

APPROVED BY
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Public Institution **Lithuanian Anti-Doping Agency**
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CONFIRMED BY
World Anti-Doping Agency
on 11 of December 2020

**REGULATION FOR HEARING CASES
OF ANTI-DOPING RULE VIOLATIONS**

DEFINITIONS

Definitions used in the Regulation for Hearing Cases of Anti-Doping Rule Violations are as follows:

- 1) **Agency** – Public Institution Lithuanian Anti-Doping Agency.
- 2) **Anti-Doping Rules** – rules prohibiting the use of doping in sports approved by the order of the director of the Lithuanian Anti-Doping Agency and implemented in accordance with the applicable Code and applicable International Standards.
- 3) **Anti-Doping Rule violation** – the individual conduct and circumstances defined in the Code and / or the Anti-Doping Rules as violations.
- 4) **Case hearing** – the procedure for hearing the anti-doping cases and sanctioning violations of the Code and Anti-Doping Rules, if applicable.
- 5) **Days** – a term defined in days shall be calculated in calendar days unless the Regulations or other laws establish otherwise.
- 6) **Federation** – a national or regional entity which is a member of or is recognized by an International Federation as the entity governing the International Federation's sport in Lithuania.
- 7) **Code** – World Anti-Doping Code.
- 8) **Panel** – a group of commissioners nominated by the Commission Chair to hear a particular case.
- 9) **Commission** – a collegial body of persons nominated by the Agency to hear anti-doping rule violation cases and to take decisions.
- 10) **Infringing Entity** – an athlete, a member of the athlete support staff, a group of individuals, a team, sports organization, or other person who is subject to alleged anti-doping rule violation.
- 11) **Regulation** – the present Regulation for Hearing Cases of Anti-Doping Rule Violations.
- 12) **Decision** – a decision taken by the Commission to give the final judgment in matters within its competence.
- 13) **Observers** – representatives of WADA, International Federation and the National Federation of the Infringing Entity present at the hearing as observers.
- 14) **Parties** – the Infringing Entity and the Agency.
- 15) **International Standard** – a standard adopted by WADA in support of the Code.
- 16) **WADA** – World Anti-Doping Agency.

The terms and definitions used in singular also apply to plural and vice versa.

Terms and definitions not covered in this Regulation are understood as defined and / or interpreted in the Code, the International Standards, the Anti-Doping Rules and other WADA and Agency documents.

CHAPTER I GENERAL PROVISIONS

Article 1. Nature and scope of the Regulation

1. This Regulation has been prepared and approved by the Agency in accordance with the Anti-Doping Rules, the Code, the International Standards and WADA guidelines.

2. The purpose of this Regulation is to establish the procedures for hearing and deciding on anti-doping rule violations.

3. This Regulation shall apply to the Commission in hearing and deciding on anti-doping rule violations, as well as to parties in the anti-doping rule violation proceedings. The Regulation lays down the procedure for the formation of the Commission hearing cases of Anti-Doping Rule violations, its competence and the rules which the Commission follows in addressing the issues within its competence.

4. This Regulation and its provisions are based on procedures for the effective imposition of penalties applying the principles of international justice and fair hearing while ensuring respect for the rights of individuals suspected of an anti-doping rule violations.

5. Except as otherwise provided in the Code, the International Standards, the Anti-Doping Rules and the WADA guidelines, the Commission shall apply the provisions of this Regulation in hearing anti-doping cases. In case of conflict, the provisions of the Code and International Standards will prevail.

6. The provisions of the Regulation shall not be subject to, nor limited to, any national requirements or legal standards applicable in criminal or civil proceedings. In assessing the facts and legal norms of a particular case, all interested parties, courts, arbitral tribunals and other hearing bodies must be aware of and respect the differing nature of the provisions of the Regulation and the fact that its provisions are based on the Code, the Anti-Doping Rules, the International Standards and the WADA guidelines, which reflect the attempt to protect and ensure fair sports.

Article 2. Formation of the Commission

1. The members of the Commission shall be appointed for a term of 4 years by the decision of the Agency which is renewable once.

2. The Commission shall consist of an independent Chair and six (6) other independent members: a Chair and one Vice-chair, each of whom shall be a legal practitioner with at least three years of professional experience; the Commission shall also include at least one medical practitioner with at least three years of professional experience, and at least two additional members, each of whom must have been a sports administrator, or an athlete at the time of appointment or in the past, and/or have scientific expertise.

3. The mandate of the member of the Commission shall expire:

3.1. upon the expiry of the term of office of the member of the Commission, except for cases referred to in paragraph 4 herein;

3.2. upon the removal of the member of the Commission from office by the Agency;

3.3. upon the resignation of the member of the Commission;

3.4. upon the death of the member of the Commission.

4. Upon the expiry of the term of office, the member of the Commission shall remain in office until the end of the proceedings, in the Panel of which he/she is involved at the moment of expiry of his/her term of office.

5. A member of the Commission may not be removed from office as long as he or she is involved in the proceedings as a member of the Panel, unless the member of the Commission is dismissed by the Agency because the member of the Commission, for whatever reason, resign or cease to hold office for more than two consecutive months or for one hundred days during the six months preceding his or her resignation.

All members of the Commission shall be able to hear cases fairly and impartially, and must sign a conflict of interest and confidentiality declaration upon their appointment.

6. The members of the Commission shall be remunerated for their services in the proceedings.

Article 3. Competence of the Commission

1. The Commission shall conduct hearing in cases of Anti-Doping Rule violations and take

decisions.

2. All decisions on Anti-Doping Rule violations shall be taken on behalf of the Commission.

3. The work of the Commission shall be directed and organized by the Chair of the Commission.

4. Where the Chair of the Commission is unable to hold his office and exercise his functions provided for in this Regulation, the Vice-Chair shall act as the Chair of the Commission. Where neither the Chair nor the Vice-Chair of the Commission are capable of acting as the Chair of the Commission, the Chair of the Commission, who must be a legal practitioner in accordance with Article 2 of this Regulation, should be appointed by the Agency.

5. In hearing and deciding on anti-doping cases, the Commission shall follow this Regulation, the Code, the International Standards, the Anti-Doping Rules, the WADA guidelines and the universally recognized principles and standards of the fair hearing and protection of human rights.

6. In hearing and deciding on its cases, the Commission reserves the right, at its sole discretion, to apply procedures other than those specified in this Regulation to the extent that they are consistent with this Regulation, the Code, the International Standards, the Anti-Doping Rules and the WADA guidelines.

7. The Commission, at its own discretion, may hear cases defined in the Code and the Anti-Doping Rules relating to events governed by the Anti-Doping Rules by means of expedited proceedings defined in the Code and the Anti-Doping Rules where the decision on the Anti-Doping Rule violation is necessary to determine the eligibility of the Infringing Entity to attend the event, or where the decision taken in the case will determine the validity of the Infringing Entity's results or further participation in the event. In the case of expedited proceedings, the time limits specified in this Regulation may not apply.

Article 4. Panel hearing the case

1. The Panel hearing the cases in accordance with this Regulation shall consist of at least 3 (three) members of the Commission. The Chair of the Commission shall appoint no less than three (3) members (which may include the Chair) as the Panel to hear the case. When hearing a case, one (1) panel member shall be a qualified lawyer, with no less than three (3) years of relevant legal experience, and one (1) panel member shall be a qualified medical practitioner, with no less than three (3) years of relevant medical experience.

2. The Chair of the Commission shall, not later than within 7 days after the receipt of a request for a hearing, form the Panel for hearing a particular case appointing the Chair and other members of the Panel out of the members of the Commission. The Chair of the Commission may also be the Chair or member of the Panel.

3. The Chair may be replaced by a designated vice-chair in the event of a conflict of interest, or by the most senior hearing panel member with no conflict of interest, where there is no vice-chair or both the Chair and vice-chair are in a situation of conflict. The Panel shall decide on cases in a collegial manner on behalf of the Commission.

4. Members of the Panel must be objective in hearing the case. Board members, staff members, commission members, consultants and officials of Agency 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 Commission. In particular, no member shall have previously considered any TUE application, Results Management decision, or appeals in the same given case. Each member of the Panel shall disclose to the Chair of the Commission any circumstances that may affect his or her objectivity in the proceedings. Upon appointment by the Chair as a member of the Panel, each member must also sign a declaration that there are no facts or circumstances known to him or her which might call into question their impartiality in the eyes of any of the parties, other than those circumstances disclosed in the declaration.

The parties shall be notified of the identity of the Panel members appointed to hear and determine the matter and be provided with their declaration at the outset of the hearing process. The parties shall be informed of their right to challenge the appointment of any Panel member if there are grounds for potential conflicts of interest within 7 days from the ground for the challenge having become known. Any challenge shall be decided upon by an independent person from the Commission, to be agreed upon by Agency and relevant Athlete or other Person, or by an independent institution.

5. Before the decision is made in the case, the Chair of the Commission shall be entitled to replace a member of the Panel by another member of the Commission upon receiving information on circumstances which could affect the objectivity of the member of the Panel.

6. A member of the Panel who considers that there are circumstances which could affect his or her objectivity in a case shall refrain from hearing the case.

Article 5. Case hearing principles

1. The Commission shall hear cases and deal with matters falling within its competence in accordance with the principles of autonomy of the parties, procedural equality, adversariness, dispositiveness, confidentiality of the process, economy, cooperation and expedition.

2. The activities of the Commission in hearing cases shall ensure that proceedings are planned and completed within a reasonable time.

3. The case material and its content shall be confidential information which the members of the Commission and individuals involved in the proceedings other than the Infringing Entity must keep and not disclose. In any event, the Agency shall provide WADA, and the International Federation and the National Federation of the affected athlete or other person with information relating to the status of pending cases and the outcome of their proceedings.

4. Personal information relating to Athletes and other Persons may be collected, stored, proceed or disclosed, where necessary and appropriate to conduct Anti-Doping Activities under the Code, the International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information), Anti-Doping Rules, and in compliance with applicable law.

5. The Commission shall at all times act justly, fairly, reasonably and impartially in respect of the parties.

6. The parties must act in good faith, not abuse their rights, and seek for the prompt resolution of arisen issues and disputes.

7. Depending on the course of the proceedings, and subject to burdens and standards of proof set in Article 3 of the Anti-Doping Rules, the parties must carefully and in timely manner provide the Commission with all evidence and argumentation supporting their claims or defences, as well as any other documents available to them relating to the matter under consideration by the Commission, which may be relevant to the outcome of the case hearing in question.

8. Representatives of WADA and the Federation may attend the case hearing as observers.

Article 6. Representation

1. The parties may conduct the proceedings themselves or through representatives at their own expense.

2. The party who has appointed the representative in the case shall notify the Commission in writing of the name, address, telephone and e-mail address of its representative.

3. Unless a Party has notified the Commission in writing of its representative, the representative shall be required to prove to the Commission his or her powers. In such a case, the representative of the Party may take appropriate action on behalf of the Party in the proceedings under this Regulation only after the Commission has been provided with a document conferring the power to represent the Party.

Article 7. Delivery of case documents, calculation and extension of deadlines

1. Case documents (written submissions, communications, messages, exhortations or suggestions, etc.) shall be sent to the parties or their representatives at the last known or specified email address. The delivery of case documents to the representative of the party shall be deemed to be proper delivery to the party.

2. In exceptional cases, case documents may be delivered to the parties in person, by registered mail or by courier at the place of residence, registered office or other addresses, indicated by the Agency, the Federation or known from other sources.

3. The case document shall be deemed to have been received on the date on which it was served on the party to the proceedings or on his representative or would have been served if it had been delivered in accordance with paragraphs 1 and 2 above.

4. For the purposes of calculating deadlines under this Regulation, the period shall begin to run on the day following the date on which the case document was received in accordance

with paragraph 3 above. If the last day of the period at the addressee's place is an official holiday or non-working day, the last day of the period shall be deemed to be the next working day thereafter. Official holidays and non-working days are included in the deadline.

5. Actions under this Regulation shall be carried out within the deadlines specified therein. Where specific deadlines are not set in the Regulation, they shall be set by the Commission.

6. In each case, the Commission shall decide whether the action in question has been carried out within the established deadline.

7. The Commission may, taking into account the complexity of the case and also at the request of a party for significant reasons, extend or renew the deadline laid down in this Regulation.

Article 8. Rights of parties to the proceedings

1. Without prejudice to the provisions of this Regulation and to the procedures laid down by the Commission, the parties shall be entitled to make statements, testimonies, to submit evidence, requests, arguments and reasonings in any matter addressed in the proceedings, to access the case material, to collect evidence, to participate in the collection of evidence, to call and examine witnesses, and to exercise other rights provided for in this Regulation, the Anti-Doping Rules, the Code and the International Standards.

2. The rights of the parties or observers under this Regulation may be restricted by Commission's decisions in order to preserve the confidentiality of confidential information, where necessary to ensure a proper or expeditious hearing of the matter or the case and in other cases provided for in this Regulation.

3. The Athlete or other Person have right to dispute Provisional Suspension in a Provisional Hearing taking place before the member of the Commission on a timely basis after its imposition oral or in writing after sent request to the Agency. The member is delegated by the Chair of the Commission in 2 (two) business days after the Agency sends request. This member can not be in the Panel for the case where the provisional suspension was disputed.

The Agency sends request and explanations to the Chair promptly, but not later than next business day after received request from the Athlete or other Person with explanations why Provisional Suspension is inappropriate.

The decision must be made and written not later than within 3 (three) business days after the last sitting or the explanations submitted, and notified to the Agency and the Athlete or other Person not later than within 2 (two) business days after its adoption and writing down.

An appeal may be brought against a decision in accordance with Article 13 of the Anti-Doping Rules. A hearing body's decision not to eliminate a mandatory Provisional Suspension on account of the Athlete's assertion regarding a Contaminated Product shall not be appealable.

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CHAPTER II CASE HEARING

Article 9. Preparation for case hearing

1. When the Agency sends a charge to an Athlete or other Person asserting an anti-doping rule violation, and the Athlete or other Person does not waive a hearing in accordance with Articles 8.3.1 or 8.3.2 of the Anti-Doping Rules, then the case shall be referred to the Commission for hearing and adjudication.

2. The Athlete or other Person who has been alleged to have committed an anti-doping rule violation may send a written request the Agency to organize a hearing within 15 days from the receipt of the charge asserting an anti-doping rule violation. The Agency shall send written request to the Commission to organize a hearing after receiving the Athlete or other Person request or if the Athlete or other Person does not waive a hearing in accordance with Article 8.3.1 or Article 8.3.2 of Anti-Doping Rules or within deadline set by the Agency, with a copy to the Athlete or other Person who has been alleged to have committed an anti-doping rule violation, within 5 days. The notice asserting an anti-doping violation, including the analysis of the Athlete's B Sample confirming the presence of the Prohibited Substance or its Metabolites or Markers found in the Athlete's A Sample, if applicable, shall be attached to such request.

3. The Commission shall take all necessary steps to prepare for the case hearing, i. e. shall ask both parties, the Federation or any other persons to provide any information or explanation necessary for the case hearing and the decision-making in the case within a deadline of not less than 10 (ten) days and not more than 20 (twenty) days.

4. The failure to provide explanations referred to in paragraph 3 above or the failure to give reasons shall not prevent further proceedings, however, the Commission shall have the right to refuse to accept any evidence and written explanations which the parties or other persons may have submitted outside the deadline set by the Commission.

5. Written explanations of the Infringing Entity shall contain the following:

- a. full name / title, personal identification number / code, place of residence / office address, e-mail address, phone number of the Infringing Entity;
- b. full name, address, e-mail address, phone number of the representative of the Infringing Entity, the document supporting the rights and obligations of the representative, unless the Infringing Entity has no representative;
- c. reasons for disagreement;
- d. evidence grounding the reasons for disagreement;
- e. requests to the Commission, if any;
- f. if the Infringing Entity proves the circumstances by the expert's findings, the name, profession, qualification, e-mail address, phone number of the expert, and the circumstances to be proved by the expert's findings shall be indicated;
- g. annexes attached to the explanation;
- h. date of the explanation and signatures of the Infringing Entity and / or its authorised representative.

6. In the event the explanation submitted by the Infringing Entity does not meet the requirements set out in the Regulation, the Commission shall set a time period of 5 (five) days for the Infringing Entity to eliminate the deficiencies. If the Infringing Entity fails to eliminate the deficiencies within the time limit set in this paragraph, the Commission may refuse to accept the explanation provided.

7. The Commission, having received the written explanations of the Infringing Entity, shall forward them to the Agency, determine the date, time and place of the oral hearing of the case and inform the parties and other individuals to the proceedings thereof.

8. The oral hearing of the case shall take place not later than within 2 (two) months following the date of receipt of the request for hearing. In exceptional cases, the period specified in this paragraph may be extended by 1 (one) additional month.

9. The Commission shall be entitled at any time prior to the decision-making in the case to grant the parties and the individuals involved in the proceedings the opportunity to submit further explanations in the case within a set deadline if it considers that this will contribute to the proper hearing of the case.

Article 10. Date and place of the oral hearing

1. The place and time of the oral hearing shall be determined by the Commission having regard to the circumstances of the case, the possibility to interview the parties, the witnesses, the experts, to examine the documents and to hear the case in a more expeditious and cost-effective way.

2. The Commission shall inform the persons involved in the proceedings of the place and time of the oral hearing not later than 10 (ten) days before the case hearing.

3. The Commission shall hear the case during 1 (one) sitting. Additional sittings may be held as required.

Article 11. Case hearing language

1. The proceedings shall be conducted in the Lithuanian language. All documents of the case, including the decision, shall be drawn up in Lithuanian.

2. The Commission may ask translations of requests, statements, written documents and other material from the parties and from other persons into the Lithuanian language.

3. If necessary, the case may be heard through an interpreter at the requesting party's expense.

Article 12. Case hearing procedure

1. The case hearing shall be conducted in accordance with this Regulation.
2. Where this Regulation does not regulate the procedure for dealing with certain procedural issues, the case hearing shall be conducted under the procedure established by the Commission in accordance with the principles of reasonableness and justice.
3. The Commission shall conduct case hearing impartially and expeditiously. Each party must be allowed to participate in the proceedings.
4. The case hearing shall be held in a closed sitting and shall be open to the observers, not to mention the parties. Interpreters may attend the hearing, witnesses and experts may be interviewed by the decision of the Commission.

The Athlete or the other Person has the right to request a public hearing. Agency may also request a public hearing provided that the Athlete or the other Person has provided his/her written consent to the same. The request may be denied by the Panel in the interest of morals, public order, national security, where the interests of Minors or the protection of the private life of the parties so require, where publicity would prejudice the interests of justice or where the proceedings are exclusively related to questions of law.

5. The case hearings may also take place remotely by the participants joining together using technology with the consent of the parties.

Depending on the circumstances of the case, it may also be fair or necessary – for example, where all the facts are agreed and the only issue is as to the Consequences – to conduct a hearing “in writing”, based on written materials without an oral hearing.

The Panel decides on the best format for the hearing.

Article 13. The sitting

1. The parties themselves shall arrange the appearance of witnesses and experts, on whose testimonies they will ground the facts of the case.
2. The absence of the parties or of one of them, as well as of any other person, witness or expert, shall not prevent the sitting from taking place. If any of the persons referred to herein fails to attend the hearing without due cause, the Commission shall be entitled to make a final decision based on the evidence in the case.

Article 14. Sitting procedures

1. The procedure and duration of the sitting shall be determined by the Commission in view of the proposals made by the parties.
2. The Commission may, on its own initiative or at the request of a party, decide to postpone the sitting if it considers that special circumstances so require. In such a case, the Commission shall immediately determine the place, date and time of the next sitting, which shall take place within 10 (ten) calendar days.
3. The sitting shall be directed by the Chair of the Panel or any other member of the Commission.
4. Mandatory procedures of the sitting:
 - 4.1. announcement of the case to be heard during the sitting;
 - 4.2. settlement of parties' requests;
 - 4.3. listening to parties' explanations;
 - 4.4. question-giving to parties and listening to their answers;
 - 4.5. listening to testimonies of witnesses and experts;
 - 4.6. question-giving to witnesses and experts and listening to their answers;
 - 4.7. listening to final statements of the parties.
5. The Commission shall have the right to decide to listen to observers as well as to give them questions.
6. At the end of the sitting closing the case, the Commission shall determine the date of the decision-making.
7. The course of the sitting shall be transcribed and / or audio recorded and subsequently stored in the file.

CHAPTER III EVIDENCE AND SUBSTANTIATION

Article 15. Evidence and substantiation

1. Evidence in the case includes written documents and other written evidence, material evidence, expert findings, witness statements and other factual data which the Commission acknowledge as evidence, subject to burdens and standards of proof as well as methods of establishing facts and presumptions set in Article 3 of the Anti-Doping Rules.

2. Each party shall be required to prove the circumstances on which it grounds its claims or defence subject to burdens and standards of proof set in Article 3 of the Anti-Doping Rules.

3. All issues relating to the correlation, admissibility and substantiation of evidence shall be settled by the Commission.

4. No evidence shall be binding on the Commission.

5. The Commission may request any party to furnish proof within set deadline to justify certain circumstances.

6. The Commission shall have the right to refuse to accept evidence that is not related to the case or was submitted belatedly if it finds that the party has failed to previously submit it without good reason and that its acceptance will, in principle, delay the proceedings.

7. If a party fails to provide the Commission with the requested evidence, the Commission may take a decision based on the evidence available to it.

8. The Commission shall make a final and binding assessment of evidence in the decision.

Article 16. Experts

1. The parties to the proceedings are free to base their argumentation on the explanations, opinions or findings, both written and oral, of experts of their choice during the sitting.

2. The party requesting the listening of experts at the hearing shall notify the Commission thereof not later than 3 working days before the hearing, stating the name of the experts, the circumstances of the case which experts may confirm or deny and the language in which the expert will testify. Failure to do so shall entitle the Commission to refuse to listen experts.

3. The explanations, opinions or findings of experts shall not be binding on the Commission.

4. The expenses incurred and the remuneration of the expert shall be covered by the inviting party.

Article 17. Witnesses

1. The party requesting the listening of a witness at the hearing shall notify the Commission thereof not later than 3 working days before the hearing, stating the name of the witness, the circumstances of the case which the witness may confirm or deny and the language in which the witness will testify. Failure to do so shall entitle the Commission to refuse to listen to the testimony a witness.

2. The attendance of a witness at the hearing shall be guaranteed by the inviting party. The party must also ensure the presence of an interpreter at the hearing if an interpreter is required for the interview of a witness.

3. The costs of the witness's arrival at the sitting as well as the cost of an interpreter shall be covered by the inviting party.

Article 18. Inspection of material evidence and location

If necessary, the Commission may, either on its own initiative or at the request of a party, inspect the material evidence at its location or to inspect the location. The parties shall be notified in advance of the place and time of the inspection.

CHAPTER IV COMMISSION DECISIONS

Article 19. Procedural orders

Procedural orders which do not give final consideration to the case may be taken at the discretion of the Commission and made available to the parties in any form (by e-mail, notice, request, explanation, orally, recording, etc.).

Article 20. Decision

1. The case hearing shall be finalised by making a final decision on behalf of the Commission within not more than 2(two) months from the date of the request for hearing. The decision must be made and written not later than within 21 (twenty one) days after the last sitting, and notified to the Agency not later than within 3 (three) business days after its adoption and writing down.

2. The decision shall contain the following:

2.1. Date and place of decision making;

2.2. Full names of the members of the Panel involved in the case hearing, parties to the case, their representatives;

2.3. Merits of claims and objections of the parties;

2.5. Jurisdictional basis and applicable rules;

2.6. Detailed factual background;

2.7. Sanctions, penalties, and other consequences imposed on the Infringing Entity under the Code and the Anti-Doping Rules after hearing the case, including (if applicable) a justification for why the greatest potential consequences were not imposed;

2.8. right to appeal under Article 13 of the Anti-Doping Rules.

3. The Agency shall notify the Commission's decision to the Athlete or other Person, and to Anti-Doping Organizations with a right to appeal under Article 13.2.3 of the Anti-Doping Rules as provided for in Article 14 of the Anti-Doping Rules.

Article 21. Decision making procedure

1. The decision shall be taken by a majority of the members of the Panel hearing the case. Each member of the Panel shall be required to express their opinion on the decision at the time of decision-making. In the absence of a majority of the members of the Panel or in case of an equal number of votes "for" and "against", the vote of the Chair shall be decisive.

2. The decision must be made in writing and signed by the members of the Panel hearing the case. The members of the Panel shall be entitled to express their dissenting opinion in writing, which shall be annexed to the decision.

Article 22. Appeal against the decision

1. An appeal may be brought against a decision in accordance with Article 13 of the Anti-Doping Rules, and any dispute arising from a decision may be dealt with in accordance with the Code, the International Standards and the Anti-Doping Rules. Persons and organizations with a right to appeal are specified in Article 13.2.3 of the Anti-Doping Rules and the Code.

2. Appeals against the decision must be brought within the time limits specified in the Code and Article 13 of the Anti-Doping Rules and the International Standard for Results Management.

Article 23. Publication and application of the decision

1. If no appeal is brought against the decision, then (a) if the decision is that an anti-doping rule violation was committed, the decision shall be publicly disclosed as provided in Article 14.3.2 of the Anti-Doping Rules; but (b) if the decision is that no anti-doping rule violation was committed, then the decision shall only be publicly disclosed with the consent of the Infringing Entity who is the subject of the decision. The Agency shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the Infringing Entity may approve. The principles contained at Article 14.3.7 of the Anti-Doping Rules shall be applied in cases involving a Minor, Protected Person or Recreational Athlete. Any optional Public Disclosure in a case involving a Minor, Protected Person or Recreational Athlete shall be proportionate to the facts and circumstances of the case.

2. According to Article 15.1.1 of the Anti-Doping Rules, subject to the right to appeal provided in Article 13 of the Anti-Doping Rules, any decision regarding a violation of the anti-doping rule shall be recognized by all Federations, which shall take all necessary action to render such decision effective.

CHAPTER V FINAL PROVISIONS

Article 24. Entry into force of the Regulation

1. The present Regulation shall enter into force as of 1 January 2021.

2. This Regulation may be amended or supplemented at any time by the Agency. Amendments and supplementations to the Regulation are not retroactive. If the Agency has already sent a notification of an alleged anti-doping rule violation to the Infringing Entity before the Regulation or its amendments entered into force, the case hearing shall be continued and finalised in accordance with the procedure in force prior to the entry into force or amendments of the Regulation unless the Code or the Anti-Doping Rules establish otherwise.

Article 25. Binding nature of the Regulation

This Regulation has been adopted and approved by the Agency in accordance with the Anti-Doping Rules and it is therefore binding on all individuals and organizations subject to the Anti-Doping Rules.