-competition) due to their potential to enhance the Athlete's performance in ~~upcoming~~ future competitions or due to their masking potential, as well as those substances or methods that are prohibited in-competition only.

(2) For the purpose of the application of sanctions ~~application~~ for the violations of anti-doping rules, all prohibited substances will be "specified substances" unless otherwise identified on the Prohibited List. No prohibited method will be a specified method unless it is specifically identified as a specified method on the Prohibited List.

(3) ~~In order to apply~~ For the purpose of applying sanctions for the violations of anti-doping rules, the substances of abuse shall include those prohibited substances that are specifically identified as substances of abuse on the Prohibited List as they are frequently abused in society outside of the context of sport.

(4) WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List, the classification of substances into categories on the Prohibited List, the classification of a substance as prohibited at all times or In-Competition only, the classification of a substance or method as a Specified Substance, Specified Method or Substance of Abuse is final and shall not be subject to any challenge by an Athlete or other Person 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 health risk or violate the spirit of sport.

Article 14. Publication and Revision of the Prohibited List

(1) The Prohibited List shall be published by WADA in the form of an International Standard. The Agency is responsible for publishing this List in the Official Gazette of the Republic Of Moldova and on its website.

(2) The Agency will publish the revised ~~review the~~ Prohibited List whenever there are amendments in the List published by WADA.

(3) The Agency is obliged to inform the Ministry of Education and Research, Ministry of Health, Labour and Social Protection, National Olympic and Sports Committee, National Paralympic Committee in writing of any changes made to the Prohibited List.

~~(4) Ministry of Education and Research and Ministry of Health, Labour and Social Protection shall ensure compliance by all subordinate structures with the changes made in the Prohibited List.¶~~

Article 15. Therapeutic Use Exemptions

(1) The presence of a prohibited substance or its metabolites or markers and/or the use or attempted use, possession or administration or attempted administration of a prohibited substance or method shall not constitute a violation of any anti-doping rules if it is consistent with the provisions of the Therapeutic Use Exemptions (TUE) granted ~~under~~ in accordance with the WADA International Standard for TUE ~~are applicable~~.

(2) The Agency shall ensure the enforcement of the procedure for TUE granting to Athletes, who are not international-level Athletes, upon their written request pursuant with the procedure described in WADA International Standard for Therapeutic Use Exemptions (ISTUE). In the event that the National Anti-doping Organization refuses the request, the Athlete may appeal exclusively to the Appeal Panel. Any TUE decision may also be reviewed by WADA in accordance with the International Standard for Therapeutic Use Exemptions.

(3) The international-level Athletes shall apply to the International Federation to which they are affiliated.

(4) A TUE granted by the Agency or any other National Anti-Doping Organisation shall be valid at any national level in any country ~~and shall not be formally recognised~~ without the need for any formal recognition by another National Anti-Doping Organisation. However, it is not automatically valid if the Athlete becomes an international-level Athlete or competes in an International Event unless it is recognised by the relevant International Federation or the Major Event Organisation in accordance with the International Standard for Therapeutic Use Exemptions.

Article 16. Therapeutic Use Exemptions Committee (TUEC)

(1) The TUEC shall be constituted by the Agency.

(2) The composition, competences and operational regulations of the TUEC indicated in Paragraph (1) are approved by the order of the General Director of NADA in accordance with the ISTUE.

(3) The Members and the Secretary of the Therapeutic Use Exemption Board who attend meetings shall receive a meeting allowance of up to 20% of the monthly salary of the General Director of NADA. The total amount due to a member of the TUE Board or its secretary as a result of participation in meetings may not exceed in a month 20% of the monthly allowance of the General Director of NADA.

(7) Failure to make a decision within a reasonable period of time on a properly formulated request for the granting/~~recognition~~ of a TUE or the examination of a decision on a TUE will be considered as a refusal of the request in question, thereby triggering the incidental rights of ~~challenge~~ review or appeal.

(3) The procedure for TUE request and granting is described in ADR.

Chapter IV ROLES AND RESPONSIBILITIES

Article 17. Athletes' Roles and Responsibilities

(1) To be knowledgeable and comply with all applicable national and international anti-doping rules.

(2) To be available for sample collection at all times.

(3) To take responsibility, in the context of anti-doping, for what they ingest or use.

- (4) To legitimize and specify themselves as Athletes at any medical consultation, of any kind, and of their obligation not to use prohibited substances and prohibited methods, and must take responsibility to ensure that the medical treatments received do not violate the anti-doping policies and regulations.
- (5) To cooperate with Anti-Doping Organisations in the investigations of anti-doping violations.
- (6) Athletes who are part of the Agency's Registered Testing Pool or Testing Pool are required to provide whereabouts information and fill it in the ADAMS system as specified in the Anti-Doping Rules.
- (7) To disclose to the Agency and the International Federation they are affiliated to any decision by a non-Signatory finding that the Athlete committed an anti-doping rule violation within the previous ten (10) years.
- (8) To disclose the identity of their Athlete Support Personnel upon request by any Anti-Doping Organization with authority over the Athlete.
- (9) Not to engage in offensive conduct towards a doping control official or other person involved in Doping Control.

Article 18 Athlete Support Personnel Roles and Responsibilities

- (1) To be knowledgeable and comply with all anti-doping policies and regulations ~~adopted in accordance with the provisions of the Code~~ and which are applicable to them or to the Athletes whom they assist.
- (2) To cooperate with the Athlete Testing program.
- (3) To make beneficial use of their influence on the Athletes' values and behaviour to encourage anti-doping attitudes.
- (4) To disclose to the ~~National Anti-doping Organisation~~ Agency and the International Federation they are affiliated to any decision taken by a non-signatory finding that he or she committed an anti-doping rule violations during the previous 10 years.
- (5) To cooperate with Anti-Doping Organisations in the investigations of anti-doping rule violations.
- (6) The Athlete's support personnel will not use or possess any prohibited substances or prohibited methods without valid justification.
- (7) Not to engage in offensive conduct towards a doping control official or other person involved in Doping Control.

Article 19 Sports Medicine Professionals' Roles and Responsibilities

Doctors and nurses should pay special attention to the medical treatment prescribed to Athletes and abide by the following rules:

- a) not to recommend, prescribe or administer medicinal products containing prohibited substances when they can be replaced by others that do not contain such substances, except in (exceptional) cases when there is a TUE;
- b) not to recommend, prescribe or contribute to the use of prohibited methods included on the Prohibited List, unless the TUE could be granted;
- c) to prevent the use by Athletes of prohibited substances and/or prohibited methods;
- d) to inform Athletes and relevant National Sports Federations about the medication administered for therapeutic purposes, its composition and effects;
- e) to disclose to the responsible National Sports Federation, as well as the Agency if they suspect an Athlete of using prohibited substances and/or prohibited methods, in order to be tested.
- f) to support and cooperate with NADA and other Anti-Doping Organizations investigating violations of anti-doping rules.

Article XX. Roles and Responsibilities of other Persons falling under the scope of this Law

- (1) To be knowledgeable of and comply with all anti-doping policies and regulations.
- (2) To disclose to the Agency and the International Federation they are affiliated to (if any) any decision by a non-Signatory finding that they committed an anti-doping rule violation within the previous ten (10) years.

- (3) To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.
- (4) Not to use or possess any prohibited substance or prohibited method without valid justification.
- (5) (5) Not to engage in offensive conduct towards a doping control official or other person involved in Doping Control.

Chapter V TESTING AND INVESTIGATIONS

Article 20. Purpose of Testing and Investigations

- (1) Testing and investigations may be undertaken for any anti-doping purposes in conformity with the International Standard for Testing and Investigations and Anti-Doping Rules.
- (2) Testing shall be carried out to obtain analytical evidence to establish whether an Athlete has violated the provisions of Article 2.1 or Article 2.2.

Article 21. Conducting the testing

- (1) Doping testing in-competition and out-of-competition shall be undertaken pursuant to the National Test Development Plan, in compliance with the provisions of the WADA International Standard for Testing and Investigations and Anti-Doping Rules.
- (2) ~~Doping testing shall be carried out by the Agency on its own initiative or may be requested by:~~
 - a) ~~The Ministry of Education and Research of the Republic of Moldova;~~
 - b) ~~The National Olympic and Sports Committee, ¶¶~~
 - c) ~~the National Paralympic Committee, ¶¶~~
 - d) ~~the National Sports Federations, Clubs or Professional Leagues, ¶¶~~
 - e) ~~other Sports Events Organisations shall contribute to financing of national anti-doping program.~~
- (3) ~~The Agency may also conduct testing as a delegated third party upon the request of and at the cost of other Anti-Doping Organizations and International Sporting Bodies.~~
- (3) ~~The organizations requesting doping testing listed in par. (2) shall cover the costs.¶¶~~
- (4) The procedure for doping control is regulated by the ADR and the methodological norms for the organization of doping control, which are drawn up by the Agency pursuant to the provisions of the Code, the International Standard for Testing and Investigations and the International Standard for TUE issued by WADA.
- (5) ~~In the case of emergency referrals, the General Director of the Agency may order a doping test to be conducted, in case in which it falls within the National Testing Plan.¶¶~~
- (6) ~~The Agency has in-competition and out-of-competition testing authority over all Athletes who are citizens, residents, licence holders or members of Sports Organizations in the Republic of Moldova or Athletes present in the Republic of Moldova who fall under the scope of this Law.~~
- (7) Unless otherwise provided for, only one organisation shall have the authority to carry out testing at the competition venues in a sporting event. In international-level competitions that are held on the territory of the Republic of Moldova, the testing authority is the organization ~~under whose aegis~~ which is the ruling body for the sports event ~~is organized~~. At national events ~~organized~~ held in the Republic of Moldova, the Agency shall have the authority to undertake the testing. At the request of the ruling body for an Event, any Testing conducted during the Event Period outside of the Event Venues shall be coordinated with the ruling body of the Event.
- (8) WADA has In-Competition and Out-of-Competition Testing authority as set out under Code Article 20.7.10.
- (8) Unless otherwise provided for in this Law or the Regulations of the Sports Event Organisation, the results management will be the responsibility of the Anti-Doping Organization that initiated and ~~coordinated~~ directed the sample collection (or, if no Sample collection is involved, the Anti-Doping Organization which first provides notice to an Athlete or other Person of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation) and will be governed by its rules of procedure.
- (9) ~~In the event that an International Federation or a Major Event Organisation delegates or entrusts by contract any part of the testing procedure to the Agency, the Agency may collect additional samples or request additional analysis in a WADA accredited Laboratory, at the Agency's own expense and with prior notice to the Organiser.¶¶~~

(10) Where reasonably possible, testing will be coordinated through ADAMS with other Anti-Doping Organisations in order to maximise the efficiency of the combined testing efforts and to avoid unnecessary repetitive testing.

~~(11) Under reciprocal conditions, the Agency recognises the tests carried out, the granted Therapeutic Use Exemptions, as well as the final decisions issued by any Signatory of the Code, subject to the right of Appeal pursuant to the provisions of the Code and under the law. ¶~~

Article 22. Obligation for Testing

(1) The Agency may test any athlete over whom it has testing authority and who is not retired from activity, anywhere, anytime, including Athletes who are suspended.

(2) The National Record shall be approved only after conducting a doping test on the Athlete concerned, immediately ~~within a reasonable period of time~~ after the respective ~~its registration~~ event.

Article 23. Testing Requirements

(1) The in-competition testing shall be carried out in specially designed premises called Doping Control Stations and shall be organized according to the methodological norms for the organization of doping control in line with the International Standard for Testing and Investigations.

(2) The Sports Centres Administrators are to arrange suitable facilities for doping control in accordance with the provisions of Paragraph (1).

(3) In exceptional cases, the Doping Control Station may be set up on a premise provided by the Event Organisation.

(4) Doping testing may be carried out by ~~Agency-certified~~ Doping Control Officers certified by the Agency or other Anti-Doping Organizations, ~~as well as by~~ Agency Staff may be authorised by their General Director to act as Doping Control Officers in accordance with the International Standard for Testing and Investigations.

~~(5) The responsibility for the collection and transport of samples to the Laboratory lies with the Doping Control Agency or the Officer who conducted the testing, as appropriate. ¶~~

(6) The samples collected from the Athletes ~~shall be the property/custody~~ are owned by ~~of~~ the Testing Authority responsible for that sample collection ~~ing~~ session.

(7) The Testing Authority may transfer ownership ~~/custody~~ of the samples to the Results Management Authority or to another Anti-Doping Organisation upon request.

Article 24. Investigations and Intelligence Gathering

The Agency shall conduct investigations and gather information (intelligence) in accordance with the international Standard for Testing and Investigations.

Chapter VI SAMPLES ANALYSIS AND RESULTS MANAGEMENT

Article 25. Analysis of Biological Samples

(1) For the purpose of directly determining an adverse analytical finding pursuant to Article 2 Paragraph (2) p.1), the analysis of the samples shall be carried out in a WADA-accredited or WADA-approved Doping Control Laboratory. The facts relating to violations of anti-doping rules can be established by any reliable means. These include ~~facts-~~ means such as reliable laboratory or other forensic testing conducted outside of WADA-accredited or approved laboratories.

(2) ~~In case in which~~ NADA or other ~~is the~~ Anti-Doping Organisation responsible for results management, ~~it~~ shall have the exclusive right to select the WADA-accredited or approved Laboratory for samples analysis.

(3) The contracts relating to the services provided by WADA-accredited or WADA-approved Laboratories shall be exempt from the procurement procedure provided for by the legislation in force.

Article 26. The Purpose of Analysis of Samples and Data

Samples and related analytical data, or the information on doping control shall be analysed to detect prohibited substances and prohibited methods identified on the Prohibited List, as well as other substances at the request of WADA, in accordance with the WADA monitoring programme, or to support an Anti-Doping Organisation ~~to build a~~ in profiling ~~of the~~ relevant parameters in the Athlete's urine, blood or another matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping purpose.

Article 27. Research on Samples and Data

Samples, ~~correlative~~ related analytical data and doping control information may be used for anti-doping research purposes, but no sample shall be used for research without the Athlete's written consent. Samples, ~~correlative~~ related analytical data or doping control information used for research purposes must first be processed in a manner that prevents the samples, ~~correlative~~ related analytical data ~~and~~ or doping control information from being traced back to a particular Athlete.

~~Article 28. Further Analysis of a Sample ¶¶~~

~~NADA reserves the right to keep and store the sample reported as negative for further analysis at any time. ¶¶~~

Article 29. Results Management

(1) The results management for the purposes of this Law establishes the procedure aimed at resolving matters regarding the violations of anti-doping rules in a fair, expeditious and efficient manner. The results management process is confidential save for disclosures required under the Code, this Law and Anti-Doping Rules.

(2) NADA shall ~~enforce~~ ensure the administrative pre-hearing procedure and fair hearing regarding the potential violations of anti-doping rules pursuant to the principles outlined in this ~~Article~~ Law and the International Standard for Results Management.

~~(3) The process for the management of an atypical or adverse result shall be carried out pursuant to the principles of results management set forth in the International Standard for Results Management. ¶¶~~

~~(4) The results management process for a potential whereabouts failure will be carried out in compliance with the International Standard for Results Management. NADA will submit to WADA through ADAMS all data on the whereabouts failure and on missed tests to be made available to all relevant Anti-Doping Organizations. ¶¶~~

Article 30. Review and Notification Regarding the Potential Violations of Anti-doping rules

The review and notification of a possible anti-doping rule violations will be carried out in accordance with the International Standard for Results Management and Anti-Doping Rules.

~~Article 31. Identification of Prior Anti-doping rule violations ¶¶~~

~~Before notifying the Athlete or another person of a possible anti-doping rule violation based on the aforementioned provisions, the Anti-Doping Organization will refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to establish if there are prior violations of anti-doping rules. ¶¶~~

Article 32. Provisional Suspension

(1) The provisional suspension of an Athlete shall be mandatory on the basis of an adverse analytical finding ~~of sample A~~ or an adverse biological passport finding, reported for a prohibited substance or prohibited method other than a specified substance or specified method.

(2) The provisional suspension of an Athlete or other Person is optional on the basis of an adverse analytical finding for specified substances, specified methods, contaminated products or other anti-doping rule violations.

~~The period of provisional suspension may be eliminated in the event that the Athlete demonstrates to the Hearing Panel that the adverse analytical result could have been caused by the use of a contaminated product, or the violation involves a substance of abuse and the Athlete proves that he or she is entitled to a reduced period of sanction according to Article 55, Par. (4), Letter a). ¶¶~~

~~(3) The decision of the Hearing Panel not to remove the mandatory provisional suspension on the account of the Athlete's or by another person's claims with regard to a contaminated product shall not be appealable.¶¶~~

(3) Notwithstanding paragraphs 1) and 2), a Provisional Suspension may not be imposed unless the Athlete or other Person is given: (a) an opportunity for a Provisional 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 Code 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 Code Article 13.2 and Chapter VII of the Law.

(4) NADA shall establish in the ADR the process for the enforcement of the provisional suspension rules and the applicable timeliness for violations of anti-doping rules other than those covered by Par. (1), prior to the analysis of the Athlete's Sample B or the final hearing in accordance with Chapter VII.

~~(5) The provisional suspension according to Paragraphs (1) and (4) shall be ordered by the decision of the General Director of NADA who shall immediately refer the matter to the Hearing Panel to hear the Athlete or other person as a matter of urgency.¶¶~~

~~(6) The possibility of an expedited appeal against a provisional suspension measure or a decision not to impose a provisional suspension shall be set forth in Chapter VII.¶¶~~

~~(7) The Athletes may accept a voluntary provisional suspension measure on their own initiative if they do so prior to the later of:¶¶~~

~~a) the expiration of a 10 (ten) days period from the Analytical Report for the "B" Sample (or the waiver of the analysis of the "B" Sample) or a period of 10 (ten) days from the notice of any other violation of anti-doping rules; or¶¶~~

~~b) the date on which the Athlete competes for the first time after such reporting or notice.¶¶~~

~~(8) Other persons may accept on their initiative a voluntary provisional suspension if done so within 10 (ten) days from the notification of a violation of an anti-doping regulation.¶¶~~

~~(9) By this voluntary acceptance, the provisional suspension shall have full effect and must be treated in the same way as the provisional suspension imposed pursuant to Par. (1) or (4); however, in the event that, at any time after the voluntary acceptance of the provisional suspension, the Athlete or another person might withdraw the acceptance, the Athlete or another person shall not benefit from any reduction in the period of time served during the provisional suspension.¶¶~~

Article 33. Notifications of Results Management Decisions

Athletes or other persons, Signatories and WADA shall be notified of the decisions on the results management as provided for in ~~Ch. VIII and~~ the International Standard for Results Management and Anti-Doping Rules.

Article 34. Retirement from Sport

(1) If an Athlete or other Person retires while a results management procedure is in progress, the Anti-Doping Organisation carrying out the results management procedure shall keep its authority to complete the procedure.

(2) If an Athlete or other Person retires before ~~the~~ any results management process ~~commenced~~ has begun, and ~~the results management authority shall be the responsibility of~~ the Anti-Doping Organisation ~~which~~ would have had results management authority over the Athlete or other person at the time the Athlete or another person ~~violated~~ committed an ~~the~~ anti-doping rule violations, that Anti-Doping Organization has authority to conduct results management.

Chapter VII HEARING AND APPEAL

Article 35. Resolution Authorities for the Cases of the Anti-doping rule violations

The Resolution Authorities at the national level for the cases regarding the anti-doping rule violations are:

- a) The Hearing Panel
- b) The Appeal Panel

c) National Anti-Doping Agency under provisions of the Art.37.

Article 36. Fair Hearings

When NADA is ~~in the case of direct responsibility~~ in the results management authority, it will provide any person alleged to have committed a violation of anti-doping rules, at least, a fair hearing organized within a reasonable time by a fair, impartial and operationally independent Hearing Panel, under the WADA International Standard for Results Management.

Article 37. Waiver of Hearing

(1) An Athlete or other Person against whom an anti-doping rule violation is asserted may waive a hearing expressly and agree with the Consequences proposed by NADA.

(2) ~~Prior to the completion of the administrative pre-hearing process on results management, NADA shall require~~ If the Athlete or other Person against whom an anti-doping rule violation is asserted by NADA fails to dispute that ~~to communicate whether he or she is waiving the hearing or challenging NADA's assertion that an anti-doping rule violation has occurred~~ within a deadline specified ~~certain time period, within the specific interval~~ in the notice sent by NADA to the Athlete or other Person or provided in the ADR ~~from the receipt of the notice disclosing the assertion of the anti-doping rule violation~~, the Athlete or other Person is deemed to have waived the hearing, to have admitted the violation and to have accepted the proposed Consequences.

(2) In cases where paragraphs 1) or 2) apply, ~~the event that the Athlete or other person expressly waives the hearing, or if he or she does not challenge NADA's assertion that an anti-doping rule violation has occurred within a specific time period, within the timeframe outlined in Paragraph (1)~~ a hearing before the Hearing Panel shall not be required. Instead, ~~NADA shall promptly issue a written reasoned dated and expressly communicated decision on the committed violation of the anti-doping regulation~~ that conforms with requirements established in the International Standard for Results Management, as further specified in the Anti-Doping Rules. NADA shall notify that decision to the Athlete or other Person and to other Anti-Doping Organizations with a right to appeal under Article XX of this Law, and shall promptly report it into ADAMS. NADA shall Publicly Disclose that decision in accordance with Article XX of this Law. The decision may be appealed as provided in Article XX.

Article 38. Referral to the Hearing Panel

In the event that the Athlete or other person does not waive the hearing in accordance with Article 37, ~~or challenges the NADA's assertion that an anti-doping rule violation occurred within a certain period of time, within the time limit set forth in Paragraph (1)~~, NADA shall refer the case to the Hearing Panel in accordance with Article 41 and Anti-Doping Rules.

Article 39. Notice of Decision

At the end of the hearing, or promptly thereafter, the Hearing Panel shall issue a written reasoned decision that conforms with the International Standard for Results Management. NADA shall notify that decision ~~The reasoned hearing decision shall be provided by the Anti-Doping Organisation with results management responsibility~~ to the Athlete or other Person and to other Anti-Doping Organisations which have the right to appeal under Article 51 as further specified in the Anti-Doping Rules. The decision may be appealed as provided in Article XX.

Article 40. Single Hearing before the Court of Arbitration for Sport

The charges relating to violations of anti-doping rules against the national-level and international-level Athletes or any other person may be the subject to a single hearing at the Court of Arbitration for Sport, ~~based with on~~ the consent of the Athlete or other person, NADA or ~~the~~ other Anti-Doping Organization with results management responsibility, and WADA.

Article 41. The Hearing Panel

(1) The Hearing Panel duties comprise:

- ~~a) charges brought by NADA, on the basis of an alleged violation of anti-doping rules, against Athletes, Athletes' support personnel and other persons as a result of the completion of the pre-hearing administrative process in the results management;¶~~
- b) requests for a hearing of Athletes or other persons following the notice of the accusation of anti-doping rule violations as a result of the completion of the pre-hearing administrative process in the results management except for cases provided for under Article 37;
- c) requests for a hearing ~~made by Athletes~~ regarding the ~~mandatory~~ provisional suspensions ~~according to Article 70, the optional provisional suspension of Athletes, Athlete support personnel and other persons against whom NADA alleges violations of anti-doping rules, where the provisional suspension is not mandatory;~~
- ~~d) emergency (express) hearings, upon referral from the General Director of NADA for Athletes or Athlete support personnel or other persons against whom a provisional suspension has been enforced;¶~~
- (e) incidental claims in connection with the settlement of the case;

(2) The Hearing Panel shall be fair, impartial and operationally independent. Board members, staff members, commission members, consultants and officials of NADA or its bodies, as well as any Person involved in the investigation and pre-adjudication 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 the Hearing Panel. In particular, no member shall have previously considered any TUE application, Results Management decision, or appeals in the same given case.

(3) The composition, duties and operational regulations of the Hearing Panel shall be approved by Governmental Decision under the International Standard for Results Management.

(4) The members and secretaries of the Hearing Panel, who attend meetings, shall receive a meeting allowance of up to 20% of the monthly salary of the General Director of NADA. The total amount due to a member of the ~~TUE Board~~ Hearing Panel or its secretary as a result of participation in meetings may not exceed in a month 20% of the monthly salary of the General Director of NADA.

(7) The costs for personnel salaries, for the organization and functioning of the Hearing Panel shall be incurred by NADA from the state budget.

Article 42. The Appeal Panel

(1) Functions of the Appellate Board comprise:

- a) appeals against decisions covered in Chapter XIII;
- ~~b) emergency appeals;¶~~

(2) The Appeal Panel shall be fair, impartial, operationally and institutionally independent. Board members, staff members, commission members, consultants and officials of NADA or its affiliates (such as a Delegated Third Party), as well as any Person involved in the investigation, pre-adjudication or Results Management of the matter, cannot be appointed as members and/or clerks of the Appeal Panel. In particular, no member shall have previously considered any TUE application, Results Management decision, first instance, or appeal involving the same Athlete in a given case.

(3) The composition, duties and operational regulations of the Appeal Panel shall be approved by Governmental Decision in accordance with the International Standard for Results Management.

(4) For their work in Appeal Panel, the members shall receive a monthly allowance in the amount of 20% of the salary of the Secretary-General of the Government and this shall be their sole form of remuneration. The members' allowance shall not be less than the highest basic salary established for the members of the secretariat of the Appeal Panel.

(5) The costs for personnel salaries, for the organization and functioning of the Appeal Panel shall be incurred by the State Chancellery from the state budget.

Article 43. Decisions Subject to Appeal

(1) Decisions made under the provisions of this Law may be subject to appeal as set forth below or as otherwise provided in the Code or International Standards. The respective decisions shall remain in effect during the course of the appeal process unless the appellate body orders otherwise.

(2) The scope of review on appeal shall cover all issues relevant to the matter and is expressly not limited to the issues or scope of review in the proceedings before the Hearing Panel or initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the ~~Hearing Panel~~ first instance hearing.

(3) The following decisions may be appealed:

- a) a decision by NADA or, where appropriate, the Hearing Panel, that an anti-doping rule violation~~s~~ was committed;
- b) a decision~~s~~ by NADA or, where appropriate, of the Hearing Panel to impose or not to impose consequences for violations of anti-doping rules;
- c) a decision by NADA or, where appropriate, of the Hearing Panel, that no anti-doping rule violation~~s~~ was committed;
- d) a decision by NADA or, as the case may be, of the Hearing Panel, that a proceeding concerning anti-doping rule violations cannot go forward for procedural reasons, including prescription;
- e) a decision by WADA not to grant an exception to the six-months notice requirement for a retired Athlete to return to competition under Code Article 5.6.1;
- f) a decision by WADA assigning Results Management under Code Article 7.1;
- eg) a decision by NADA not to bring forward an adverse analytical finding or an atypical ~~result~~ finding as a violation of anti-doping rules;
- f) a decision by NADA not to ~~continue investigating~~ go forward with an anti-doping rule violation~~s~~ after an investigation carried out in accordance with the International Standard for Results Management;
- g) a decision of the Hearing Panel to impose or lift a provisional suspension as a result of provisional hearing;
- xx) NADA's failure to comply with Code Article 7.4;
- h) a decision that NADA lacks authority to rule on an alleged anti-doping rule violation or its Consequences;
- i) a decision to suspend, or not suspend, Consequences or to reinstate, or not reinstate, Consequences under Article 60;
- k) failure to comply with Article 63 Par. (1)-(2) and Article 69 Par. (5)-(7) of this Law;
- xx) failure to comply with Code Article 10.8.1;
- xx) a decision under Code Article 10.14.3;
- l) a decision by NADA not to implement a decision made by another Anti-Doping Organization under Code Article 15;
- xx) a decision under Code Article 27.3.

(4) in cases resulting from the participation in an International Sporting Event or in cases involving international-level Athletes, the decisions ~~by NADA or by the Hearing Panel~~ may be appealed exclusively to CAS.

(5) Appeals not provided for in Paragraph (4) ~~shall~~ may be appealed to the Appellate Board in accordance with the International Standard for Results Management, Anti-Doping Rules, Rules of Procedure of the Appellate Board and the following principles:

- a timely hearing;
- a fair and impartial hearing panel, operationally and institutionally independent;
- the right to be represented by a lawyer at the person's own expense; and
- a reasoned, timely decision in writing.

(6) Where, in a particular case, NADA ~~an Anti-Doping Organisation~~ fails to render a decision ~~establishing~~ with respect to whether an anti-doping rule violation was committed, within a reasonable time limit set by WADA, WADA may choose to appeal directly to CAS as if ~~the Anti-doping Organisation~~ NADA rendered a decision ~~that~~ finding no violation of the anti-doping ~~regulation was committed~~ rule. In case the CAS hearing panel ~~establishes~~ determines

that an anti-doping rule violation was committed and that WADA acted reasonably in electing to ~~by appeal ing~~ directly to CAS, then the costs and ~~legal representation~~ attorney fees incurred by WADA in ~~to prosecuting~~ the appeal will be reimbursed to WADA by ~~the Anti-Doping Organisation~~ NADA.

(7) TUE decisions may be appealed as provided under Article XX.

(8) Where WADA has a right to appeal under Code Article 13 and this Chapter, and no other party has appealed a final decision within NADA's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in NADA's process.

¶

Article 44. ~~People~~ Persons with the Right to Appeal

(1) ~~The decisions~~ In cases provided for in Article 43 Par. (4), the following parties shall have the right to appeal to CAS:

- a) the Athlete or other person who is the subject of the decision that is appealed;
- b) the other party to the case in which the decision was rendered;
- c) the relevant International Federation;
- d) NADA or National Anti-doping Organisation of the person's country of residence or of the countries that the person holds citizenship or license;
- e) The International Olympic Committee or The International Paralympic Committee, as applicable, where the decision may have an effect concerning the Olympic Games or Paralympic Games, including decisions ~~concerning the right~~ affecting the eligibility ~~to participate in~~ for the Olympic Games or Paralympic Games; and
- f) World Anti-Doping Agency (WADA).

(2) ~~The decisions~~ In cases provided for in Article 43 Par. (5), ~~in the event that the provisions of Paragraph (1) are not applicable,~~ decisions may be challenged at the Appeal Panel by the following parties:

- a) the Athlete or other person who is the subject of the decision that is appealed;
- b) the other party to the case in which the decision was rendered;
- c) the relevant International Federation;
- d) The International Olympic Committee, The International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions ~~concerning the right to participate~~ affecting the eligibility for ~~in~~ the Olympic Games or Paralympic Games;
- e) the National Anti-doping Organisation of the person's country of residence or of the countries that the person holds citizenship or license;
- f) NADA;
- g) WADA.

(3) In cases under paragraph 2), WADA, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal to CAS with respect to the decision of the Appeal Panel.

~~(4)~~ All parties to a CAS appeal shall ensure that WADA and all other parties with the right to appeal have been notified of the appeal in a timely manner.

~~(5)~~ Notwithstanding any other provisions, ~~the decisions ordering~~ imposing a provisional suspension may be appealed exclusively by the Athlete or ~~by another person to~~ upon whom a provisional suspension ~~was~~ is imposed, ~~within 145 days of the date of the notice. The appeal shall be heard as a matter of urgency.~~

Article 45. Appeal Deadline

(1) The deadline to file the appeal ~~by the entities referred to Art. 44 Par. (2) shall expire within~~ be 21 days from the date of receipt of the decision by the appealing party. ~~the notice.~~

(2) Above notwithstanding, ~~the filing deadline for an appeal filed by WADA will be the later of the following:~~

- a) 21 (Twenty-One) days from the last day on which any of the other parties with the right to appeal could have appealed; or

b) 21 (Twenty-One) days ~~from the date on which~~ after WADA's receipt ~~yes~~ of the complete case file relating to the decision.

(3) Deadlines for parties entitled to appeal but which were not parties to the proceedings that led to the decision being appealed are specified in the Anti-Doping Rules.

Article 46. The Cross Appeal and Other Subsequent Appeals Allowed

The cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the provisions of the Code and this Law are specifically permitted. Any party entitled to appeal under this Chapter shall file a cross appeal or a subsequent appeal at the latest with that party's answer.

Article 47. Notification of Appeal Decisions

~~Any Anti-Doping Organisation which is a party to an appeal~~ NADA shall ~~expressly~~ promptly ~~forward~~ provide the appeal decision to the Athlete or other person and to ~~any~~ other Anti-Doping Organisation which would have had the right of appeal under Article 44 as provided for in Chapter VIII.

Chapter VIII CONFIDENTIALITY AND PUBLIC DISCLOSURE

Article 48. Notice of Potential Anti-doping rules Violation

(1) NADA will notify the Athlete or another person of a possible anti-doping rule violation in accordance with the form and manner provided for in the ADR.

~~(2) In case of direct results management responsibility, NADA will notify the National Anti-Doping Organization with authority over the Athlete, the International Federation that the Athlete is affiliated to, and WADA of the possible anti-doping rule violations simultaneously with the notice to the Athlete or other person.¶¶~~

~~(3) The Notice shall comprise the Athlete's or another person's name, country, sport and discipline within the sport, the Athlete's competitive level, if a test was carried out in competition or out of competition, the date of sample collection, the analytical result reported by the Laboratory, as well as other information, in accordance with the International Standard for Results Management, or, for the violation of anti-doping rules, other than those referred to in Article 2 Par. (2) p.1), the regulation violated and the basis of the alleged violation.¶¶~~

¶¶

Article 49. Confidentiality

Organizations receiving notifications of possible anti-doping rule violations under this Law and Anti-Doping Rules ~~this information provided for in Article 48~~ shall not disclose this information beyond the persons ~~who~~ with a need to ~~be aware of them~~ know (such as the staff of the relevant National Olympic and Sports Committee and National Paralympic Committee, where appropriate, the Central Government Authority responsible for the sports areas, the National Federation, or the team in the case of a team sport) until NADA or other ~~the~~ Anti-Doping Organization responsible for the results management ~~will make~~ has made a public disclosure ~~in the circumstances~~ as permitted by Art.51.

Article 50. Notice on the Decisions Regarding the Anti-doping rules Violation ¶¶

~~(1) The decisions on violations of anti-doping rules or decisions on violations of the suspension or provisional suspension rendered pursuant to Articles 33, 58, 59, 60-62, 69 Par. (5) (7) or 47 must include all the reasons considered in making the decision, including, where appropriate, the reasons for the decision not to impose the most potential sanction. ¶¶~~

~~(2) An Anti-Doping Organisation with the right of Appeal a decision received in accordance with Par. (1) may, within 15 days of the receipt of the decision, request a copy of the full case file relating to the decision.¶¶~~

¶

Article 51. Public Disclosure¶¶

~~(1) After the notice has been issued to the Athlete or another person in compliance with the International Standard for Results Management, as well as the relevant Anti-Doping Organizations in accordance with the ADR, NADA may publicly disclose the following: the identity of the Athlete or other person who is notified of a possible violation of anti-doping regulation, a prohibited substance or a prohibited method and the nature of the violation, and whether the Athlete or other person is subject to a provisional suspension. ¶¶~~

~~(2) NADA shall publicly disclose the disposition on the matter including the sport, the anti-doping regulation violated, the name of the Athlete or other person who committed the violation, the prohibited substance or prohibited method involved, if any, and the consequences imposed, within 20 days of the date the decisions regarding the anti-doping violations became final and enforceable under this Law. No later than 20 days, NADA must also publicly disclose the appellate decisions in cases of violation of anti-doping rules, including the aforementioned information. ¶¶~~

~~(3) In all cases where it has been established, after a hearing or appeal, that an Athlete or another person did not commit a violation of anti-doping rules, the fact that the decision has been appealed may be made public. However, the decision itself and the facts underlying it can only be made public with the consent of the Athlete or another person subject to the decision. ¶¶~~

~~(4) The publicly disclosed information in accordance with present Article are presented and available on the NADA website and the responsible National Sports Federations for the duration of the period of ineligibility for no less than a month. ¶¶~~

~~(5) The mandatory public disclosure provided for in Par. (2) will not be necessary in cases where the Athlete or another person who has been found to have violated the anti-doping rules is a minor, a protected person or a recreational Athlete. Any voluntary public disclosure in a case concerning a minor, a protected person or a recreational Athlete shall be proportionate to the facts and circumstances of the case. ¶¶~~

Article 52. Data Privacy and Protection of Personal Information

NADA will collect, store, process or disclose personal information relating to Athletes and other persons where necessary and applicable to conduct its anti-doping activities in accordance with the Code and the International Standards (including specifically the International Standard for the Protection of Personal Data) and under the legal provisions of the Republic of Moldova.

Chapter IX SANCTIONS

Article 53. Automatic Disqualification of Individual Results

An anti-doping rule violation in an individual sport ~~occurring during a~~ in connection with an in-competition test automatically ~~results~~ leads to ~~in the~~ the disqualification of the ~~individual~~ results obtained in that competition, with all consequences resulting therefrom, including the forfeiture of any medals, points, and prizes ~~and awards~~.

Article 54. Disqualification of Results in a Sports Event during which an Anti-Doping Rule Violation occurs

(1) A violation of an anti-doping rule occurring during or in connection with the event ~~could~~ may, upon ~~lead~~ ~~under~~ the decision of ~~the Organisation responsible for the~~ the ruling body of the Sports Event, lead to the disqualification of all of the Athlete's individual results ~~achieved~~ obtained in that event, with all ~~the relevant~~ consequences, including the forfeiture of all medals, points and prizes, except as provided for in Paragraph 3.

(2) The factors to be taken into account when deciding whether to disqualify other results in a sporting event include, for example, the seriousness of the anti-doping rule violations and whether the Athlete tested negative in other competitions.

(3) Unless the Athlete ~~proves~~ established that he or she bears ~~the absence of~~ no fault or negligence ~~in connection with~~ for the violation, the Athlete's individual results in the other competitions shall not be disqualified unless the Athlete's results in competitions other than the one in which the anti-doping rule violation ~~was committed~~ occurred ~~might have~~ were likely to have been affected by the Athlete's ~~violations of the anti-doping regulation~~ rule violation.

Article 55. Ineligibility for Presence, Use or Attempted Use or Possession of a Prohibited Substance or Prohibited Method:

(1) For ~~the actions-violations provided for in Article 2 Paragraph (2) Points 1), 2) and-or 6), the period of -shall be sanctioned by~~ ineligibility shall be as follows, subject to ~~from sports activity for a period of 4 years, with the possibility of~~ potential elimination, reduction or ineligibility pursuant to Articles 58-62 ~~as follows:~~

(a) the period of ineligibility, subject to point (e) [Code Article 10.2.4], shall be 4 years, when:

i) the anti-doping rule violations does not involve a specified substance or a specified method unless the Athlete or another person ~~proves~~ can establish that the ~~committed~~ anti-doping rule violation was not intentional;

ii) ~~when the violation of the anti-doping regulation-~~ the anti-doping rule violation involves a specified substance or a specified method and the Agency can ~~prove~~ establish that the ~~committed~~ anti-doping rule violation was intentional;

(2b) If ~~Provided that Paragraph 1 point (a) does shall not apply, subject to -under Paragraph 4 point (d) (i), (ii) and (iii) [Code Article 10.2.4.1], the period of ineligibility period will be 2 (two) years.~~

(3c) For the purpose of this Article paragraph (1), the term "intentional" is meant to identify those Athletes or other ~~people~~ Persons who ~~have knowingly~~ engaged in conduct which they knew constituted an ~~violating the~~ anti-doping rule violations, or knew ~~engaged in a relationship knowing~~ that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly ~~had~~ disregarded that risk. An anti-doping rule violation resulting from an adverse analytical finding for a substance that is prohibited only in-competition will be rebuttably presumed to ~~be committed-~~ not "non-intentionally" if the substance is a specified substance and the Athlete can ~~prove~~ establish that the prohibited substance was used out-of-competition. An anti-doping rule violation ~~as-a~~ resulting from ~~of~~ an adverse analytical finding for a substance that is only prohibited in-competition will not be considered ~~as committed-~~ "non-intentionally" if the substance is not a specified substance and the Athlete can ~~prove~~ establish that the prohibited substance was used out-of-competition in a context ~~extrinsic-~~ unrelated to sport performance.

(4d) ~~In spite of the-~~ Notwithstanding any other provisions ~~of in Paragraphs (1)-(3), where the anti-doping rule violations involves a substance of abuse:~~

i) ~~Providing~~ if the Athlete can establish that any ingestion or use ~~of a substance of abuse~~ occurred out-of-competition and was ~~not~~ unrelated to sports performance, then the period of ineligibility ~~period~~ shall be 3 (three) months.

ii) Moreover, the period of ineligibility ~~period~~ calculated under Letter a(i) may be reduced to one (1) month if the Athlete or ~~another person~~ ~~adequately~~ satisfactorily completes a NADA-approved substance of abuse treatment programme.

iii) The period of ineligibility established pursuant to Letters a(i) and/or (ii) ~~is~~ is not subject to any reduction ~~under-~~ based on any provisions in ~~of~~ Article 59.

(e5) In the case the ingestion, use or possession occurred in-competition, and the Athlete can ~~prove~~ establish that the ~~circumstances relating to-~~ context of the ingestion, use or possession was ~~ere not~~ unrelated to sports performance, then ~~they~~ the ingestion, use or possession shall not be considered ~~committed~~ intentionally ~~pursuant to-~~ for purposes of Paragraph (1) point (a) and shall not constitute a basis for a finding of aggravating circumstances ~~covered under in~~ Article 57.

Article 56. Ineligibility for Other Anti-doping Rule Violations

The ineligibility period for violations of anti-doping rules other than those provided for in Article 55 will be as follows, ~~provided~~ unless Articles 59 ~~to-~~ or 62 are ~~not~~ applicable:

a) For violations of the provisions of Article 2 Paragraph (2) Points 3) or 5) the ~~ineligibility/ineligibility~~ period of ineligibility will be 4 (four) years, with the exceptions:

(i) in the event that the Athlete fails to submit to a sample, if he or she can prove that the anti-doping rule violations was not committed intentionally, the ineligibility period shall be 2 (two) years;

- (ii) in all other cases, where the Athlete or other person can provide evidence of exceptional circumstances justifying a reduction of the period of ineligibility, the period of ineligibility shall range from two and four years, depending on the degree of fault of the Athlete or the other person; or
- (iii) in a case where a protected person or a recreational Athlete is involved, the ineligibility period shall be a maximum of two years, and a minimum of one, a reprimand and no ineligibility period, depending on the degree of fault of the protected person or the recreational Athlete.
- b) For the violations of Article 2, Paragraph (2) Point 4), the ineligibility period will be 2 (two) years, with the possibility of reduction to a minimum of 1 (one) year, depending on the degree of fault of the Athlete, as provided for in the ADR. The flexibility to choose between a ineligibility period of 2 (two) years and 1 (one) year respectively provided for in this Article shall not apply to Athletes with a history of last-minute whereabouts changes or similar conduct that gives rise to a serious suspicion that the Athlete has attempted to avoid the testing.
- c) For violations of Article 2 Paragraph (2) Point 7) or 8), the period of ineligibility will be a minimum of 4 (four) years going up to lifetime ineligibility, depending on the severity of the violation. A violation of Article 2 Paragraph (2) Point 7) or 8) involving a protected person shall be regarded as a particularly serious violation and, if committed by a member of the Athlete's support personnel for violations other than those relating to specified substances, shall be sanctioned with a lifetime ineligibility of that member of the Athlete support personnel. In addition, serious violations of Article 2 Paragraph (2) Points 7) or 8), which may also constitute violations of non-sporting laws and regulations, will be reported to the competent administrative, professional and judicial authorities.
- d) For violation of Article 2, Paragraph (2) Point 9), the imposed period of ineligibility will be from a minimum of 2 (two) years to a lifetime ineligibility, depending on the gravity of the violation.
- e) For the violation of Article 2 Paragraph (2) Point 10), the ineligibility period will be 2 (two) years, with the possibility of reduction a minimum of 1 (one) year, depending on the degree of fault of the Athlete or other person and the other circumstances of the case.
- f) For violation of Article 2, Paragraph (2) Point 11), the imposed period of ineligibility will be from a minimum of 2 (two) years to a lifetime ineligibility, depending on the gravity of the violation committed by the Athlete or the other person.

Article 57. The Aggravating Circumstances which may Increase the Period of Ineligibility

In the event that the Agency determines in an individual case concerning a violation of anti-doping rules, other than the violations provided for in Article 2 Paragraph (2) Points 7) - 9), and 11), that there are aggravating circumstances that 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 2 (two) years, depending on the gravity of the violation and the nature of the aggravating circumstances, except in the case where the Athlete or other person can prove that he or she did not knowingly commit an anti-doping rule violation.

Article 58. Elimination of the Ineligibility Period in the Absence of Fault or Negligence

If an Athlete or another person proves in an individual case that he or she committed no fault or negligence, then the otherwise applicable ineligibility period will be eliminated.

Article 59. Reduction of the Ineligibility Period in the Absence of Fault or Negligence

(1) The reduction of the ineligibility period on the basis of no significant fault or no significant negligence for violations of anti-doping rules provided for in Article 2 Paragraph (2) Points 1), 2) and 6) shall apply in the following situations:

- a) if the anti-doping rule violations involves a specified substance, other than a substance of abuse, or a specified method, and the Athlete or another person can rebut the absence of a significant fault or negligence, then the ineligibility period will be at the minimum of reprimand, without a ineligibility period, and at a maximum of 2 years of ineligibility, based on the Athlete's or another person's degree of fault;

b) in the event that the Athlete or another person can prove both the non-occurrence of fault or significant negligence as well as the fact that the detected prohibited substance, other than a substance of abuse, comes from a contaminated product, the ineligibility period will be at a minimum of reprimand, without a ineligibility period, and at a maximum of 2 years of ineligibility, based on the Athlete's or another person's degree of fault;

c) in cases where the violation of the anti-doping regulation (not implying a substance of abuse) has been committed by a protected person, or a recreational Athlete, and the protected person, or the recreational Athlete can prove no significant fault or negligence, then the period of ineligibility shall be, at a minimum, a reprimand with no ineligibility period, and at a maximum of two (2) years of ineligibility, according to the degree of fault of the protected person or the recreational Athlete.

(2) All reductions enforced under Paragraph (1) are mutually exclusive and are not cumulative.

(3) If an Athlete or another person proves in an individual case where Paragraph (1) does not apply, that he or she does not bear responsibility for significant fault or negligence, then, depending on the further reduction or elimination of the ineligibility under Articles 60-63, the otherwise applicable ineligibility period may be reduced depending on the Athlete's or another person's degree of fault, however, the reduced ineligibility period may not be less than one-half of the otherwise applicable ineligibility period. If the ineligibility period otherwise applicable involves a lifetime, the reduced period under this Article may not be less than eight (8) years.

Article 60. Elimination, Reduction or Suspension of the Ineligibility Period or Other Consequences for Reasons Other Than Fault

(1) Prior to an appellate decision or prior to the time limit granted for the appeal, NADA may suspend a part of the consequences, other than disqualification and mandatory public disclosure ordered in an individual case where the Athlete or another person has provided substantial assistance to an Anti-Doping Organisation, judicial authority or professional disciplinary body to establish:

(i) the discovery or proof by an Anti-Doping Organisation of an anti-doping rule violations committed by another person; or

(ii) the discovery or proof by a judicial or disciplinary body of a criminal offence or a breach of professional rules by another person, and the information provided by the person providing substantial assistance is conveyed to NADA; or

(iii) the initiation by WADA of proceedings against a Signatory, a WADA-accredited laboratory or an Athlete's Biological Passport Management Unit for non-compliance with the Code, the International Standard or a Technical Document; or

(iv) with the consent by WADA, the establishing by a judicial or disciplinary body of a criminal offence or a breach of professional or sports rules arising from a violation of sports integrity, other than doping.

(2) After an appellate decision pursuant to Chapter VII or after the expiry of the deadline to appeal, an Anti-Doping Organization may suspend a part of the otherwise applicable consequences only with the approval of WADA and the relevant International Federation.

(3) The duration of the otherwise applicable ineligibility period that may be suspended will be determined based on the gravity of the anti-doping violation committed by the Athlete or another person and the relevance of the substantial assistance provided by the Athlete or another person to the effort to eliminate doping in sport, non-compliance with the Code and/or violation of sports integrity.

(4) No more than 3/4 of the duration of the otherwise applicable ineligibility period may be suspended.

(5) In case the ineligibility period otherwise applicable is a lifetime, then the non-suspended period under this Article shall not be less than eight (8) years.

(6) For the purposes of this Paragraph, the otherwise applicable ineligibility period shall not include any ineligibility period which could be added on the basis of multiple violations.

(7) NADA shall allow the Athlete or other person to provide information to the Anti-Doping Organisation under the terms of an Agreement Without Prejudice if so requested by an Athlete or other person wishing to provide substantial assistance.

- (8) In the event that the Athlete or another person ceases to cooperate and provide complete and credible substantial assistance on which the ineligibility of consequences was originally based, the Anti-Doping Organisation which imposed the ineligibility of consequences will reinstate the consequences originally established.
- (9) In case NADA decides to reinstate or not to reinstate the suspended consequences, that decision may be appealed by any person with the right to appeal under Chapter VII.
- (10) In order to further encourage Athletes and other persons to provide substantial assistance to the Anti-Doping organisations, at the request of NADA, or at the request of the Athlete or other person who has committed, or is alleged to have committed an anti-doping rule violations or any other violation of the Code, WADA may agree at any stage of the results management, including after an appellate decision with regard to what they consider to be an appropriate ineligibility of the otherwise applicable period of ineligibility or the ineligibility of other consequences.
- (11) In exceptional circumstances, on the basis of substantial assistance, WADA may agree to suspensions of a period of ineligibility or suspension of other consequences greater than those otherwise provided for in this Article or even to eliminate the period of ineligibility, the mandatory public disclosure and/or annulment of the return of prize money or payment of fines. The approval granted by WADA may be subject to the reinstatement of the consequences under this Article.
- (12) Despite the provisions of Chapter VII, the decisions made by WADA in the context of Paragraphs (10) - (11) shall not be appealed.
- (13) Providing NADA suspends a part of an otherwise applicable sanction on the basis of substantial support, then it shall provide notice with reasonable justification of the decision to the other Anti-Doping Organisations entitled to appeal under Chapter VII.
- (14) In absolutely exceptional circumstances, in case WADA establishes that it would be in the best interest of the anti-doping effort, it may authorise NADA to enter into confidentiality agreements limiting or delaying the publication of agreements relating to substantial support or any information on the nature of the substantial support provided.

Article 61. Recognition of an Anti-doping rules Violation in the Absence of Other Evidence

- (1) If an Athlete or another person voluntarily admits that he or she has committed an anti-doping rule violations before receiving the notice for a sample collection that could establish an anti-doping rule violations (or, in the case of a violation of anti-doping rules, other than those provided for in Article 2 Paragraph (2), p. 1), prior to the receipt of the first notice of the admitted violation under Article 30 and that admission is the only reliable proof relating to the violation at the time of admission, then the ineligibility period may be reduced, but not less than one-half of the otherwise applicable ineligibility period.

Article 62. Application of Multiple Provisions for the Reduction of a Sanction

- (1) In the event that an Athlete or another person demonstrates that he or she has the right to reduce a sanction pursuant to multiple provisions of Articles 58 - 61, before any reduction or suspension of the sanction under Articles 60 - 61 is applied, the otherwise applicable ineligibility period shall be established in compliance with Articles 55, 56, 58 and 59.
- (2) In case the Athlete or another person proves that the provisions of Articles 60 - 62 concerning the reduction or the suspension of the ineligibility period are applicable, then the ineligibility period may be reduced or suspended, but not below the threshold of $\frac{1}{4}$ (one-fourth) of the otherwise applicable ineligibility period.

Article 63. Results Management Agreements

- (1) In the case where an Athlete or other person, having received notice from NADA about a possible anti-doping rule violations that carries a ineligibility period of 4 or more years - including any period of ineligibility in accordance with Article 57 - admits the violation and accepts the period of ineligibility within 20 days of the receipt of the notice of the charge of a violation of the anti-doping regulation, the Athlete or other person may receive a one-year reduction in the period of ineligibility imposed by NADA.

(2) in the event that the Athlete or another person receives a one-year reduction in the period of ineligibility pursuant to this Article, no further reduction in the period of ineligibility under other legal provisions shall be permitted.

(3) If the Athlete or another person acknowledges an anti-doping rule violation after being notified by NADA and accepts the consequences agreed upon by NADA and WADA, at their sole discretion, then:

(a) the Athlete or other person shall be eligible for a reduction in the period of ineligibility based on an assessment carried out by NADA and WADA, on the application of Articles 54-62 concerning the alleged anti-doping rule violation, the gravity of the violation, the degree of the Athlete's and other person's fault and the Athlete's or the other person's degree of readiness to admit the violation; and

(b) the ineligibility period might start from the date of collection of the sample or the date of the last violation of anti-doping rules.

(4) However, in every case where this Article is applied, the Athlete or other person must serve at least one-half of the established period of ineligibility starting at the earliest on the date when the Athlete or other person accepted the imposition of a sanction or provisional suspension which was then respected by the Athlete or other person.

(5) The decision by WADA and NADA whether or not to enter into a case resolution agreement, the duration of the imposed reduction and the starting date of the ineligibility period shall not constitute matters subject to determination or review by a hearing body and are not be appealed.

(6) If so requested by an Athlete or other person wishing to enter into a case resolution agreement in accordance with this Article, NADA shall allow the Athlete or other person to discuss the admission of the anti-doping rule violations with the Anti-Doping Organization in a without prejudice agreement.

Article 64. Multiple Anti-doping Rule Violations

(1) In the event of a second anti-doping rule violations by an Athlete or another person, the period of ineligibility shall be greater of the following:

(a) a six-month ineligibility period, or

(b) a ineligibility period between:

(i) the sum of the ineligibility period imposed for the first violation of the anti-doping regulation and the ineligibility period otherwise applicable to the second violation of the anti-doping regarded as if it were the first violation, and
(ii) twice the ineligibility period otherwise applicable for the second anti-doping rule violations regarded as if it were the first violation.

(2) The ineligibility period within these limits must be determined on the basis of all the circumstances and the degree of the Athlete's or another person's fault with respect to the second violation.

(3) A third anti-doping rule violations will always impose a lifetime ineligibility period, except in cases where the third violation fulfils the conditions for the elimination or the reduction of the ineligibility period under Article 58 or 59, or concerns a violation referred to in Article 2 Paragraph (2) p.4. In these particular cases, the ineligibility period will be from 8 (eight) years to lifetime ineligibility.

(4) The period of ineligibility referred to in Paragraphs (1) -(3) may be further reduced by applying Articles 60 - 62.

(5) An anti-doping rule violation for which the Athlete or another person has demonstrated lack of fault or negligence shall not constitute a violation for purposes of Paragraphs (1)-(4). Moreover, an anti-doping rule violation sanctioned according to Article 55 Paragraph (4) Letter a) shall not be regarded as a violation for purposes of this Article.

(6) The additional regulations for certain possible multiple violations are provided for in the ADR.

(7) For the purposes of this Article, each anti-doping rule violations must ~~occur~~ take place ~~during~~ within the same 10-year period in order to be ~~regarded as~~ considered multiple violations.

Article 65. Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an anti-doping rule violation

Additionally to the automatic disqualification of the results in the competition, in which the taken sample was positive in accordance with Article 53, all ~~of the other competitive results obtained by the Athlete from the date of the positive sample was collected (either whether in-competition or out-of-competition), or the date any other violation of anti-doping rules regulation was committed occurred, up to the date of~~ through the commencement of any ~~the period of the provisional suspension or ineligibility period,~~ will be disqualified, with all the consequences arising therefrom, including the forfeiture of any medals, points and prizes, ~~with the exception of the situation where the principle of~~ unless fairness requires otherwise.

Article XX. Forfeited Prize Money

If NADA recovers prize money forfeited as a result of an anti-doping rule violation, it shall take reasonable measures to allocate and distribute this prize money to the Athletes who would have been entitled to it had the forfeiting Athlete not competed.

Article 66. Additional Penalties

(1) Persons found guilty of the violations referred to in this Chapter, in addition to or notwithstanding sanctions imposed under this Law and Anti-Doping Rules, may be subject to one or more additional penalties under national laws or regulations.

(2) The substances, medical preparations and other goods used by Athletes but prohibited by WADA and included on the Prohibited List shall be forfeit under XX national law and regulations.

Article 67. Financial Consequences

~~(1) The anti-doping rule violations by the Athlete support personnel under Article 2 and whose involvement led to the disqualification of the result(s), the Athlete's ineligibility or the consumption of prohibited substances by the Athlete to enhance the performance is a misdemeanour and is sanctioned in accordance with the provisions of the Contravention Code.¶¶~~

~~(2) The anti-doping rule violations provided for in Article 2 Paragraph (2) p.5) by sports structures with regard to the designation or substitution of a person who is not an Athlete to undergo a doping test is a misdemeanour and is sanctioned in accordance with the provisions of the Contravention Code with a fine of 160 conventional units for all parties involved.¶¶~~

~~(3) The anti-doping rule violations by Athletes in the case of the maximum penalty (lifetime ineligibility) is a contravention and it is sanctioned in accordance with the provisions of the Contravention Code.~~

(1) Where an Athlete or other Person commits an anti-doping rule violation, NADA may, in its discretion and subject to the principle of proportionality, elect to (a) recover from the Athlete or other Person costs associated with the anti-doping rule violation, regardless of the period of Ineligibility imposed and/or (b) fine the Athlete or other Person in accordance with the provisions of the Contravention Code of the Republic of Moldova.

(2) The imposition of a financial sanction or the NADA's recovery of costs shall not be considered a basis for reducing the Ineligibility or other sanction which would otherwise be applicable under this Law or Anti-Doping Rules.

Article 68. Commencement of Ineligibility Period

(1) The period of ineligibility shall start ~~from~~ on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived or there is no hearing, on the date the ineligibility is accepted or otherwise imposed, except as provided below.

(2) Where an Athlete or other person is already serving a period of Ineligibility for an anti-doping rule violation, any new period of Ineligibility shall commence on the first day after the current period of Ineligibility has been served.

(3) Where there have been substantial delays in the hearing process or other aspects of Doping Control, and the Athlete or other Person can establish that such delays are not attributable to the Athlete or other Person, NADA or

the hearing panel ~~the body imposing the sanction~~ may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred.

(4) For the purpose of Paragraph (3), all competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.

(5) If a Provisional Suspension is respected by the Athlete or other Person, then the Athlete or other Person shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed. If the Athlete or other Person does not respect a Provisional Suspension, then the Athlete or other Person shall receive no credit for any period of Provisional Suspension served. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Athlete or other Person shall receive a credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal. ~~The duration of the provisional suspension is deducted from the period of ineligibility imposed by a final decision, with the condition that the provisional suspension is respected by the athlete or another person.~~

(6) If ~~the~~ athlete or other person voluntarily accepts, in writing, a provisional suspension from NADA and subsequently respects the ~~period of~~ provisional suspension, the Athlete or other Person shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. ~~this will be deducted from the period of ineligibility applied by a final decision.~~

(7) A copy of the document regarding the voluntary acceptance by the athlete or ~~by another person of the~~ ~~period of~~ provisional suspension will be provided promptly to each party entitled to receive notification of an asserted anti-doping rule violation, according to art. 48.

(8) No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Athlete elected not to compete or was suspended by a team. ~~The period before the start of the period of provisional suspension or voluntary ineligibility shall not be deducted from the period of ineligibility imposed by a final decision.~~

(9) In Team Sports, where a period of Ineligibility is imposed upon a team, unless fairness requires otherwise, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed. Any period of team Provisional suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility to be served.

Article 69. Status of the Athletes or other Persons during the Ineligibility Period or Provisional Suspension

(1) No Athlete or other Person who has been declared Ineligible or is subject to a Provisional suspension may, during a period of Ineligibility or Provisional suspension, participate in any capacity in a Competition or activity (~~≠~~ other than authorized anti-doping Education or rehabilitation programs), authorized or organized by any Signatory, Signatory's member organization, or a club or other member organization of a Signatory's member organization, or in Competitions authorized or organized by any professional league or any international- or national-level Event organization or any elite or national-level sporting activity funded by a governmental agency.

(2) An Athlete or other Person subject to a period of Ineligibility longer than four (4) years may, after completing four (4) years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the authority of a Code Signatory or member of a Code Signatory, but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event, and does not involve the Athlete or other Person working in any capacity with Protected Persons.

(3) An Athlete or other Person subject to a period of Ineligibility shall remain subject to Testing and any requirement by an Anti-Doping Organization to provide whereabouts information.

(4) As an exception to the provisions of Paragraphs (1) - (3), Athlete may return to train with a team or to use the facilities of a club or other member organization of a Signatory's member organization during the shorter of:

- a) the last two (2) months of the period of Ineligibility; or
- b) the last one-quarter of the period of Ineligibility imposed.

(5) If an Athlete or another person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in ~~the provisions of~~ Paragraphs (1) - (3), the results of such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility, including a reprimand and no period of Ineligibility, may be adjusted based on the Athlete or other Person's degree of Fault and other circumstances of the case. The determination of whether an Athlete or other Person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organization whose Results Management led to the imposition of the initial period of Ineligibility. This decision may be appealed under [Code Article 13].

(6) An Athlete or other Person who violates the prohibition against participation during a Provisional suspension described in Paragraphs (1) - (3), shall receive no credit for any period of Provisional suspension served and the results of such participation shall be Disqualified.

(7) Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility or a Provisional suspension, an Anti-Doping Organization ~~with authority over such Athlete Support Person or other Person~~ shall impose sanctions for a violation of Article 2 par. (2) p.9) for such assistance.

(8) In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 58 or 59, ~~During the ineligibility period, some or all sport-related financial support or other sport-related benefits received by such person will be withheld by NADA, the Government of Moldova, the NOC/NPC of Moldova and the national federations. provided by the Signatories and the Signatories' member organisations shall be withheld, with the exception of anti-doping violations involving a reduced sanction as described in Article 58 or 59.~~

~~(9) The violation of any of the regulations provided for in Article 2 committed by a person of the Athlete support personnel with the involvement of a minor athlete is a contravention, is sanctioned according to the Contravention Code with a lifetime ineligibility from any sports activity.¶~~

Article XX. Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication. NADA shall provide details of such publication in Anti-Doping Rules in accordance with the Code.

Article 70. ~~Sanctioning of Consequences to Teams~~

(1) If more than one member of a ~~sports~~ team in a team sport has been notified of an anti-doping rule violation ~~under this Law or Anti-Doping Rules or is liable to violate one of the regulations in Article 2~~ in connection with ~~to an sporting event,~~ the ruling body for the event shall conduct ~~team will undergo~~ appropriate target testing of the team ~~set for that sporting~~ during the event period.

(2) In the event that more than 2 members of a team in a team sports ~~team~~ are found to have committed ~~one of the an~~ anti-doping rule violations ~~provided for in Article 2~~ during an ~~sporting~~ event period, the ruling body of the event shall impose an appropriate sanction on the team ~~will be subject to~~ (e.g. disqualification from a competition or event, ~~and~~ loss of points, or ~~to any other disciplinary sanction~~), ~~established by the Sports Event Organisation,~~ in addition to ~~the sanctions~~ any consequences ~~applied~~ imposed upon to individual Athletes who committed a ~~violation of the~~ anti-doping rules.

(3) The ruling body for an event may elect to establish rules for the event which impose consequences for team sports stricter than those under p. 2) above for purposes of the event.

Article 71. Statute of Limitations

No anti-doping rule violation proceeding may be ~~initiated~~ commenced against an Athlete or other person ~~without the Athlete being~~ unless he or she has been notified of the anti-doping rule violation as provided in this Law or Anti-Doping Rules, or ~~without~~ notification has been reasonably attempted, ~~e steps being taken to notify the Athlete~~ within 10 years from ~~of~~ the date the violation is ~~deemed~~ asserted to have occurred.

Article XX. Automatic Binding Effect of Decisions by Signatory Anti-Doping Organizations

A decision of an anti-doping rule violation made by a Signatory Anti-Doping Organization, an appellate body (Article 13.2.2 of the Code) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon NADA Moldova and any National Federation in the Republic of Moldova, as well as every Signatory in every sport. NADA shall specify the detailed effects thereof in the Anti-Doping Rules in accordance with the Code.

Chapter X Anti-Doping Education and Research

Article 72. Anti-Doping Education and Research

(1) NADA develops educational programs and coordinates anti-doping research activity at the national level, harmonized, coordinated and effective in accordance with the provisions of the Code and the International Standard for Education.

(2) The research and educational programmes are developed to preserve the spirit of sport and to protect the health and rights of the Athlete and other people practising sport to be able to compete in a doping-free environment, as well as to raise awareness, provide accurate information and develop decision-making capacity to prevent intentional or unintentional violations of the anti-doping rules and other violations of the Code.

(3) The research and educational programs and their implementation respectively must promote values and principles that protect the spirit of sport, health and ethics of Olympism.

(4) NADA, in cooperation with other Signatories, will plan, implement, monitor, evaluate and promote research and education programs under the requirements outlined in the International Standard for Education and other normative acts.

Chapter XI COOPERATION WITH AND RESPONSIBILITIES OF OTHER BODIES

Section I

Cooperation with Public Administration

Article 73. Ministry of Health (MH)

(1) NADA and MH cooperation shall cover the following areas:

- a) Promote a healthy lifestyle, social inclusion and strengthening the public health
- b) Inform, prevent and combat doping in sport
- c) Endorsement of medicines and methods included in the Prohibited List by WADA as a public health risk
- d) Outcome management and medical malpractice
- e) Research in the medical and social field on the doping phenomenon via subordinate institutions

(2) Joint analysis, monitoring and evaluation of public health, with the adoption of improvement measures by promoting the practice of a clean sport and healthcare ethics.

(3) To exercise their powers within the jurisdiction, NADA and MH may establish councils, committees, expert groups and other advisory bodies.

Article 74. The Ministry of Education and Research (MER) and Ministry of Culture (MC)

(1) NADA and MER and MC cooperation shall cover the following areas:

- a) Sustainable promotion of ethical and integrity values at all levels of public and lifelong education.
- b) Inform, prevent and combat doping in sport
- c) Promote the culture of clean sport and the values of ethics and integrity in sport
- d) Research in the field of prevention and fight against doping via subordinate institutions

(2) Joint analysis, monitoring and evaluation of the targeted public policies, the adoption of improvement measures, and the promotion of clean sports practice and ethical values in all spheres of education, culture and research.

(3) To exercise their powers within the jurisdiction of NADA and MER and MC. NADA and MER and MC may establish councils, committees, expert groups and other advisory bodies.

Article 75. Ministry of Internal Affairs (MIA)

(1) NADA and MIA cooperation shall cover the following areas:

- a) Doping Control, including the operative exchange of information
- b) Fight against trafficking in substances identified on the Prohibited List
- c) Protection of personal data
- d) Intelligence and investigations, and/or the application of financial sanctions
- f) Research on doping prevention and combating

(2) Joint analysis, monitoring and evaluation of the public policies implemented, with the adoption of improvement measures, including by combating trafficking in prohibited substances

(3) To exercise their powers within the jurisdiction, NADA and MIA may establish councils, committees, expert groups and other advisory bodies.

Section II

Cooperation with the Civil Society

Article 76. National Olympic and Sports Committee (NOC), National Paralympic Committee (NPC)

1) NADA and NOC/NPC cooperation shall cover the following areas:

- a) Sustainable promotion of ethical and integrity values in sport
- b) Doping education, promotion, prevention and combating in Olympic sport
- c) The clean sport culture and anti-doping movement
- d) Doping Control, including the operative exchange of information
- e) Investigations and enforcement of financial sanctions
- f) Research in the field of prevention and fight against doping

2) Jointly with NADA, NOC/NPC annually allocate the necessary means to carry out the aforementioned actions

3) NOC/NPC drafts and presents an annual report on its activity to the National Anti-Doping Agency for coordination

4) To exercise their powers within their scope of competence, NOC/NPC may request didactic and methodological assistance from NADA.

5) NOC/NPC shall support NADA in implementing the national anti-doping program.

Article 77. Sports Federations (SF)

(1) NADA and SF cooperation is carried out via joint activities in the following areas:

- a) Sustainable promotion of ethical and integrity values in sport
- b) Doping education, promotion and prevention and combating in Olympic and Paralympic sports
- c) The clean sport culture and anti-doping movement
- d) Doping Control, including the operative exchange of information
- e) Research in the field of prevention and fight against doping
- f) Other areas of competence

(2) SF signs an annual cooperation agreement with NADA.

(3) SF refusal or postponement in signing the agreement shall result in sanctions under the Law.

(4) SF presents an annual activity report to the National Anti-Doping Agency.

(5) SF shall support NADA in implementing the national anti-doping program.

Article 78. Non-Governmental Organizations (NGOs) and other Structures in the Field (sports clubs, gyms and/or fitness centres)

(1) NADA and NGOs cooperation shall cover the following areas:

- a) Promote a healthy lifestyle, social inclusion and strengthen the public health
- b) Sustainable promotion of ethical and integrity values in sport
- c) Doping education, promotion, prevention and combating in sport (by authorizing their activity)

- d) The clean sport culture and anti-doping movement
 - e) Research in the field of prevention and fight against doping
 - f) Other areas of competence.
- (2) NGOs and other structures in the field shall support NADA in implementing the national anti-doping program.

Article XX. Sanctions against other sporting bodies

NADA may impose sanctions on national federations or any other sporting bodies over which it has authority if they have failed to comply with, implement, uphold and enforce the Anti-Doping Rules.

Chapter XII

FINAL AND TRANSITIONAL PROVISIONS

Article 79. Final and Transitional Provisions

(1) The present Law shall enter into force as of 1 January 2022.

(2) Within 30 days from the date of entry into force of the present Law, the Government shall:

- present proposals to the Parliament to bring the existing legislation under the provisions of this law;
- bring its normative acts in conformity to this Law;
- draft normative acts required for the enforcement of this Law;
- amend the Regulations on the Organisation and Functioning of the National Anti-Doping Agency.
- draft the Regulations for the establishment of the Appellate Board and the Hearing Panel

(3) Within 30 days from the date of entry into force of the amendments to its Regulations on the Organisation and Functioning, the National Anti-Doping Agency shall draft and submit to the Government for approval:

- the draft of the National Anti-Doping Strategy for 2023-2027
- the draft law on the prevention and combating of illegal circulation of doping substances.