

LAW OF UKRAINE ON ANTI-DOPING ACTIVITY IN SPORT

This law defines legal and organizational conditions on anti-doping activity in Ukraine, authorities of the public administration bodies and local self-government bodies, responsibilities of the relevant agencies, institutions, organizations and natural persons in the prevention of use and distribution of doping in sport.

CHAPTER I GENERAL PROVISIONS

Article 1. Definitions

1. In this law the following terms shall have the following meaning:

1) anti-doping activity – measures aimed at preventing and fighting against doping in sport, which include, but are not limited to, the prevention of use and distribution of doping in sport, doping control and establish the responsibility and application of consequences for anti-doping rules’ violations, as well as those activities described in the World Anti-Doping Code;

2) anti-doping organization – WADA or a legal entity that is responsible for adopting 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 event organizations that conduct testing at their events, international federations, and national anti-doping organizations.

3) anti-doping rules – rules whereby the anti-doping activities, including doping control, are conducted.

4) World Anti-Doping Agency (WADA) – independent organization, which coordinates the fight against doping in sport;

5) World Anti-Doping Code – regulation of World Anti-Doping Agency, set out in Appendix 1 to the International Convention against Doping in Sport;

6) therapeutic use exemption – an exemption granted by the anti-doping organization in accordance with the International Standard for Therapeutic Use Exemptions that allows an athlete to use a prohibited substance or a method for therapeutic reasons to treat a valid and diagnosed medical condition;

7) doping control – all steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of consequences, including all steps and processes in between, in particular but not limited to, testing, investigations, whereabouts, TUEs processing, sample collection and handling, laboratory analysis, results management, and investigations or proceedings relating to violations of the status during ineligibility or provisional suspension;

8) sample – any biological material collected for the purposes of doping control;

9) doping in sport – occurrence of an anti-doping rule or rules violation, in particular:

presence of a prohibited substance or its metabolites or markers in an athlete’s sample;

use or attempted use by an athlete of a prohibited substance or a prohibited method;

administration or attempted administration, at any time, to an athlete of any prohibited substance or prohibited method that is prohibited at all times or in-competition;

administration or attempted administration, during the competition, to an athlete of any prohibited substance or prohibited method that is prohibited in-competition only;

tampering or attempted tampering with any part of doping control;

trafficking or attempting to trafficking any prohibited substance or prohibited method;

possession by an athlete or an athlete support personnel of a prohibited substance or a prohibited method without granted therapeutic use exemption;

complicity or attempted complicity in an anti-doping rule violation;

evading sample collection; or refusing or failing to submit to sample collection without compelling justification after notification by a duly authorized person;

three whereabouts failures by an athlete in a registered testing pool within a 12-month period;

prohibited association with an athlete support personnel;

acts by an athlete or other person to discourage or retaliate against reporting to authorities to report a possible anti-doping rule violation or non-compliance with the World Anti-Doping Code, or any acts directed against the athlete or other person who reported a possible anti-doping rule violation or non-compliance with the World Anti-Doping Code;

10) athlete support personnel – a coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other person working with, treating or assisting an athlete participating in or preparing for sports competition;

11) prohibited list – standard stipulated by Annex 1 to the International Convention against Doping in Sport;

12) International Standard for Laboratories – standard, set out in Appendix 2 to the International Convention against Doping in Sport in its current version;

13) International Standard for Therapeutic Use Exemptions – the standard stipulated by Annex 2 to the International Convention against Doping in Sport;

14) International Standard for Testing and Investigations – standard, set out in Appendix 3 to the International Convention against Doping in Sport in its current version;

15) national anti-doping organization – an authorized organization, responsible for adopting and implementing the anti-doping rules, directing sample collection, managing test results and the conduct of results management at the national level in its country, including organizing of hearings regarding violation of the anti-doping rules in its country;

16) doping control officer – an official who has been trained and authorized by an anti-doping organization to conduct a sample collection session according to International Standard for Testing and Investigations;

17) registered testing pool – the list of highest priority athletes established separately at the international level by international federations and at the national level by national anti-doping organizations, who are subject to target testing;

18) sports federations (associations, unions, alliances, etc.) – public associations of physical culture and sports, operating in accordance with the Law of Ukraine "On Physical Culture and Sports";

19) testing – the parts of the doping control process involving test distribution planning, sample collection, sample handling, storage and sample transport to the laboratory;

All other terms, are used in this Law in the meaning, assigned to them in International Convention against Doping in Sport and Anti-Doping Convention.

Article 2. Legislation of Ukraine on anti-doping activities in sport

1. Legislation of Ukraine on anti-doping activities in sport is based on the Constitution of Ukraine and consists of this Law, International Convention against Doping in Sport, Anti-Doping Convention, Additional Protocol to the Anti-Doping Convention, the Law of Ukraine "On Physical Culture and Sports" and other legal acts, which regulate pertinent relationships in the area of anti-doping activity in sport.

2. If an international agreement of Ukraine ratified by the Verkhovna Rada of Ukraine establishes conditions other than those stipulated in this Law, the conditions of international agreement shall apply.

CHAPTER II ORGANIZATION OF ANTI-DOPING ACTIVITY

Article 3. Anti-doping rules

1. In Ukraine, at the national level, anti-doping rules are developed and approved by the National Anti-Doping Center and apply to sports federations, their members and other subjects in the field of physical culture and sports. Anti-doping rules must be compliant with the World Anti-Doping Code.

2. Athletes and athlete support personnel accept these rules as a requirement of competing and must comply with them.

3. Anti-doping rules are sports rules that determine the conditions for the implementation of sports activities and are aimed at the implementation of unified and harmonized principles of anti-doping activities throughout the world.

Article 4. National Anti-Doping Centre

1. National anti-doping organization of Ukraine is National Anti-Doping Center, which is a specialized state institution.

2. National Anti-Doping Center is funded through the state budget and other sources not prohibited by legislation.

3. The remuneration of the National Anti-Doping Center staff is determined by the Cabinet of Ministers of Ukraine.

4. The particularities of operations performed by the National Anti-Doping Center are based on the requirements of the World Anti-Doping Code, WADA

International Standards and are stipulated in its standing order approved by the Cabinet of Ministers of Ukraine.

5. National Anti-Doping Center is impartial and independent in performing its tasks from any third parties and is independent in its activities, operations and decisions;

6. National Anti-Doping Center has authority over all athletes and athlete support personnel who are nationals or are legally located in the territory of Ukraine.

The National Anti-Doping Center also has authority over all athletes and athlete support personnel who participate in any capacity in any activity or event organized, held, convened or authorized by the organizer of a national event even if the organizer of a national event is not affiliated with a sport federation;

7. National Anti-Doping Center:

1) drafts and approves anti-doping rules;

2) implements the anti-doping rules in sports activities;

3) ensures compliance of anti-doping activities with this Law, International Convention against Doping in Sport, Anti-doping Convention and Additional Protocol to the Anti-Doping Convention;

4) grants the therapeutic use exemption for prohibited substances and methods in accordance with the International Standard for Therapeutic Use Exemptions;

5) cooperates with interested national or international organizations, agencies and other anti-doping organizations;

6) orders and receives services related to anti-doping activities, including services related to testing, consultation and education, both in Ukraine and abroad, in accordance with legislation;

7) engages doping control officers on a permanent or contractual basis to the samples collection;

8) establishes the testing pools and develops a test distribution plan for athletes testing in accordance with the World Anti-Doping Code and the International Standard for Testing and Investigations;

9) approves requirements for competence, qualifications, for doping control officers, educates and accredits them, authorizes them to conduct testing;

10) conducts result management, including monitoring the results of testing, investigating anti-doping rule violations;

11) plans, implements, evaluates and verifies information and education programs to prevent doping in sport;

12) interacts with central executive bodies and other government, authorities, National Olympic Committee of Ukraine, sport federations, national sports federations of sport of disabled or their unions that are members of the International Paralympic Committee, the International Sports Committee for the Deaf, Sport Committee of Ukraine, natural persons and legal entities to facilitate the exchange of information on doping in sport;

13) concludes agreements, including at the international level, on the main lines of its activities with anti-doping organizations of other countries, international federations, other organizations conducting doping testing, research institutes and other organizations, if they do not contradict Ukraine's international obligations;

14) carries out international cooperation within the framework of concluded agreements with anti-doping organizations;

15) develops and implements internal protocols for the handling of information related to possible doping cases in sport;

16) investigate all possible doping cases in sport;

17) organizes operation and provides activities of the Supervisory Board of the National Anti-Doping Center (hereinafter -Supervisory Board), Disciplinary Anti-Doping Commission, the Therapeutic Use Exemptions Committee and the Nomination Committee.

18) carries out financial activities not prohibited by law;

19) exercises other powers defined by the standing order of the National Anti-Doping Center.

8. The National Anti-Doping Center is headed by a director who is appointed on a competitive basis for a term of 5 years.

The Director is appointed by the head of the central executive body, that ensures the formation and implementation of the state policy in the field of physical culture and sports based on the recommendation of the Supervisory Board.

Director's term of appointment can be extended by the head of the central executive body, that ensures the formation and implementation of the state policy in the field of physical culture and sports, upon the recommendation of the Supervisory Board for another five-year term.

The director of the National Anti-Doping Center must be a citizen of Ukraine who has a university degree, knows the official state language, must have at least five years of experience in an executive position, has the knowledge and professional experience in the field of anti-doping activities in sports.

A person cannot be appointed to the position of the director who:

1) by a court decision, recognized as legally incapable or whose legal capacity is limited;

2) has a criminal record for committing an intentional criminal offense, if such a record has not been expired or canceled by the procedure established by law (except for a rehabilitated person);

3) was prosecuted based on a conviction, which entered into legal force, to criminal liability for committing a corruption offense or on which, within the last year, an administrative penalty was imposed for committing an offense related to corruption;

4) is deprived of the right, by a sentence of the court that has entered into legal force, to engage in activities related to the performance of state functions or to occupy certain positions;

5) is an athlete whose sports career is not suspended/stopped, or the coach of such an athlete;

6) by the decision of the anti-doping organization, was found guilty of an anti-doping rule violation;

7) holds any position in a sports federation, is a member of the governing body of a sports federation or its separate subdivision;

8) has a factual or potential conflict of interest.

9. The decision on holding and the conditions for the contest for NADC Director's position is taken by the Supervisory Board. The publication of the announcement of the contest in print media shall be made not later than 30 calendar days before the start of the contest.

Article 5. The Supervisory Board

1. Supervision over the National Anti-Doping Centre activities is carried out by the Supervisory Board, which is advisory body and acts within the powers defined by this Law.

2. The Supervisory Board:

1) elects the chair, the deputy chair and the secretary of the Supervisory Board from amongst its members for three years, decides on terminating their mandate;

2) organizes the contest for the position of the director of the National Anti-Doping Centre;

3) recommends to the central executive body that ensures the formation and implementation of the state policy in the field of physical culture and sports, candidacy for the position of the director of the National Anti-Doping Centre;

4) approves the annual report on the activities of the National Anti-Doping Centre and ensures its publication;

5) approves the members of the Nomination Committee;

6) provides to the central executive body that ensures the formation and implementation of the state policy in the field of physical culture and sports, to other central executive bodies, to organizations and institutions proposals concerning the development of anti-doping activities in sport;

3. Organizational form of the activity of the Supervisory Board is the meeting, which deemed to be competent if attended by at least two thirds of its members. All decisions are made by majority vote of the Supervisory Board composition.

Article 6. The composition of the Supervisory Board

1. The Supervisory Board consists of nine members, who are citizens of Ukraine, and is formed in the following composition:

1) a representative of the central executive body that ensures the formation and implementation of the state policy in the field of physical culture and sports;

2) a representative of the central executive body that ensures the formation of state policy in the field of protection of human rights and freedoms, the interests of society and the state, combating crime, ensuring public safety and order, as well as the provision of police services;

3) a representative of the central executive body that ensures the formation and implementation of the state policy in the sphere of health care;

4) a member of the Verkhovna Rada of Ukraine, delegated by a committee of the Verkhovna Rada of Ukraine, who deals with issues of physical culture and sports;

5) one person a former athlete delegated by the Athletes' Commission of the National Olympic Committee of Ukraine;

6) one person delegated by the National Academy of Sciences of Ukraine;

7) one person delegated by the National Olympic Committee of Ukraine;

8) one person delegated by the Sports Committee of Ukraine;

9) one person delegated by national sports federations of sport of disabled or their unions that are members of the International Paralympic Committee, the International Sports Committee for the Deaf.

2. The composition and Standing order of the Supervisory Board is approved by the Cabinet of Ministers of Ukraine.

3. The term of office of the Supervisory Board members is three years. The maximum number of terms that the person can serve as a member of the Supervisory Board is three.

4. An entity, that has delegated a representative to the Supervisory Board, has the right to remove him prematurely under specific circumstances listed below:

1) a written request of the representative about his desire to resign as a member of the Supervisory Board;

2) in case of impossibility of performing the duties of a member of the Supervisory Board due to the health issues;

3) in case of dismissal from a position in a public authority who has delegated his representative.

5. Supervisory Board may not consist of the persons specified in paragraphs 1-8 of Part eight of Article 4 of this Law.

6. The authority of the Supervisory Board member shall be terminated by the Cabinet of Ministers of Ukraine in the event of:

1) the expiration of the term for which he/she was appointed or delegated;

2) submission of a personal application about his/her resigning from office;

3) his/her recognized as missing or declared dead;

4) his/her death;

5) restrictions, specified in Part 5 or 7 of this Article are detected;

6) the withdrawal by the entity that delegated the member in accordance with the Law.

7. Members of the Supervisory Board commit themselves to impartiality and independence in decision-making and to avoidance conflicts of interest. Members of the Supervisory Board are obligated to formally disclose any conflict of interests in writing to the head of the Supervisory Board before each meeting. Members of the Supervisory Board must also refrain from interfering in the operations of the National Anti-Doping Center.

Article 7. State policy in the field of anti-doping activities in sports

1. Central executive body that ensures the formation and implementation of the state policy in the field of physical culture and sports together with the interested central executive bodies, other executive bodies and local self-government bodies ensures the implementation of state policy on the prevention of doping in sport.

2. The state policy in the field of anti-doping activities in sports provides for:

1) compliance with the provisions of the Anti-Doping Convention and the International Convention against Doping in Sport, the principles of the World Anti-Doping Code;

2) encouraging all forms of cooperation aimed at ensuring the protection of athletes to participate in doping-free sport and ethics in sport;

3) promotion of international cooperation with other countries and leading organizations in the fight against doping in sports, in particular on cooperation with WADA, exchange of information and data with anti-doping organizations;

4) promotion of interaction between central executive bodies, local self-government bodies and anti-doping organizations in the fight against doping;

5) recognition of decisions of Disciplinary Anti-Doping Commission, the Appeal Anti-Doping Commission, the Court of Arbitration for Sport in disciplinary cases related to the anti-doping rule violation in sport.

3. Authority of central executive bodies and other bodies in the sphere of anti-doping activities:

1) the central executive body that ensures the formation and implementation of the state policy in the field of physical culture and sports:

ensures the formation and implementation of the state policy in the field of the anti-doping activities;

take measures to ensure that sport federations and all the members of national sport teams and other entities of physical culture and sports comply with anti-doping rules;

cooperates with central executive bodies, local executive bodies and local self-government bodies on issues related to the field of anti-doping activities;

cooperates with Council of Europe, UNESCO, WADA and anti-doping organizations on anti-doping activities;

withholds the financial support of those athletes and athletes support personnel who have been suspended following an anti-doping rule violation during the-period of their suspension;

withhold some or all financial or other sport-related support from any sports federation, other public association of physical culture and sports, which are found guilty of anti-doping rule violation.

2) the central executive body that ensures the formation and implementation of state policy in the field of health care:

introduces the provision to the characteristics of the medical professional qualification the needs to have professional knowledge on the anti-doping;

in agreement with the central executive body that ensures the formation and implementation of the state policy in the field of physical culture and sports, ensures the inclusion of certain non-specified substances from the prohibited list in the list of potent drugs;

3) central executive authority that ensures the formation and implementation of the state policy in the field of science and education:

carries out socially educational work in educational institutions on preventing the use of doping;

includes chapters, explaining the reasons for fighting against doping in educational programs of general secondary and higher education;

takes measures to adhere the anti-doping rules during sports activities in educational institutions;

4) Security Service of Ukraine and the central executive body that ensures the implementation of the state policy in the field of protection of human rights and freedoms, the interests of society and the state, combating crime, ensuring public safety and order:

within the limits of their competence carry out the prevention, detection, suspension and disclosure of crimes related to forcing to use and consumption of doping substances and methods, mentioned in the Prohibited list, criminal activity in the sphere of trafficking of doping substances and other illegal actions that directly endanger Ukraine's interests;

inform the National Anti-Doping Center about criminal and administrative proceedings involving athletes or athlete support personnel and related to illicit prohibited substances trafficking.

4. Local executive bodies and local self-government bodies, within their competence, determined by the laws of Ukraine:

1) include anti-doping issues in local and regional programs for the development of physical culture and sports;

2) take measures to fighting against doping in sport at local level;

3) withholds the financial support of those athletes and athletes support personnel who have been suspended following an anti-doping rule violation during the period of their suspension;

4) withhold some or all financial or other sport-related support from any sports federation, other public association of physical culture and sports, which are found guilty of anti-doping rule violation.

Article 8. Obligations of sport federations

1. Sport federations in accordance with the provisions of the Anti-Doping Convention, the International Convention against Doping in Sport, and anti-doping rules and principles of the World Anti-Doping Code are obligate:

1) to recognize the authority of the National Anti-Doping Center and to implement its decisions;

2) to be in compliance with the anti-doping rules of the National Anti-Doping Center;

3) execute the decisions made by the Disciplinary Anti-Doping Commission and the Appeal Anti-Doping Commission;

4) take measures to make athletes and athlete support personnel respect of ethical values in sport, take measures to educate their rights, and responsibilities according to the Anti-Doping Convention, International Convention against Doping in Sport;

5) to cooperate with the National Anti-Doping Center regarding the testing and the results management of athletes;

6) to provide assistance to the anti-doping organization in investigating possible anti-doping rules violations by officials, athletes and athletes support personnel;

7) to provide assistance to the anti-doping organizations in the monitoring of proper implementation of the consequences applied;

8) to cooperate with the National Anti-Doping Center in implementing education programs;

9) to contribute to the creation of favorable conditions for doping control during the competitions and training camps in accordance with the anti-doping rules, the International Standard for Testing and Investigations and WADA's recommendation.

CHAPTER III ORGANIZATION OF DOPING-CONTROL

Article 9. Testing and investigations

1. Testing and investigations shall be conducted solely for the purpose of fighting against doping and obtaining evidence of compliance or non-compliance by an athlete or other persons with anti-doping legislation and anti-doping rules.

2. The athletes are obliged to provide their whereabouts information if they are included in any registered testing pools in accordance with the International Standard for Testing and Investigations.

3. All athletes regardless of their age, level of skills, nationality and place of residence are subject to testing.

4. Testing is conducted in accordance with the International Standard for Testing and Investigations.

5. Testing of athletes who are nationals of Ukraine or are residents is carried out by the National Anti-Doping Center or by any other anti-doping organization.

Testing of athletes who are citizens of Ukraine or are legally on the territory of Ukraine is carried out at the expense of the state budget, funds of subjects of the field of physical culture and sports, and other sources not prohibited by law.

6. Any analysis of samples collected by the National Anti-Doping Center shall be conducted in laboratories accredited or approved by WADA.

7. The investigation of cases of possible anti-doping rules violation is conducted in accordance with the anti-doping rules by the National Anti-Doping Center.

8. Any personal data processed by the National Anti-Doping Center during its anti-doping activity may be passed on to other relevant anti-doping organizations, including through data sharing systems, solely in accordance with legislation of Ukraine on personal data protection and WADA International Standard for Protection of Privacy and Personal Information.

Article 10. Nomination Committee

1. The Nomination Committee is established for the purpose of appointment of the members of the Disciplinary Anti-Doping Commission and Appeal Anti-Doping Commission.

2. The Nomination Committee consists of five members and consists of the following:

1) one person, delegated by the central executive body, that ensures the formation and implements the state policy in the field of physical culture and sports;

2) a member of the Verkhovna Rada of Ukraine, delegated by a committee of the Verkhovna Rada of Ukraine, whose subject matter includes issues of physical culture and sports;

3) one person on the recommendation of the National Olympic Committee of Ukraine;

4) one person delegated by the Sports Committee of Ukraine;

5) one person, delegated by the national sports federations of sport of disabled or their unions that are members of the International Paralympic Committee, the International Sports Committee for the Deaf.

The members of the Nomination Committee shall be independent from the above bodies and in particular they shall not be board members, staff members, Disciplinary Anti-Doping Commission members, the Appeal Anti-Doping Commission members, consultants or officials of these bodies, the National Anti-Doping Center or Cabinet of Ministers of Ukraine.

In case of a conflict of interest or other circumstances that indicate partiality of a member of the Nomination Committee during the consideration of a particular case, he is obliged to act in accordance with the legislation.

3. The composition of the Nomination Committee is approved by the Supervisory Board.

4. The term of office of the Nomination Committee member is three years. The same member can be nominated for a second term. The maximum number of consecutive terms that the person can serve as a member of the Nomination Committee is two.

5. An entity, that has delegated a representative to the Nomination Committee, has the right to remove him prematurely under specific circumstances listed below:

1) on the written request of a mentioned member of the Nomination Committee about his/her will to resign as a member of the Nominating Committee;

2) in case of impossibility of performing the duties of a member of the Nomination Committee due to the health issues.

6. The Nomination Committee may not consist of the persons specified in paragraphs 1-8 of Part eight of Article 4 of this Law.

7. Nomination Committee:

1) elects the chair, the deputy chair and the secretary of the Nomination Committee from amongst its members for two years, decides on terminating their mandate;

2) evaluates candidates for membership in the Disciplinary Anti-doping Commission and the Appeal Anti-doping Commission;

3) appoints members of the Disciplinary Anti-Doping Commission and the Appeal Anti-Doping Commission.

8. The organizational form of activity of the Nomination Committee is a meeting, which is considered valid if it is attended by at least two thirds of its members. All decisions are made by majority vote of the total membership of the Nomination Committee.

9. The regulation on the Nomination Committee is approved by the National Anti-Doping Center.

10. Members of the Nomination Committee must refrain from interfering in the operations of the National Anti-Doping Center.

Article 11. Disciplinary Anti-Doping Commission and Appeal Anti-Doping Commission.

1. To ensure the right of an athlete or other persons suspected of committing an anti-doping rule violation for impartial hearing, the Nomination Committee establishes impartial and independent Disciplinary Anti-Doping Commission and Appeal Anti-Doping Commission.

2. The Disciplinary Anti-Doping Commission and Appeal Anti-Doping Commission are composed of six members each.

3. The same person cannot simultaneously hold the position in the Disciplinary Anti-Doping Commission and Appeal Anti-Doping Commission.

4. Members of the Anti-Doping Disciplinary Commission and the Anti-Doping Appeal Commission must be citizens of Ukraine and meet the following criteria:

1) are professionals in either of the field of medicine, sport, biology, chemistry or law;

2) are capable to conduct the proper fulfillment of the commission's tasks;

3) have an impeccable business reputation, high professional and moral qualities, confirmed by letters of recommendation from subjects of the field of physical culture and sports, defined in Section II of the Law of Ukraine "On physical culture and sports";

The members of the Anti-Doping Disciplinary Commission and the Anti-Doping Appeal Commission may not include the persons specified in paragraphs 1-8 of part eight of Article 4 of this Law.

5. The members of the Anti-Doping Disciplinary Commission and the Anti-Doping Appeal Commission are appointed by the Nomination Committee.

6. The term of office of each commission members shall be 3 years. The same member can be nominated for a second term. The maximum number of consecutive terms that the person can serve as a member of the commission is two.

7. The organizational form of activity of the Disciplinary Anti-Doping Commission and the Appeal Anti-Doping Commission is a meeting, which is considered valid if more than half of their members are present. All decisions shall be taken by a majority of the total membership of the Disciplinary Anti-Doping Commission or the Anti-Doping Appeal Commission.

8. Members of Disciplinary Anti-Doping Commission and Appeal Anti-Doping Commission elect out of their composition the chairpersons of Disciplinary Anti-Doping Commission and Appeal Anti-Doping Commission respectively.

9. The Chairperson of Disciplinary Anti-Doping Commission and the Chairperson of Appeal Anti-Doping Commission appoint Chairperson and two members of the panel for the consideration of each individual case.

10. The panel for the consideration of each individual case must include a person who has a Master's degree with a major in "Jurisprudence", "International law", and has work experience in the exact profession for at least three years.

11. Upon appointment to the relevant panel, each appointed member shall sign a declaration that there are no facts or circumstances known to him/her that call into question their impartiality. If such facts or circumstances arise at a later stage of the hearing process, the relevant panel member shall promptly disclose them to the chairperson of the Disciplinary Anti-Doping Commission and the Appeal Anti-Doping Commission.

12. The hearings before each panel are private, unless the athlete or other person requests a public hearing, or the anti-doping organization requests a public hearing, and the athlete or other person agrees to the same.

13. The organizational form of activity of the panel is a meeting, which is considered valid if all members are present. All decisions shall be taken by a majority of the total membership of the panel.

14. A panel may decide to disclose its decisions to the public if it considers it appropriate in the light of the circumstances of the case. Nevertheless, decisions shall always be publicly disclosed in accordance with the World Anti-Doping Code and the personal data protection legislation of Ukraine.

15. In case of a conflict of interest or other circumstances that call into question impartiality of a member of the panel during the consideration of a particular case, he is obliged to act in accordance with the Law.

16. A panel shall make decisions in accordance with the anti-doping rules.

Article 12. Therapeutic Use Exemptions Committee

1. To consider issues related to the therapeutic use of prohibited substances or methods, processing requests and TUE granting, the National Anti-Doping Center shall establish a committee for TUE of the National Anti-Doping Center (hereinafter - Committee), which shall consist of five physicians with experience in the care and treatment of athletes and a sound knowledge of clinical, sports and exercise medicine, who are citizens of Ukraine. However, shall the assessment of a request for TUE from an athlete require the knowledge of an expert in another field of medicine as a result of the nature of the athlete's medical condition, the Committee may appoint such an expert.

2. The personal composition of the Committee is approved by the National Anti-Doping Center. The members of Committee shall be persons who have not a real or potential conflict of interest.

3. The Committee members shall keep all data received through participation as a member of the Committee confidential with respect to any third parties and shall use the information solely for the purpose of their duties and functions in accordance with the requirements of this Law in line with the Law of Ukraine "On Protection of Personal Data".

4. The organizational form of activity of the Committee is a meeting, which is considered valid if it is attended by two-thirds of the total membership of the Committee. All decisions shall be taken by a majority of the total membership of the Committee.

Article 13. Research

1. The National Anti-Doping Center may conduct social studies, studies on doping prevention, behavioral and social aspects, and health effects from doping use; and in order to develop of scientifically grounded programs of physiological and psychological support of the athletes.

2. The research shall be in line with recognized international ethical standards and prevent the use of prohibited substances and methods by athletes and be conducted only with appropriate precautions to prevent misuse of anti-doping research and doping.

3. The National Anti-Doping Center informs the World Anti-Doping Agency about the results of available anti-doping studies.

Article 14. Conditions and procedure of doping control organization

1. The conditions and procedure of doping control organization are determined by this Law and the anti-doping rules.

2. Persons involved in organizing and carrying out of doping control, must take measures to prevent a real, potential conflict of interest, and act in accordance with anti-doping rules in particular at any time shall not disclose information they receive while preparing, organizing and conducting doping control, unless required to by law or by the order of a court.

CHAPTER IV

RESPONSIBILITY FOR VIOLATION OF THE ANTI-DOPING RULES

Article 15. Violations of anti-doping rules and their application procedure

1. Cases of anti-doping rules' violations discovered by the National Anti-Doping Center or other anti-doping organization are considered by the National Anti-Doping Center or mentioned anti-doping organization in accordance with anti-doping rules.

2. Responsibility for anti-doping rules' violations and their application procedure are determined in accordance with anti-doping rules.

CHAPTER V. FINAL PROVISIONS

1. This Law shall enter into force simultaneously with the entry into force of the Law of Ukraine "On Amendments to Article 52 of the Law of Ukraine" On Physical Culture and Sports" on the activities of the National Anti-Doping Control Laboratory", but not earlier than the day of its publication.

2. To revoke the Law of Ukraine "On Anti-Doping Control in Sports" (Verkhovna Rada's of Ukraine Bulletin, 2017, No. 11, Art. 102; 2018, No 46, Art. 371; 2020, No 38, Art. 279, No 47, Art. 408).

3. The Cabinet of Ministers of Ukraine

1) within three months from the date of entry into force of this Law shall:

bring its regulatory legal acts in accordance with this Law;

ensure that ministries and other central executive bodies to bring their normative legal acts that in line with this Law.

2) when establishing the projects of the State Budget of Ukraine, provide for expenses for the functioning of the National Anti-Doping Center.

3) inform the Verkhovna Rada of Ukraine about the status of implementation of this Law in 2022 and subsequent years.

President of Ukraine

V.Zelenskyy

Kyiv

26 January 2022

№2011-IX

(Stamp of Administration of Verkhovna Rada of Ukraine)