

APPROVED
by the Resolution of the Cabinet of Ministers
of Ukraine of July 25, 2002, No. 1063
(as amended by the Resolution of the Cabinet of
Ministers of Ukraine No. 1300 dated November 22,
2022)

PROVISIONS
About the National Anti-Doping Center

General part

1. The National Anti-Doping Organization in Ukraine is a specialized state institution - the National Anti-Doping Center (hereinafter referred to as the Center).
2. The Center shall be impartial and independent of any third parties in the performance of its tasks and independent in its activities, management and decision-making. Persons who are simultaneously involved in the management or activities of an international federation, national sports federation, organization of major sports events, including the International Olympic Committee, the National Olympic Committee, the National Committee for Sports of the Disabled, the Ministry of Youth and Sports, are prohibited from participating in the operational decisions and activities of the Center.
3. The activities of the Center are governed by the requirements of the Law of Ukraine "On Anti-Doping Activities in Sport", the World Anti-Doping Code, the international standards of the World Anti-Doping Agency and this Regulation.
4. The Center's powers extend to all athletes, including amateur athletes in accordance with the Center's anti-doping rules, and athlete support personnel who are citizens of Ukraine, foreigners or stateless persons who are legally present in the territory of Ukraine.
5. The authority of the Center shall also extend to all Athletes, including amateur Athletes in accordance with the Center's anti-doping rules, and Athlete Support Personnel participating in any activity or event organized, conducted, convened or authorized by the organizer of a sporting event, including if the organizer of the sporting event is not affiliated with a sports federation.
6. The Center's activities are financed from the state budget and other sources not prohibited by law.
7. Remuneration conditions for the Center's employees are determined by the Cabinet of Ministers of Ukraine.
8. The Center is a legal entity, has an independent balance sheet, accounts with the Treasury, and a seal with the State Emblem of Ukraine and its name.

Organization of the Center's work

9. Center as part of its activities:
 - 1) develops and approves anti-doping rules;
 - 2) takes measures to implement anti-doping rules in sports activities;
 - 3) Ensures that anti-doping activities comply with the requirements of the Law of Ukraine "On Anti-Doping Activities in Sport", the International Convention against Doping in Sport, the Anti-Doping Convention and the Additional Protocol thereto;
 - 4) issues permits for the therapeutic use of prohibited substances and methods in accordance with the International Standard for Therapeutic Use;
 - 5) cooperate 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, counseling and training in Ukraine and abroad in accordance with the law;
 - 7) involve doping control officers on a permanent or contractual basis in the collection of doping samples;
 - 8) creates registration pools and develops an athlete testing plan in accordance with the World Anti-Doping Code and the International Standard for Testing and Investigations;
 - 9) approves the requirements for the competencies and qualifications of doping officers, carries out training activities, issues certificates and authorizes doping officers to conduct testing;
 - 10) Processes results, including monitoring test results and investigating anti-doping rule violations, including proving anti-doping rule violations and taking measures to bring such violations to justice;

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

12) interacts with central executive authorities and other public authorities, the National Olympic Committee, sports federations, national sports federations of persons with disabilities or their unions that are members of the International Paralympic Committee, the International Sports Committee of the Deaf, the Sports Committee, individuals and legal entities to facilitate the exchange of information on the prevention of the use and spread of doping in sports;

13) conclude agreements, in particular at the international level, on the main areas of its activities with anti-doping organizations of foreign countries, international sports federations, other organizations conducting testing for doping control purposes, research institutes, other institutions and organizations, if such agreements do not contradict Ukraine's international obligations;

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

15) develops and implements internal protocols for handling information about possible anti-doping rule violations;

16) investigates all possible cases of doping in sports;

17) organizes the work and ensures the activities of the Supervisory Board of the Center (hereinafter referred to as the Supervisory Board), the Disciplinary Anti-Doping Commission, the Therapeutic Use Exemption Committee and the Nomination Committee;

18) provides paid services in accordance with the established procedure;

19) approves the Regulations on the Nomination Committee;

20) pays the annual contribution of Ukraine to the World Anti-Doping Agency, pays for services related to the collection, transportation and analysis of doping samples in accredited doping control laboratories of the World Anti-Doping Agency.

10. Personal data used by the Center in the course of anti-doping activities may be transferred to other interested anti-doping organizations, in particular through data transfer systems, solely in compliance with the legislation on personal data protection and the International Standard for the Protection of Privacy and Personal Data of the World Anti-Doping Agency.

Center management

11. The Center is headed by a director who is appointed by the Minister of Youth and Sports for a five-year term based on the results of a competition and the recommendation of the Supervisory Board.

12. The term of office of the Director of the Center may be extended by the Minister of Youth and Sports upon the recommendation of the Supervisory Board for another five-year term.

13. The Director of the Center may be a citizen of Ukraine who has a higher education, speaks the state language, has at least five years of experience in a managerial position, has knowledge and professional experience in the field of anti-doping activities in sports.

14. A person who: has been declared incapacitated or whose legal capacity is limited by a court decision may not be appointed to the position of the

Center's director;

has a conviction for an intentional criminal offense, if such conviction has not been expunged or removed in accordance with the procedure established by law (except for a rehabilitated person);

has been held criminally liable for a corruption-related offense on the basis of a court verdict that has entered into force or has been subject to an administrative penalty for a corruption-related offense within the last year;

is deprived of the right, in accordance with a court verdict that has entered into force, to engage in activities related to the performance of state functions or to hold certain positions;

is an athlete who has not ceased/stopped his/her sports activity or a coach of such an athlete;

is found guilty of an anti-doping rule violation by an anti-doping organization;

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

has a real or potential conflict of interest.

15. The decision to hold a competition for the position of the Director of the Center and the terms of its conduct shall be made by the Supervisory Board. The announcement of the competition shall be published in the media no later than 30 calendar days before the competition.

16. Director of the Center:

manages the Center's activities, is personally responsible for the fulfillment of the tasks assigned to the Center, and determines the degree of responsibility of its employees;

- approves the structure and staffing of the Center with the approval of the Ministry of Youth and Sports;
- Taking into account the proposals of the Supervisory Board and the Ministry of Youth and Sports, provides incentives and rewards to employees within the total budget of the Center;
- approves regulations on structural units and job descriptions of the Center's employees;
- Issues organizational and administrative orders within its competence, organizes and controls their implementation;
- Dispose of the Center's funds within the approved cost estimate; impose disciplinary sanctions on the Center's employees;
- submits an annual report on the Center's activities to the Supervisory Board;
- appoint and dismiss heads of structural units and other employees of the Center in accordance with the established procedure;
- exercises other powers in accordance with the law.

Supervisory Board

- 17. The Center's activities are supervised by the Supervisory Board, which is an advisory body and acts within the powers defined by the Law of Ukraine "On Anti-Doping Activities in Sport".
- 18. The composition of the Supervisory Board and its regulations are approved by the Cabinet of Ministers of Ukraine.

Therapeutic Use Committee

19. To consider issues related to the therapeutic use of prohibited substances and prohibited methods, processing requests and granting permits for therapeutic use, the Center shall establish a Therapeutic Use Committee (hereinafter referred to as the Committee) consisting of five healthcare professionals with experience in diagnosing and treating athletes who also have in-depth knowledge of clinical, sports and practical medicine and are citizens of Ukraine.

If the review of an Athlete's application for a Therapeutic Use Exemption requires the specialized knowledge of an expert in the relevant field or specialty due to the Athlete's objective health status, the Committee may involve an appropriate expert in the review of such application.

20. The personal composition of the Committee is approved by the Center. Members of the Committee may be persons who do not have a real or potential conflict of interest.

21. The Committee members shall not disclose information that they have become aware of in connection with their membership in the Committee, shall not provide it to third parties, and shall use such information solely for the purpose of performing their duties and functions in accordance with the requirements of this Regulation in compliance with the Law of Ukraine "On Personal Data Protection" and the International Standard for the Protection of Privacy and Personal Information of the World Anti-Doping Agency.

22. The organizational form of the Committee's activities shall be a meeting, which shall be deemed valid if two-thirds of its total membership is present. Decisions of the Committee shall be made by a majority vote of its total membership.

23. Before starting work in the Committee, each of its members must sign a declaration of no conflict of interest and confidentiality, the form of which is developed by the Center.

Research.

24. The Center can conduct sociological research, research on the prevention of doping, on behavioral and social aspects, health consequences of doping, as well as the development of scientifically based programs for physiological and psychological training of athletes.

25. The research must comply with recognized international ethical standards and must not involve the administration of prohibited substances or prohibited methods to athletes, and must be conducted only with appropriate measures to prevent the misuse of anti-doping research and doping.

26. The Center informs the World Anti-Doping Agency of the results of anti-doping research.

{Provision as amended by CM Resolution No. 1300 of 22.11.2022}



On the Establishment of the National Anti-Doping Center
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