



## **British Columbia Water Polo Association - Policy on a Drug-Free Environment**

Water polo is about competing and performing to the best of your ability—the pursuit of human and sporting excellence. Taking prohibited substances or using prohibited methods is cheating and can be very damaging to an athlete’s health. Doping undermines the fundamental spirit of sport and severely damages the integrity, image, and value of sport.

Athletes are influential role models for young people. The behavior of elite athletes can have significant impact on young people as they admire and aspire to emulate their sporting heroes, especially their actions and attitudes.

CCES, in collaboration with sport organizations, athletes, and coaches, medical support personnel work on behalf of all Canadians to achieve doping-free sport and to protect the right of athletes to compete in a fair and ethical sport environment.

As the body responsible for administering [Canada's Anti-Doping Program](#) (CADP), CCES devotes a significant portion of its resources to promoting doping-free sport. The CADP protects athletes' right to fair and ethical competition and helps ensure the integrity of amateur sport.

The mandate is fulfilled through a comprehensive approach involving education, prevention, detection, deterrence, investigations, and support of related research. Testing programs and investigations are a necessary part of this approach: deterring and detecting the use of banned substances and methods.

The CADP is a rigorous program that ensures the accountability and transparency of all aspects of anti-doping including medical exemptions, testing, results and appeals. It complies with the mandatory elements of the [World Anti-Doping Program](#), and meets the stringent requirements specified in the [ISO 9001:2015 quality management standard](#).

The BC Water Polo Association (BCWPA) supports these programs in strongly opposing the use, possession and supply of banned substances in competitive water polo, either during training or competition in Canada or abroad by Canadian athletes, coaches, medical, para-medical or other support staff.

As a deterrent BCWPA will participate along with Water Polo Canada and other Associations and Organizations in announced and unannounced doping control of athletes in accordance with the Canadian Centre for Ethics in Sport (CCES) “Canadian Policy on Penalties for Doping in Sport” and its Doping Control Standard Operating Procedures (SOP) A copy of the latter is available from Water Polo Canada on request.

It is the intention of BCWPA to advocate and promote athlete training practices in Canada which enhance performance through the application of scientific coaching methods and suitable education programs for coaches, athletes, officials and administrators.

In addition to the following added condition, the Water Polo Canada policy as follows, will apply to all registrants with BCWPA.

1. For the purposes of this policy, penalties will include ineligibility for provincial sport funding as well as and similar to the cessation of federal or provincial sport funding.

#### Canadian Policy on Penalties for Doping in Sport – Dated October 1993

##### *Preamble:*

The objective of this policy is to provide a consistent and effective response to the use of banned drugs and practices in Canadian sport so as to deter those who might engage in doping and protect those who commit themselves to the practice of sport based on fair play.

This policy ensures that appropriate penalties are imposed both on athletes and on others who violate anti-doping rules. It provides appropriate procedures for those accused of an infraction, including provisions for the reinstatement of individuals sanctioned as a result of such infractions. The policy is endorsed by the Federal Government in its Policy Statement on Drug

The Canadian Policy on Penalties for Doping in Sport represents minimum standards.

The Canadian Centre for Ethics in Sport (“CCES”) is the independent body responsible for coordinating the development and implementation of programs and policies for anti-doping, including testing, research, education, appeals and arbitration. In accordance with Doping Control Standard Operating Procedures (SOP), the CCES will determine whether doping or doping-related infractions have occurred and will also determine whether the misuse of substances subject to certain restrictions in sport constitutes an infraction.

It is understood that the intent of this policy is not to have a doping infraction acted upon by any other sanctioning body unless a penalty is imposed by virtue of this policy.

##### Definitions and Interpretations:

- For the purposes of this policy, infractions consist of:
  - a) Doping Infractions: the use of banned substances or practices; and
  - b) Doping Related Infractions: infractions other than the use of banned substances or practices.
- A doping infraction is the use of banned substances or practices. Reference for identifying these substances and practices include the International Olympic Committee’s published categories of banned classes and methods.
- Doping related infractions are:

- a) condoning the use of banned substances or practices;
- b) counseling or advising others to use banned substances or practices;
- c) avoiding, or aiding in avoiding, doping control and detection of banned substances or practices;
- d) securing, supplying or administering banned substances or practices;
- e) possession of banned substances or materials intended for use in a manner contrary to anti-doping rules;
- f) importing or selling banned substances or materials intended for use in a manner contrary to anti-doping rules;
- g) refusal to participate in doping control; or
- h) failing to cooperate as requested in any CCES or sport-governing body investigation into a possible doping infraction; with the intent of violating anti-doping rules.

- For the purpose of this policy, an athlete is an individual registered as an athlete or who participates as an athlete in any activities of or sanctioned by FINA, Water Polo Canada, the provincial sport governing body (“PSGB”), or affiliate of FINA, Water Polo Canada, the PSGB or affiliated club, team, association or league.
- Unless otherwise specified, reference in this policy to “person” or “persons” means any and all individuals who participate or seek to participate in these aforementioned activities including athletes.
- In the case of a person who participates in sport in one or more role, (for example, as both an athlete and a coach), the role of the individual for the purpose of application of this policy shall be that which the individual was performing at the time of the infraction (e.g. an athlete involved as a coach in a related infraction will not be treated as an athlete but as a “person” for the purposes of this policy).
- Should any person wish to become an athlete or a member of Water Polo Canada, the PSGB or affiliate, or wish to participate in an activity of or sanctioned by FINA, Water Polo Canada, the PSGB or affiliate, this policy will apply retroactively: if he or she has committed a doping or doping related infraction as defined by this policy, the penalties outlined in this policy shall apply.
- All persons sanctioned by virtue of this policy will be ineligible to participate in any role and in any competition or activity organized, convened, held or sanctioned by Water Polo Canada, PSGB, or affiliate for the duration of the period of ineligibility. Penalties in any sport, role or level shall be respected by the authorities at all other levels of the same sport and in all other sports subject to this policy.
- For the purposes of this policy, federal or provincial sport funding is defined as any direct financial support provided by the federal or provincial government in respect of person by name regardless of the method of payment by the federal or provincial government -

i.e. directly to the individual or via BCWPA (e.g. monthly financial support through Athlete Assistance Program, coaching or professional staff salaries, honoraria for the provision of professional services, coaching apprenticeships, etc.). It is not the intent of this policy to limit the access to benefits arising from the federal or provincial government block payments made to BCWPA once the individual's period of sport ineligibility (penalty) has been served.

- A person does not commit a doping infraction where, in circumstances of medical reasons for the use of a banned substance, the substance is required for sustaining treatment or control of a medical condition, and where an exemption has been granted upon application to the CCES.

#### Penalties - Doping Infractions:

In accordance with the SOP, a doping infraction may be proven by a positive test result obtained from an IOC accredited laboratory, or by such other evidence, which establishes a doping infraction (e.g. admission, etc.).

Whether a doping infraction is established by evidence other than a positive test result will be determined according to the Procedures for the Determination of Doping Related Infractions contained in the SOP.

#### Member Conduct:

The penalty for a doping infraction proven by a positive laboratory test result is calculated from the date of sample collection. Otherwise, a penalty is calculated from the decision of the Panel as set out in the Procedures for the Determination of Doping Related Infractions.

#### Sport Eligibility Penalties:

Subject only to the provisions for reinstatement, the penalties for a doping infraction by an athlete are:

- a) 1st infraction: 4 years ineligibility; and
- b) 2nd infraction: life ineligibility.

Subject only to the provisions for reinstatement, the penalties for a doping infraction by a person other than an athlete is:

- a) 1st infraction: life ineligibility.

In cases where the infraction occurs at a major sport event (e.g. World or Continental Championships or major Games) a person's four-year ineligibility will include the same major sporting event even if the date of the next date of the major sport event is beyond the 4 year time period.

In accordance with the SOP, an athlete with a positive laboratory finding on the “A” Sample will be ineligible to compete pending the outcome of the “B” Sample Confirmation, or successful Protest or Appeal.

#### Federal or Provincial Government Sport Funding Penalties:

Subject only to the provisions for reinstatement, the penalties for a doping infraction by any person is:

- a) First infraction: life ineligibility.

These penalties shall be applied to any person who wishes to participate in Canada whether they are affiliated to a Canadian sport body or not.

#### Penalties - Doping Related Infractions

1. Whether or not an infraction has been committed will be determined according to Procedures for the Determination of Related Infractions, contained in the SOP.
2. Subject only to the provisions for reinstatement, an athlete proven to have committed a doping related infraction will be subject to a lifetime ineligibility for direct federal or provincial sport funding, and a sport ineligibility for a minimum period of four years, except where the infraction and the athlete’s misconduct is deemed by the sport governing body in question to warrant a greater penalty. An appeal of the determination of a doping related infraction may be brought in accordance with Procedures for the Determination of Related Infractions, contained in the SOP.
3. Subject only to the provisions for reinstatement, any person other than an athlete proven to have committed a doping related infraction shall be subject to a lifetime penalty in respect of direct federal or provincial sport funding and sport ineligibility. An appeal of the determination of a related infraction may be brought in accordance with Procedures for the Determination of Related Infractions, contained in the SOP.
4. Penalties for doping related infractions are calculated from:
  - a) the date of refusal to be tested or avoiding doping control; or
  - b) in all other cases, from the decision of the Panel as set out in the Standard Operating.

#### Procedures for the Determination of Related Infractions:

In accordance with the SOP, a person charged with a doping related infraction will be ineligible to participate in any role and in any competition or activity organized, convened held or sanctioned by a Canadian NSGB, PSGB or affiliate, from:

- (a) the date the athlete refused or avoided to be tested, or in all other cases; and
- (b) the date of the decision of the Panel, pending the outcome of a successful protest or appeal.

## Reinstatement

This section deals with conditions and procedures through which reinstatement of sport eligibility and eligibility for direct federal or provincial sport funding may be granted. In all cases, the onus of proof of mitigating, exceptional or demonstrable circumstances for reinstatement rests with the sanctioned person.

There are three potential avenues for reinstatement:

- Category I Reinstatement applies only to doping infractions; and
- Category II and Category III Reinstatement apply to both doping and doping related infractions.

### Category I Reinstatement:

Applications for Category I Reinstatement shall only be considered for doping infractions involving substances in the stimulant class of banned substances (i.e. ephedrine, phenylpropanolamine) when administered orally for medical purposes in association with decongestants and/or antihistamines, as defined from time to time by the CCES consistent with the International Olympic Committee Charter Against Doping in Sport.

On the first infraction, an athlete may apply at any time to Water Polo Canada, in order to return to competition after three months. Subsequent infractions may be dealt with by Category II or Category III Reinstatement Procedures.

In the event that reinstatement of sport eligibility is granted under category I, reinstatement of eligibility for federal or provincial funding will automatically be granted and take immediate but not retroactive effect.

### Category II Reinstatement:

Under limited and exceptional circumstances, a person who has committed an infraction with a four year or life sport eligibility penalty and who desires to be reinstated may apply to Water Polo Canada for reinstatement under Category II - i.e. reinstatement prior to the expiry of the (minimum) four-year penalty. The applicable limitations are described in the Criteria for Category II Reinstatement.

An application for category II reinstatement may be made at any time. In the event that an athlete applies for category II reinstatement for a second doping infraction involving substances in the stimulant class of banned substances, as described in category I reinstatement, the athlete shall remain ineligible to compete for a minimum of 3 months.

Independent adjudications through processes coordinated by the CCES will review and decide such cases. The burden of proof lies with the person. Factors such as age and good citizenship, will not, in and of themselves, constitute sufficient grounds for automatic consideration, or

granting, of reinstatement. The reviews will be conducted according to Procedures for Category II Reinstatement and Criteria for Category II Reinstatement, contained in the SOP.

The decision of the arbitrator will be final and binding.

In the event that reinstatement of sport eligibility is granted under category II, reinstatement of eligibility for federal or provincial funding will automatically be granted and take immediate but not retroactive effect. There will be no reinstatement of eligibility for direct federal or provincial sport funding in any other circumstances.

Category III Reinstatement:

Unless otherwise reinstated, an athlete who has committed an infraction with a four year sport eligibility penalty and who desires to be reinstated must in all cases notify in writing the relevant NSGB and the CCES of their desire for normal reinstatement of sport eligibility, once the applicable penalty has been served, under category III.

Notice must be given at least 18 months prior to the date of desired reinstatement, (and no sooner than 30 months after the original infraction in the event of a four-year sport eligibility penalty, and correspondingly longer if the penalty is no longer than four years). The NSGB, in consultation with the CCES, will determine any conditions, which must be fulfilled during the remaining time period leading up to reinstatement (e.g. involvement in no-notice testing etc.).

Doping Control Procedures at National Events:

Club coaches may be informed of most national events subject to doping control, prior to the Championship entry deadline.

Also prior to the entry deadline, club coaches will receive a booklet outlining the names of all the prohibited doping substances and methods as well as a booklet outlining doping control procedures.

Once all the team rosters have been gathered at the technical meeting, a random number will be selected. The random number will determine which corresponding player appearing on the team roster will be tested at that time. Tests on the chosen athletes will then be conducted and reviewed according to the Doping Control SOP “Procedures for the Athlete” which are as follows:

- Before the athletes leave the venue after their game, individuals selected for doping control shall be handed the Announced Athlete Selection Order (ASO);
- Each athlete shall acknowledge in writing, receipt of the ASO. The exact time of notification shall be entered on this form;
- Athletes selected for doping control shall report to and register at the Doping Control Station no later than 60 minutes after the receipt of the ASO. They should be prepared to provide valid proof of identity;

- An athlete may then be permitted to leave the Station with the consent of the Certified Doping Control Officer on condition that the said athlete is accompanied at all times by a Marshall;
- Selected athletes who must compete in more than one game on the same day shall notify the Doping Control personnel. In such cases, the testing may be carried out after the athlete's last game of the day. A Marshall shall observe and escort the athlete at all times until he or she has reported back to the Doping Control Station;
- Athletes selected for doping control may be accompanied to the Doping Control Station by an official representative of the athlete or team concerned. This representative shall also present valid proof of identity and shall have the right to remain at the Station throughout the procedure;
- The registrar shall fill in the initial information on the Doping Control Form;
- The Certified Doping Control Officer shall explain the procedure to each athlete and the accompanying team representative;
- An athlete selected for doping control or his/her representative may formally register a complaint in writing about the conduct of the doping control procedures to the Certified Doping Control Officer at any time during the procedure. The registration of such a complaint is not justification for refusal to participate in the doping control procedure. An athlete's complaint shall be submitted by the Certified Doping Control Officer to the Chairperson of the CCES Doping Control Review Panel;
- Athletes will be requested to provide a second sample if the specific gravity or pH levels are not within the acceptable range. Athletes are only required to provide two samples, as per Section 4.1.15 of the SOP; all samples should be cross referenced and sent to the laboratory; and
- Refusal or failure to follow proper doping control procedures shall be reported to CCDS Doping Control Review Panel pursuant to Section 9 (of the SOP). Such refusal or failure shall be treated as a major doping infraction, as defined in the Canadian Policy on Penalties for Doping Infractions subject to Section 9.

Where an athlete is declared to have tested "positive", an internal investigation may be conducted by a sub-committee of the Board of Directors of Water Polo Canada in accordance with the Case Review process as defined in the CCES (and Water Polo Canada) Anti-Doping Policy.

#### Positive Test:

The word "positive" is often used incorrectly to mean that a doping infraction has occurred. A 'positive finding' in the laboratory, however is not a doping infraction. It indicates the presence of a banned substance and automatically leads to a review which may or may not result in a doping infraction. It may be, for example, that a banned substance is present in a form, amount, or purpose (such as acceptable medical treatment) which does not constitute a doping infraction.



#### Announced Testing:

Refers to pre-scheduled tests conducted primarily at competitions and occasionally at training camps. Some athletes are selected at random while others are often tested automatically for finishing at the top of the field in their event.

#### Unannounced Testing:

Refers to unscheduled tests that can be carried out at any time with short notice (maximum 36 hours) or no-notice. A large number of these tests are focused on athletes or sports where there is a “high probability of use”. Unannounced testing also enables the Canadian Centre for Drug-Free Sport (CCES) to target certain athletes based on confidential information.

#### Control Samples:

Control samples of urine artificially prepared to contain banned substances are routinely included among samples sent to laboratories for analysis. These samples are not identifiable and are included, without the knowledge of the laboratories, to act as a self monitoring check of the testing procedures.

#### Doping Control:

Doping Control is the term used to describe all elements, including sample collection and laboratory analysis, of the system designed to detect the presence of banned substances. Doping control also includes a review process and appeal mechanism to protect the rights of athletes charged with an infraction.

#### Controlled Doping:

Controlled doping is the term used to describe the mass testing of athletes to screen out those whose laboratory results indicate the presence of a banned substance. It is widely believed that many of the former East Block nations engaged in this practice, designed to prevent drug users from being caught.