

## **NZJSA 2015/2016 Rules**

This book sets out class specifications, rules, race format and code of conduct for all meetings run under the jurisdiction of the New Zealand Jetsprint Association Inc.

Every endeavour has been made to ensure the information is correct, however, it is acknowledged that there may be rules that are open to other than the intended interpretation.

Members will be advised of any amendments to the Rules of the Association as printed via a special bulletin/s and the Association's newsletter.

The New Zealand Jetsprint  
Association Inc is the  
final arbiter on all interpretations within this Rule Book.

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## 1. JET SPRINT CLASSES

There are three classes of Jet sprint boats recognized by the NZJSA. These are the New Zealand **Group B** New Zealand Group A and Super boats.

Any boat will be permitted provided it is solely propelled by a water jet unit, carries two crew members only and meets the rules specified in this book including those relating to its racing class.

### COMMON CLASS RULES

**HULL** Mono-Vee design; the only non-aluminum alloy primary components are the roll cage & seats.

**HULL SHAPE** Vee-Bottom mono-hull of monohedral or variable dead rise type.

**MATERIAL** Hull plates must be a minimum thickness of 5mm for the centre.

The outer hull section must be a minimum thickness of 4mm, centre section to chine.

Sides, topsides and transom must be a minimum thickness of 2mm.

**JET UNIT** Single unit direct drive only (no gearboxes). A fully operational reverse bucket is compulsory.

The jet unit maximum sizes shown for each class refer to SDM-style units. Other makes of unit can be used at the discretion of the NZJSA.

**COMPOSITE MATERIALS** The use of composite materials for primary hull construction is prohibited. Composite materials are permitted for (but not limited to) areas such as seats, headrests, valve covers, intake spacers, rear spoilers, front windscreen, etc.

### 1.1 INTERNATIONAL JETSPRINT CLASSES

Refer to UIM Rule Book or <http://www.jetsprint.co.nz>

#### 1.1.1 SUPERBOATS - NEW ZEALAND RULES.

**A race identification number must be on both sides on the apex plate of the roll cage. The race number must be 150mm and race numbers must be white on a black background**

**ENGINES** All naturally aspirated engines must be a minimum of 6.5 liters displacement, and if any naturally-aspirated engine is under seven liters displacement it must use a methanol fuel, and have multi-carburetors or a fuel-injected induction system.

Forced induction engines must be a minimum of 3.8 liters displacement.

Competitors may apply to the NZJSA to have boats that do not comply to the above specifications to be awarded Super boat status, if Super boat status is granted, the boat will only be eligible to compete in the Super boat class for that season.

**FUEL** The use of fuels other than Petrol is permitted provided the fuel type is notified to the Event Organizer prior to competition.

The only alcohol fuel permitted is Methanol & E85. The use of Nitrous Oxide and Nitro Methane is prohibited.

Boats must carry the letter 'M' to signify the use of methanol fuel, the letters must be red with a white outline, 150mm high and placed at the rear of the hull on each side

**JET UNIT** No restriction

**EXHAUST** No restriction on type.

Engines must be effectively muffled.

Noise emissions must conform to DBA levels set by the NZJSA and/or the DBA levels as specified in the Supplementary Regulations required at given track sites.

**PRIMARY STARTER** Injected or supercharged engines that require external fuel priming for starting purposes shall have one crewmember identified as the primary starter for that boat. This person shall be equipped with and wear the following at all times whilst attending to starting duties on the boat ramp (including warm up facilities): Fireproof balaclava, minimum fireproof arm sleeves and eye protection. A single layer fire suit is deemed adequate arm protection and recommended.

One primary starter may act for several boats.

## 1.2 NEW ZEALAND CLASSES

The NZJSA is required to maintain and manage the parity of the 400 and New Zealand Group A categories.

All new technology and performance-enhancing components must be approved by the NZJSA prior to introduction.

**If a dry sump system is used in GA and GB (option 2 engine) classes, the crankshaft centre line to delta measurement cannot be less than 160mm**

Engine seals are required for both New Zealand Group A and New Zealand 400 entrants.

Engine seals shall be in place prior to the competitor's first event of the competition season and shall remain intact and unmodified for the duration of the season. Should the engine need to be disassembled for maintenance or repair contact the NZJSA Executive via the Secretary for the correct procedure to follow. Do not break any seals yourself.

**Incorrect or missing seals at scrutineering, random or end of season tech inspection**

**PENALTY** Loss of combined season's points accrued from last engine sealing date up to the date of infringement.

-Refer to the NZJSA sealing procedure for correct seal placement; seal number recording, accessibility and procedures.

### 1.2.1 NEW ZEALAND GROUP A

**A race identification number must be on both sides on the apex plate of the roll cage.**

**The race number must be 150mm and race numbers must be white on a red background**

## CHEVROLET ENGINE SPECIFICATION

**CAPACITY** 412 cubic inches (6,752cc) maximum swept volume.

**MATERIAL** Cast Iron only.

**CONFIGURATION** Maximum of 8 cylinders, internal combustion only.

2 valves per cylinder, pushrod operated.

The nominal section of each cylinder must be circular.

**OILING SYSTEM** No restriction.

**CAMSHAFT** Only one permitted in OEM production location. **The distance between the camshaft and crankshaft center line must not exceed the OEM specification of 4.521 inches.**

**An .008 inch tolerance for machining is allowed**

No restriction to valve lift or rocker ratio.

Shaft mounted rockers are permitted.

Offset rockers are permitted to relieve the problem of pushrod to cylinder head interference created by some aftermarket heads, maximum offset is 0.250".

Offset rockers are permitted for OEM cylinder heads where pushrod tubes have been inserted to gain port width comparable with aftermarket castings, maximum offset is 0.250".

Devices that vary the valve timing whilst the engine is operating are prohibited.

**CONNECTING RODS** Must be of ferrous alloy material.

**CYLINDER HEADS** Cast Iron only.

OEM location in relation to bore only.

Valve angle 23 degrees to block face, original cylinder head manufacturer's location only.

No angle milling allowed.

Maximum 0.50 degree (either way) valve angle testing tolerance measured from block deck surface.

Block deck surface to be 90 degrees from bore centerline.

**INTAKE PORTS** Cylinder head Intake port dimensions at manifold flange are not to exceed an unmodified Felpro 1207 gasket port opening (Felpro published dimensions 1.38"x2.28").

**INTAKE PORTS & OEM** production location. No high port or raised runner heads.

**BOLT LOCATION** Felpro 1207 maximum size gasket template must be in original cylinder head manufacturers position and orientation in relation to bolt holes.

No part of the intake manifold gaskets may protrude into the ports.

Maximum distance of 2.500" allowed from roof of port to block surface side of head, measurement is made along the plane of the intake flange face and not perpendicular to deck surface. (Chevrolet specific rule only)

EXHAUST PORTS OEM production location only.

Exhaust flange adaptors are permitted as long as no material from the manifold, the adaptor or any gaskets or seals protrude into the port past its original outside face.

VALVES Maximum sizes = 2.125 inch intake, 1.625 inch exhaust.

Valves may only be opened by mechanical action, and can only be closed by means of coil springs. There are many after-market manufacturers that produce complying cylinder heads (GM Bowtie, Dart etc.)

There are also some cast iron heads produced as "23 degree" that don't meet the specified rules, some heads angle-milled from the factory are an example of this.

INDUCTION Naturally aspirated only via a single 4-barrel carburetor with a maximum of 4 venturis.

Carburetor throttle body bores below the throttle shaft centerline shall not exceed 1-11/16 inch diameter.

Butterflies or throttle blades shall not exceed 1-11/16 inch diameter.

Compliance will be checked by measurement or a "Go/No-Go" type gauge applied to the throttle body bore below the throttle shaft centerline.

Any mass produced cast intake manifold is permitted.

INLET MANIFOLD Must use OEM bolt pattern and position to mount to cylinder heads without the use of adaptors or spacers.

No sheet metal or tunnel ram style inlet manifolds are permitted.

The intake manifold must remain largely visually standard and unmodified from the outside.

Sectioning the plenum for porting access and re-welding is a permitted exception.

No additives may be discharged into the inlet tract.

Any device which alters the configuration of the manifold/induction systems (e.g. movable inlet rams) or exhaust while the engine is operating is prohibited.

EXHAUST No restriction on type. Noise emissions must be effectively muffled and conform to DBA levels set by the NZJSA and/or the DBA levels as specified in the Supplementary Regulations at given track sites.

FUEL Avgas and 100 race fuel only, no additives allowed.

The protest fee for illegal race fuel or suspected additives is \$200 non-refundable. The penalty for this offence would be disqualification from the event.

## **FORD ENGINE SPECIFICATION**

- Same common rules as Chevrolet engine except:

CYLINDER HEADS Valve angle only 20 degrees to block face (OEM specification), original cylinder head manufactures location only.

INTAKE PORTS Template Felpro gasket 1262r max size (Published dimensions 1.40" x 2.25").

Offset rockers are permitted as per Chevrolet (max 0.250").

INTAKE PORTS & Felpro 1262r max size gasket template must be in original cylinder head

BOLT LOCATION Manufactures position and orientation in relation to bolt holes.

Maximum distance of 2.500" allowed from roof of port to block surface side of flange face and not perpendicular to deck face production location only.

VALVES Maximum sizes = 2.125 inch intake, 1.625 inch exhaust.

INTAKE MANIFOLD Any mass produced cast intake manifold is permitted.

Inlet manifold must use OEM bolt pattern and may not use spacers or adaptors to bolt up to heads to allow for differing deck heights in Ford production blocks.

Manifold must be designed for deck height block used.

Applications for engine consideration must be made to the NZJSA Inc, supported by full technical specifications. Any engine under consideration will be subject to supervised trials before approval for competition is granted.

## **COMBINED RULES AND LIMITS ON MODIFICATION (ALL MAKES)**

No angle milling of heads allowed.

Maximum 0.50 degree (either way) valve angle testing tolerance applies to factory valve angle.

Porting is permitted but no material may be added to any part of the cylinder head casting (unless specified in that engine family specific rules) - Includes but not limited to aluminium ramps, epoxy, brazing, furnace cement etc.

Welding is permitted for crack-repair purposes only but is limited in the port, intake and exhaust runner area to a maximum of 2 repairs per cylinder head.

Welding in the chamber area for crack-repair only is limited to 2 chambers per head but must not alter the shape or size of the combustion chamber.

Replacement of valve guides are not considered to be a repair (see below).

All machine work for valve guides, spring and valve seats must remain parallel & in original cylinder head manufacturers position.

No offsetting of valve guides is permitted.

Any machined surface must remain parallel to original surface.

Repair sleeves or tubes of any material may be fitted to either the head bolt or pushrod holes: Head bolt = 1 repair maximum per cylinder head. Pushrod hole/slot = 2 repairs maximum per cylinder head for aftermarket cylinder heads. Pushrod hole/slot = 4 sleeves or tubes permitted per head for OEM heads to gain port width comparable with aftermarket castings.

Max rocker offset is 0.250".

No restriction on exhaust valve seat inserts.

**JET UNIT The maximum size jet unit impellers is 8½ inch (215.90mm).**

Impellers must be constructed from a ferrous material and can be CNC machined from billet stock.

The jet unit housing must be made of either cast aluminum or ferrous materials.

### 1.2.2 NEW ZEALAND Group B

**A race identification number must be on both sides on the apex plate of the roll cage.  
The race number must be 150mm and race numbers must be black on a white background.**

#### ENGINE OPTION 1

As per NZ Group A Specification 1.2.1 with the following additional restrictions:

CAMSHAFT Valve lift restricted to a maximum of 500 thousandths of an inch (1% testing tolerance), flat tappet only. **The distance between the camshaft and crankshaft center line must not exceed the OEM specification of 4.521 inches. An 008 inch machining tolerance is allowed.**

INDUCTION The only allowable carburetor is a stock Holley Part Number 4779.

The only permitted modifications are as follows:

- Removal of the choke flap
- Fuel Floats
- Jets (including extensions) and Power Valves
- Needles and Seats
- Float bowl venting and baffling (incl. whistles etc)
- Accelerator pump discharge nozzles and cams

OILING SYSTEM Wet sump only.

No form of external oil pump permitted.

Oil accumulators are allowed.

Vacuum pumps are permitted.

#### ENGINE OPTION 2

L98 new generation 6.0L V8 Chevrolet engine with the following restrictions:

RECIPROCATING ASSY No modifications allowed, apart from normal reconditioning procedures.

INTAKE MANIFOLD & HEAD ASSY Stock factory components.

CAMSHAFTS Stock factory and JSA 2013 AGM sanctioned cam permitted.

VALVE TRAIN Stock rockers, valves and location of components.

CYLINDER HEADS No modifications.

LUBRICATION Pump and sump: No restriction. **Dry sump vented to atmosphere permitted**

EXHAUST No restriction.

THROTTLE BODY No restriction.

ENGINE COMPUTER No restriction.

**JET UNIT The maximum size jet unit impellers is 8.25 ( 209.55mm).**

Impellers must be constructed from a ferrous material and can be CNC machined from billet stock. The jet unit housing must be made of either cast aluminum or ferrous materials.

### **ALTERNATE ENGINE / BOAT OPTIONS**

Written submissions with supporting evidence may be made to the NZJSA to include other engine and/or hull combinations that meet the safety and performance parameters of the class.

### **ALL RACE CLASSES**

EXHAUST Engines must be effectively muffled.

Noise emissions must conform to DBA levels set by the NZJSA and/or the DBA levels as specified in the Supplementary Regulations at given track sites.

## **2. BOAT AND SAFETY EQUIPMENT**

- Competitors must ensure that their boats comply with the conditions of eligibility and safety throughout practice and racing.
- Presentation of a boat at the secretariat will be deemed an implicit statement of conformity, and the driver/owner will be required to present the completed and signed NZJSA audit form.

### **Boat Non-Compliance**

PENALTY Loss of qualifying round/s or disqualification from meeting

1. Safety harness must be fitted for both crew and be securely attached to the roll cage and the seat base attachment frame. They must be of a Motor Sport-approved type, 5-point minimum and must have a quick release lever-action type belt system including a finger loop to aid easy location of the release mechanism. Push lock or twist action buckles are not permitted. The mounting point for the shoulder straps behind each crew member must be between a line horizontal to the shoulders, and a line drawn downward from the shoulders at an angle of 25 degrees to the horizontal. Safety harness is to have date of manufacture clearly visible. This date is to be recorded in Log Book. All harness webbing must be replaced after five (5) years from date of manufacture. Safety Harness webbing, mounting points and release mechanism must be inspected for condition and fitting before signing the Safety Audit Form. All harnesses shall be replaced whenever the webbing is cut, frayed, or weakened due to actions of chemicals or sunlight etc. as above. They shall be replaced if the safety belt harness hardware are bent, deformed, or rusted. In the Event of a serious accident, harnesses shall be replaced and the discarded harnesses cut in such a manner as to prevent further use. The lap and crotch straps may not pass over the sides of the seats but through the seat, in order to wrap and hold the pelvic region over the greatest possible surface. Care shall be taken that the webbing of the harness is protected against chafing against sharp edges. Crotch strap tongue may need to be radiused so belt will not snag with body applied. Belts above shoulders must wrap around the horizontal cross bar as the only means of attachment. The attachment points of the harness must be engineered so that their strength is greater than the breaking strain of the webbing.
2. Drivers and navigators must check their safety equipment for correct size as part of the Safety Audit as per manufacturer's specification.
3. Arm restraints must be worn on the outside wrist of each crew member and be of a length that will prevent the arm from protruding from the boat in the event of a roll over. They must be attached to the safety harness in such a way as to release freely when the harness is released. Care must be taken that the restraint will not interfere with belt release mechanism. It is recommended that restraints be used on both arms.

**3(a).** Head restraints for both the driver and navigator are compulsory. These may be either motor sports-approved mounted from the shoulders to the helmet, or the fixed type from the seat back that protrude each side of the helmet in a line drawn forward past half the forward length of the helmet when the head is rested to the back of the seat in the sitting position. The head restraints must have the ability to absorb the side impact of the head under racing conditions.

**3(b).** All boats must have a suitable foot rest/s for the navigator, positioned so that the legs cannot be in a "locked" position, and not interfere with the driver's ability to control the boat.

**4.** Fuel tanks must be securely mounted and be fitted with a non-spill sealing cap. The tank must not be mounted in such a way as to be a stressed or a load bearing part of the boat structure. Adequate breathers are to be fitted to the fuel tank, venting overboard a minimum of 300mm from any uncoiled part of the exhaust system. The fuel breather tube must be fitted with a non-return valve that will shut off in the event of a rollover. All fuel hoses must be compatible with the fuel type being used and secured with appropriate clamps and brackets.

**A fuel filler must be used in such a manner that no fuel can spill into the hull during refueling on tank mounted fuel caps. If the fuel cap is mounted on the side of the hull it is strongly recommended that a breakaway style cap system is used so filler remains intact in an accident**

All fuel and vent lines must be resistant to the type of fuel used, and be securely clamped at all connections. A fuel shut off tap or control fitted on the suction side of the fuel pump located between the seats or on the dash and able to be operated by either crew when harnessed in their seats is recommended. If the tap is not directly mounted on the tank, the fuel line to the tap must be a stainless braid type with Earls screw type fittings with sufficient slack in the line to prevent separation in the event of an accident. (Super boats may have the fuel shut off fitted to the pressure side of the fuel pump). The battery should be of a non-spill (i.e. Manifold-vented) type or enclosed in a leak proof case and firmly secured to the hull or bearers. A non-spill type encased in a plastic case for insulation is strongly recommended. In 400 and Group A the battery must be capable of starting the engine in normal circumstances without the assistance of a slave battery or other external source.

**5.** An operating battery isolating kill switch must be installed and located between the seats and able to be operated by either crew when harnessed in their seats. It is recommended that on metal constructed boats that the isolating switch be located on the earth terminal.

**6.** Engines are to be solid mounted to the main engine bearers. Flexible mounts will only be permitted if they have security through bolting and it can be demonstrated that the through bolt is designed to restrain the engine should the flexible portion fail.

**7.** When bow ropes are required boats must have a bow-towing eye with a minimum of three metres of 12-mm diameter rope with a 300mm spliced loop at both ends. The bow-towing eye must be capable of carrying the weight of the boat and a minimum 8mm shackle must be used to attach the rope to the bow. The bow rope must be fitted when required and attached inside the boat by a spring loaded cleat on the navigators side and be accessible to rescue crews.

**8.** A minimum 2 kg Dry Powder BE type Fire Extinguisher (Sodium/Potassium/Bicarbonate-based) Minimum Rating 5B:E to AS/NZS 1850 must be fitted to the boat trailer and easily accessible. An On-board fire extinguisher is optional.

**9.** Any loose equipment must be removed for racing.

**10. Steering shafts.**

**(effective start of 2015/2016 race season)**

**Steering shafts shall not protrude the steering wheel end of the steering column bearing/bush by more than 200mm. Steering spacers made of extended threaded rods / tube type spacers are not permitted.**

**All extension spacers must be well engineered to provide a stable platform for steering wheel.**

All shackles and turnbuckles in the steering system must be lock wired (Nylon TY wraps are acceptable). Chain guards/guides must be fitted to each side of the steering chain sprocket or the drum of a cable steering system. All open pulleys must be fitted with keepers.

**11.** Two throttle return springs, either of which is capable of closing the throttle, must be fitted in addition to any internal carburetor throttle shaft springs. Fuel injector intake manifolds may use two



internal springs and one on the throttle pedal provided that either system will close the throttle blades. It is highly recommended that an effective stop is fitted under the throttle pedal.

**12.** All front harmonic balancers need to be retained by a bolt. OEM style balancers (i.e. non-aftermarket types) need to have a 5mm alloy plate bolted to the front pulley to retain the outer ring if the rubber bolting fails.

**13.** All competitors on the track, whether they are competing or practising, must wear a correct fitting, approved helmet, motorsports type neck brace, arm restraint, fire retardant race boots, fire retardant suit, motorsport-approved flame retardant balaclavas and hand protection. Balaclavas of the peephole type are not permitted.

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All the above equipment must be properly and securely fitted to the crew prior to the boat lining up at the start line and all equipment must be in place when the boat crosses the finish line.

Cotton workman overalls are not acceptable.

No other items of clothing should be worn over the fire retardant suit.

The competitors shall be responsible for checking that his or her crew is wearing the required safety equipment and that it is correctly adjusted before proceeding to the start line.

The starter or safety officer will visually check safety equipment prior to allowing any boat to cross the start line, but will not be responsible for any item not being in place during competition.

Time penalties apply if this delays a boat from starting when required.

The table below outlines the minimum requirement for double layer fire suits or single layer suits worn with fire retardant underwear:

Single Layer Suit SFI 3.2A/1 ASCF RA01

plus Fire Retardant Underwear FIA8856-1986 FIA8856-2000 SFI 3.3

plus Balaclava, Gloves & Boots FIA8856-1986 FIA8856-2000 FIA-ISO6940 SFI 3.3

Two Plus Layer Suit FIA8856-1986 FIA8856-2000 SFI 3.A/5

plus Balaclava, Gloves & Boots FIA8856-1986 FIA8856-2000 FIA-ISO6940 SFI 3

\*\*\*

**14.** Approved life jackets or life vests will be worn at river tracks at the discretion of the NZJSA Safety Officer or Sprint Controller. Competitors must be notified on the entry form for the event.

**15.** Fitting of a bilge pump is optional.

**16.** Any brand of crash helmet is allowed provided it meets the NZ standard's specifications and is not the full ace type, except for the BMW & FFM model K2 with the strap modifications. (In August 1995 the FFM K2 was recalled for checks on chinstraps. This helmet is only suitable for competition if it has a sticker affixed under the circular cloth crown piece adjacent to the standards; sticker indicating the safety check has been done. They must be worn complete with all padding and wind deflectors. (NZ standards are: NZS 1884-1969, NZS 5430). Overseas manufactured helmets may be eligible for competition use - please consult the NZJSA for Approved Standard's list of overseas manufactured helmets to see if they comply). Damage to helmets beyond minor scratches requires the helmet to be replaced.

**17.** Any items that in the opinion of the NZJSA Officials/Sprint Controller are unsafe must be replaced.

**18.** In the event of any defect being noted an official infringement notice will be issued and recorded in the logbook, one copy for the driver/boat owner, one for the NZJSA Safety Officer or his appointee and one retained by the NZJSA. The boat may not be able to compete until such time as the defect/s is rectified in the time frame specified on the Infringement Notice.

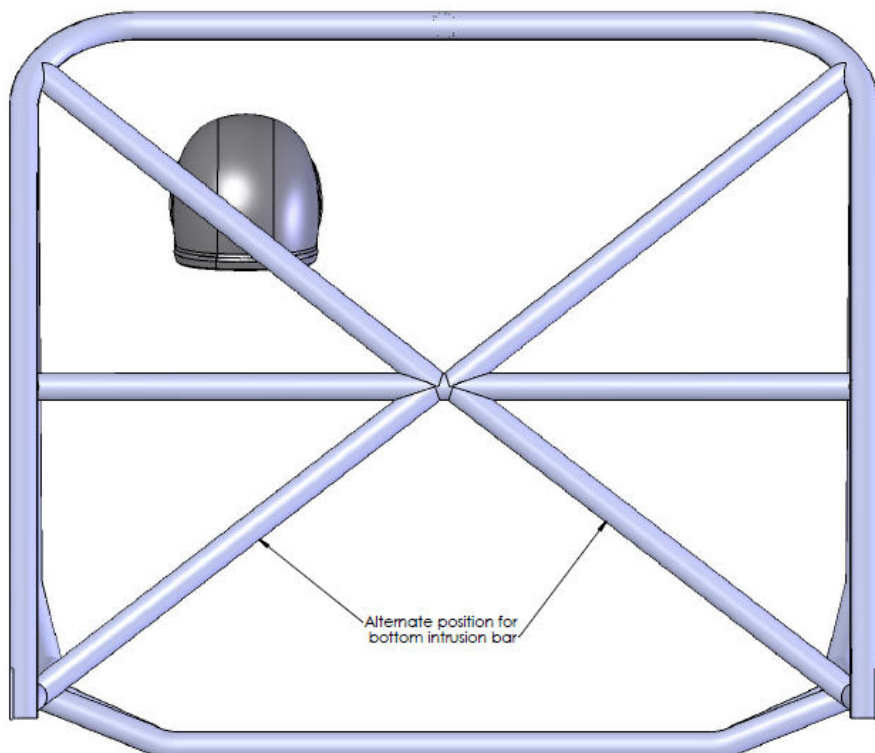
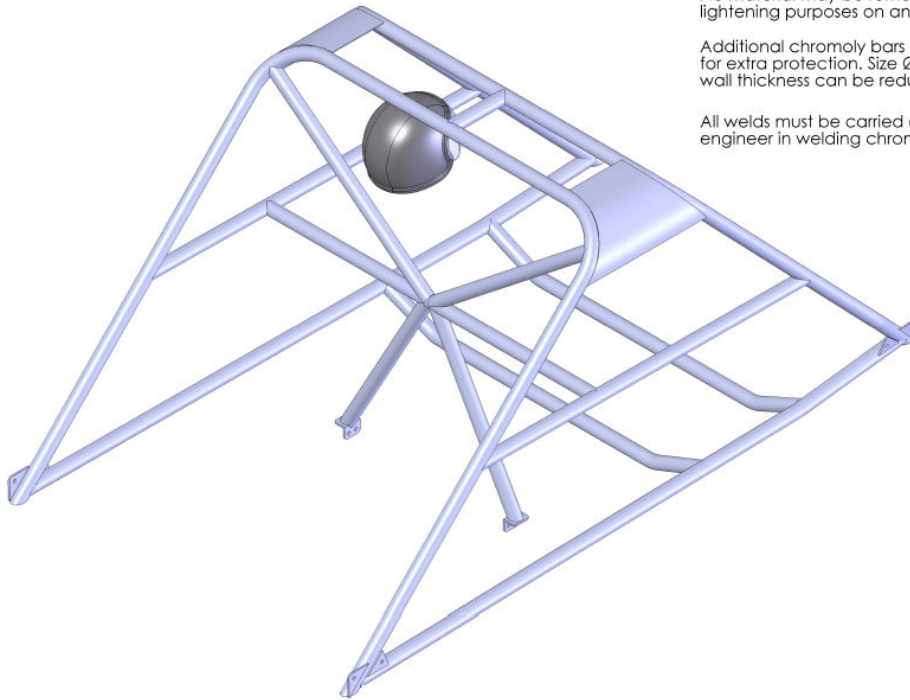
## 2.1 ROLL CAGE SPECIFICATIONS

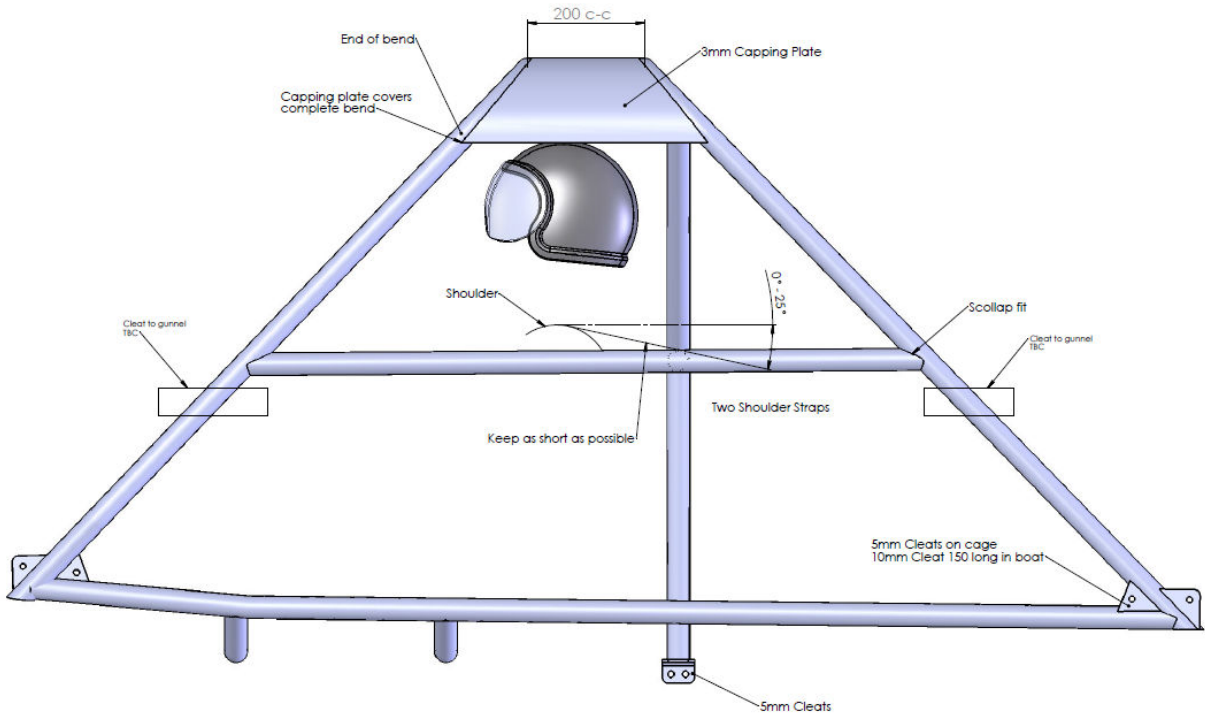
All bars must be NZ motorsport approved chromoly size  $\text{Ø}38.1 \times 2.1$  on primary cage shown here

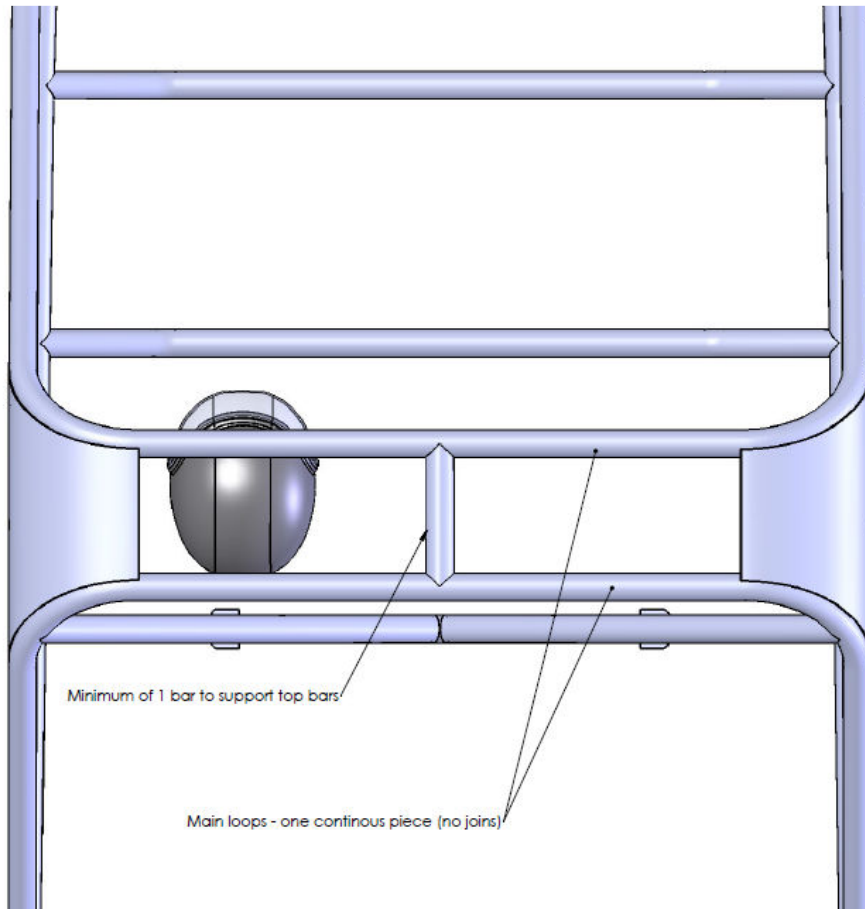
No material may be removed for lightening purposes on any cage bar.

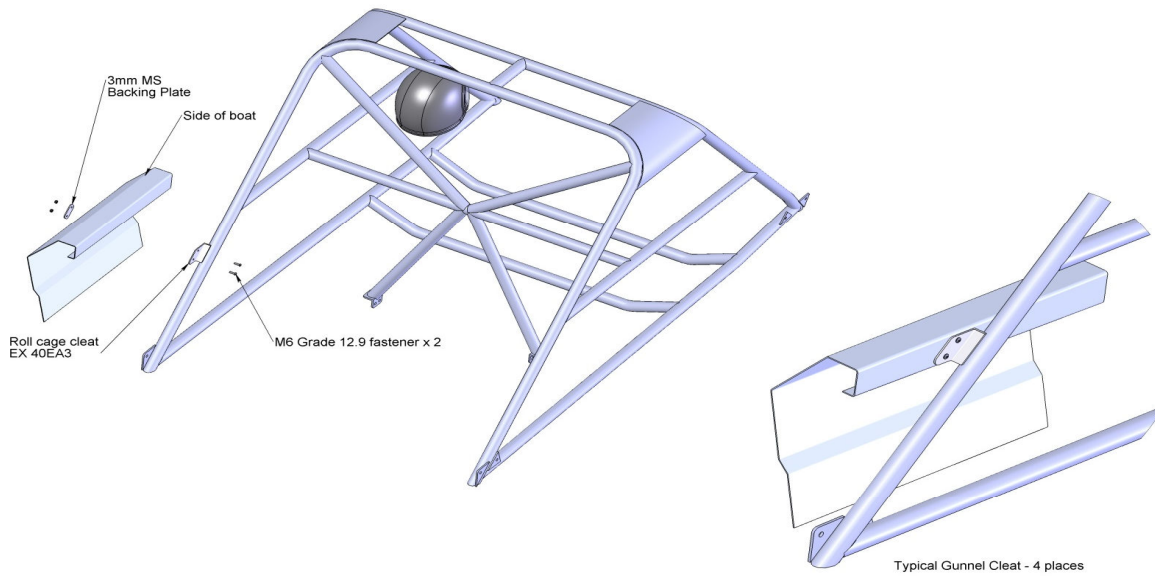
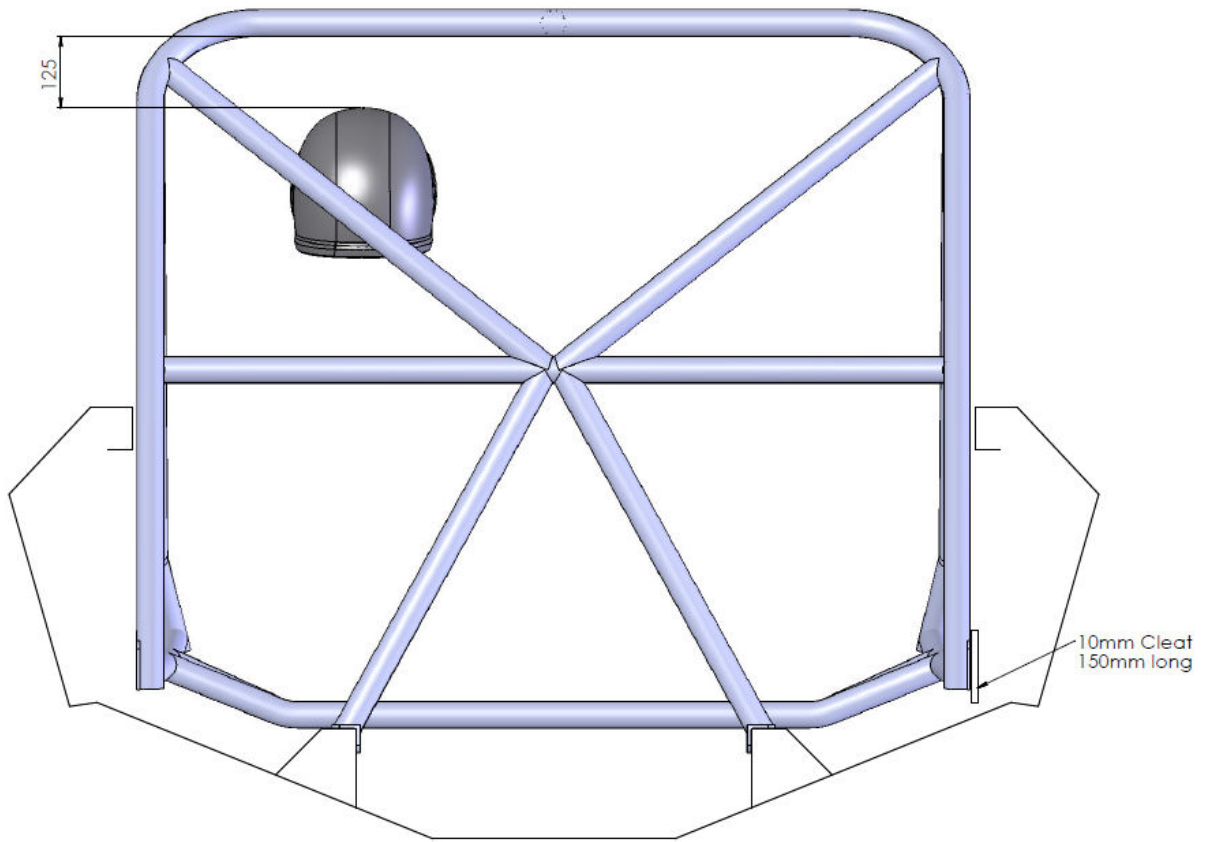
Additional chromoly bars may be added for extra protection. Size  $\text{Ø}38.1$ , wall thickness can be reduced, i.e. down to 1mm

All welds must be carried out by an experienced engineer in welding chromoly









1. A roll cage that meets or exceeds these specifications must be fitted to all boats.
2. Boats that do not comply with these minimum standards will not be permitted to race at any NZJSA sanctioned event.
3. The intention of these minimum specifications is to provide the best possible protection to drivers and navigators, taking into consideration the accidents which have occurred within the sport, the analysis done by engineers qualified in cage design and the best practice in other similar sports. No guarantee is implied or stated, nor is any responsibility taken, regarding the degree of protection or safety afforded by any roll cage constructed to these specifications. Owners are encouraged to seek the advice of a structural engineer qualified in roll cage design.

#### 2.1.1 ROLL CAGE CONSTRUCTION MATERIALS

1. Only round chrome moly tube is acceptable minimum diameter 38.1mm, wall thickness 2.1mm for the primary cage (fig. 6).
2. **Additional bracing attached to primary cage (fig. 6) must be a minimum diameter of 38.1mm, wall thickness is unrestricted.**
3. Capping plates minimum 3mm steel or chrome moly. Roll bar capping must not be drilled or have welds ground back for appearances.
4. Attaching plates minimum 5mm steel or chrome moly.
5. **No equipment inside the boat can be attached to the cage structure if it compromises the roll cage integrity. Mounting of the engine to any part of the roll-cage is specifically banned.**
6. **Only NZ motorsport approved chrome moly tube can be used in roll cage manufacture.**

#### 2.1.2 WELDING AND FORMING

1. All joints must be fully welded by a competent welder and remain unground using the correct welding process for chrome moly and TIG welds must use 4130 filler wire.
2. *Joints must be preheated and welded in 90-degree increments to avoid brittleness.*
3. Tubes must be contoured and shaped for a close fit prior to welding.
4. Tubes cannot be flattened in order to make a joint.

#### 2.1.3 CONFIGURATION

(Pictured on the following pages)

1. All bracing and the rear A frame must be straight between attachment points (fig. 1A/1B).
2. The main A frame roll cage structure and brace bars must be of one-piece continuous tubing. No welds permitted other than at attachment points and capping plates.
3. The top corners of the overhead framework must be formed with one 90-degree bend formed on a bender suitable for bending the chrome moly size used (fig. 2).
4. The two A frames must be spaced apart a minimum of 100mm between centers (fig. 3). **Cages manufactured after 2015 must have a frames spaced a minimum of 200mm (C-C)**
5. A capping plate (3mm) must be welded to each corner of the A frame covering the entire bend.
6. A minimum of one (3mm) plate or tube must be welded in between the capped A frame corners between the top bars (fig. 3).
7. The mounting points on the cage for the shoulder straps behind each crew member must be between a line horizontal to the shoulders and a line drawn downward from the shoulders at an angle of 25 degrees to the horizontal (Fig. 7).
8. The two A frames must have a brace on the side so as to form an A section on the side of the cage (fig.4) and should be attached to the side panel (gunnel) as well as the chine.
9. **Helmet Clearance:** A minimum clearance of 100mm from the top of the helmet to the underside of the cage top bar must be maintained for both crew. **Cages manufactured after 2015 must have a minimum of 125mm helmet clearance**
10. An X-styled brace going from the upper outer A frame to either:
  - a). The back crossbar and then down to the engine bearers or outer chine area (the bottom part of the X brace can be removable in this configuration provided suitable hardware is used).

b). Goes directly to the engine bearers or chine area and joined where they intersect (if the lower part of the X-brace goes to the chine, it must have suitable load distributing plates on attachment points) (fig. 1A).

#### 2.1.4 METHOD OF SECURING

1. Attachment plates or load-spreading flanges must be welded to the tube ends to secure the cage to the boat and must be of at least 5mm minimum thickness.
2. For rectangular attaching plates:
  - a). Minimum width of attaching plate = tube diameter.
  - b). Minimum length of the plate = tube outside diameter x 2.
3. For circular attaching plates: minimum diameter of round flanges should be tube outside diameter x 2.
4. The roll cage may be bolted or welded to the boat as defined below.

#### 2.1.5 ANCHOR POINTS

1. The primary elements of the roll cage must be secured to the main engine longitudinal bearers and the chine bearers.
2. Any material removed from the bearers inside the hull for the purpose of removing weight and lowering components must not affect the structural integrity of the bearer. If the integrity of the bearer is compromised by these modifications, it must be reengineered to achieve its original design strength.
3. A certificate from the hull manufacturer may be required to certify that all modifications and re-engineered bearers are satisfactory.
4. **Where the brace/intrusion bar is attached to an angle style engine bearer, a plate of 5mm x 150mm long must be welded to the bearer and hull at 90 degrees to stabilize mounting area.**
5. Bracket plate style mounts for cage that attach face down to the hull should be glued with suitable adhesive, attached with 6 x 8mm fasteners have a minimum of size 140 x 80mm.
6. A mounting plate minimum size of 10mm diameter x 150mm long is required for all mounts welded longitudinally along chine area of hull.
7. In addition to the above, the main roll bar structure should be attached to the foredeck or gunnel provided that a brace bar of the same type and size material as the roll bar continues the load path through to the bottom of the boat. Provided that the primary elements of the roll cage structure attach to the boat bottom as stated above, then braces may be attached to the roll cage in order to stiffen the boat sides or deck structure.
8. Anchor points for the seat belt harness must be attached directly to the roll cage and the seat base attachment bars. Harnesses cannot share a common mounting point, apart from the shoulder straps. A split pin must lock the seatbelt hook to the lap anchorage (fig. 8).
9. Anchor points that are not acceptable include any part of the engine, any part of the hull sides or unsupported deck.
10. **There must be six (4) attachments at the base of the seat, two (2) at the shoulder suitably spaced to stabilize the upper part of the seat, and use a minimum bolt size of 8mm bolts or imperial equivalent.**
11. Restraint systems anchorage points must be constructed in such a manner that they shall be capable of withstanding the same forces that the harnesses are designed to withstand.
12. Harness anchoring bolts must be a minimum size of a 7/16, 20 UNF-threaded bolt/eye bolt, and have suitable backup washer.

#### 2.1.6 BOLTING

Minimum number and size of fasteners required per attachment point: 2 x bolts = 10mm, 4 x bolts = 8mm, 6 x bolts = 6mm.

#### 2.1.7 CREW PROTECTION

1. The driver and navigator must be able to exit an inverted boat through the front area of the roll cage with no frame members in such a position as to impede their exit or rescue.
2. The frame of the cage must protect the crew from any frontal or inverted impact to their head and torso and must be able to restrain the engine from moving forward far enough to cause injury by having suitable cross-members in place. **It is recommended that the steering wheel is also protected by the A frame to prevent injury to hands if boat goes into a wire safety barrier.**

3. The frame must have a minimum material thickness the same size as the roll cage structure.

This seat base assembly shall be constructed using the same welding and fabrication procedures as for forming the roll cage structure.

4. Roll cage padding with a minimum 20mm thickness must extend a minimum of 180 degrees around the roll cage tubing, and be of high density foam padding. Padding is to be placed where in the event of an accident the expected trajectory of the occupants heads are likely to make contact. It is not advisable to place this roll padding above the helmet area if it reduces the helmet clearance specifications. (Refer to Section 2.1.3, Clause 9).

### 3. Disqualifications

All boats must display NZJSA national sponsors decals when and where directed for the duration of any specified event.

#### **Non-compliance**

PENALTY Disqualification for the day or remaining rounds.

Not complying with any rule in code of conduct

PENALTY Disqualification of a round or from the race at discretion of sprint controller/s.

Each race event will commence with a role call and crew briefing, the time of which will be advised to all drivers entered. All competitors, both Drivers and Navigators, having completed a track inspection, must attend the pre-race briefing, and sign the liability waiver form before racing. Competitors must be in attendance at roll call and briefing. Competitors who suffer an incident outside their control, and who in the opinion of the Sprint Controller were making every reasonable effort to attend the event on time, may be allowed to compete. In such cases the competitors will be given a full and separate briefing prior to competing. Before the conclusion of briefing, any crewmember can raise concerns over course safety that in the opinion of the crew/s requires to be addressed before competition commences.

#### **Late to or failure to attend Roll Call on Practice or Race-day**

PENALTY Loss of qualifying round/s or disqualification for the day at the discretion of the Sprint Controller/s.

#### **All boats must endeavor to adhere to the speed limit of 5kph in the pit pool (engine idle speed).**

Where a spinout pool is provided, each finishing boat must use this facility to reduce speed to idle, prior to entering the pit pool zone. If there is no spinout pool, an alternative procedure will be advised either at the crew briefing, or in the track Supplementary Regulations.

#### **Reckless or dangerous driving in pit area**

PENALTY Disqualification for the remainder of the day at the discretion of the Sprint Controller/s.

No person other than licensed entrants and towboat driver shall drive or compete on the track on Race day without the consent of the Sprint Controller.

#### **Non-compliance**

PENALTY Disqualification for a period of one year for the crew involved.

A boat may not start until the flag, light, or hand signal is given by the starter. The Starter must be satisfied that:

1. The previous boat is back in the pit area clear of the spin-out pool.
2. The rescue boat is in a safe position.
3. The safety crew/s are in position and displaying green flags.



The starter shall be the sole Judge of boat speed in the start zone, the starter's decision is final and cannot be protested.

**For jumping the start signal or being out of position**

PENALTY 10 seconds added to the time for that run.

**If a dangerous situation is created**

PENALTY DNF or total Disqualification will occur at the discretion of the Sprint Controller.

If the Sprint Controller determines that a crew member is unable to continue racing due to illness/injury a substitute person may be used, provided that:

1. The substitute licensed Driver/Navigator has completed all pre-competition formalities.
2. The driver must be able to complete at least one qualifying round before the Elimination rounds commence.

**Role changes or unauthorized substitutions or crew**

PENALTY Disqualification for the remaining rounds of that event.

Where the use of control fuel is specified, competitors will be informed on the entry form and the fuel will be supplied to all crews. Competitors' fuel containers must be removed from the pit area and only those supplied by the organizers may be used to refuel boats. Seals on tanks fillers must not be tampered with.

**Non-compliance**

PENALTY Disqualification from event.

No competitor may abuse a race official. Any competitor who has a dispute with an official during the course of a meeting must present the full details in person to the Sprint Controller/s for resolution. A competitor who has a complaint concerning the running of the meeting must also present the details, in person, to the Sprint Controller/s. No official may abuse a competitor. If there is a perceived problem with the behaviour of a competitor or his/her crew, the matter must be brought to the attention of the Sprint Controller/s.

**Abuse of official**

PENALTY Disqualification from the meeting.

-NZJSA may impose further penalties.

No competitor or crew shall be involved in dangerous behaviour or conduct that could cause disruption to a race meeting, they may not take any action, verbal or otherwise which may be deemed to bring the sport into disrepute.

**Non-compliance**

PENALTY Disqualification for the meeting.

-NZJSA may impose further penalties.

The timekeeper's decision is final and not subject to appeal. The event control / race control area is out of bounds to all competitors and crews at all times. This includes a 30-minute period immediately following completion of racing, unless authorized by the Sprint Controller/s.

**Unauthorized entry to event / race control and timekeepers area**

PENALTY Disqualification at the discretion of Sprint Controller/s.

-NZJSA may impose further penalties.

### 3.1 Did Not Finish (DNF)

Incorrect fitting or missing safety equipment during run

PENALTY DNF

If a boat becomes grounded during a run, the crew may attempt to re-float their boat only by manipulation of the engine and the jet unit. They may not receive any outside assistance and no item of safety equipment, including safety harness, may be removed during this attempt. Timing will continue until the crew is successful or the Driver turns off the engine and calls for assistance by raising an arm. If the attempt is successful, they may continue racing and can record a time. (There will be a 20-second time limit of refloating your boat in this manner).

**For removal of safety equipment or receiving outside assistance**

PENALTY DNF

When a boat is grounded and the assistance of the safety crew is required, the following procedure must be adhered to:

The Driver must shut off the engine and raise one arm to signify that assistance is required.

The Crew must assist the safety crew to re-float the boat by getting out if requested.

Once back in the water, the driver must ensure that the safety crew are clear of the jet unit before restarting the engine.

Once restarted, the driver must drive back to the pit pool by the shortest route perceivable to the finish line at a speed only fast enough to prevent further grounding in shallow channels; boats may not return to the pit pool via the start line channel unless indicated by the Starter.

If the tow-craft is called for, but then not required, the boat may not proceed to the pits until the tow-craft has been turned around and returned to the pit pool; if a dangerous situation is created a penalty will be imposed.

Once restarted, a crew may not continue to drive the rest of the course as practice.

Driver / navigator must ensure safety/rescue crew are well clear before using the area of the race track where the rescue crew are returning to their posts to reach pit area.

**Non-compliance or dangerous situation created**

PENALTY DNF next round; total disqualification from event if rescue crew are endangered by boat exiting track.

Unless it is part of the rotation to return to the pits, once a boat crosses the finish line it has completed the run.

**Continuing to race after crossing finish line**

PENALTY DNF

If debris in the track creates a problem on initial acceleration the Driver may request a restart immediately by reducing power and raising an arm. The boat must return to the pit-pool via the spinout pool at reduced speed before rectifying the problem, e.g. Weed intake. (Note that time limits may apply.)

**Repeated flouting of the intention of this provision**

PENALTY DNF

During a run, if a crew notice any dangerous circumstances, distraction, or an unusual object in the track, e.g. a floating tyre, they can abort their run by slowing down, raising an arm and immediately return to the finish line via the quickest and safest route. If the safety crew can verify that there is an obstacle they will remove it and the crew will be allowed to re-start. The Sprint Controller/s is to decide on circumstance or unfair distraction. The allowance may not be misused to compensate for a bad run.

**If no obstacle, circumstance or unfair distraction found**

PENALTY DNF

A sufficiently charged transponder is necessary for a competitor to race a boat. (Information on charging and power level in your transponder is on the instructions supplied with the unit).

**If a competitor's time is not recorded due to an undercharged, poorly placed or missing transponder**

PENALTY DNF

**Unable to complete course from beginning of start zone in correct sequence and cross finish line**

PENALTY DNF

### 3.2 DID NOT START (DNS)

If a problem with a boat occurs in a qualifying round, the crew must notify Pit Marshall or Sprint Controller/s. The Sprint Controller/s and Pit Marshall will endeavour to reposition the boat in the running order, but the "5 minute time rule in elimination rounds" may apply due to time constraints. From commencement of the elimination rounds, the time limit shall be five (5) minutes from when the boat is due to race. A Time-Out is declared if the boat required re-inspection to be safe and fit for racing. No further work may be carried out during a Time-Out. The Starter or Pit Marshall may also call for a Time-Out in case of an event delay, which could give an unfair advantage. This will be limited to one restart per team in each round.

**Unable to get boat ready to race under its own motive power into start zone when required by race control**

PENALTY DNS

(Time penalty does not include fitting and checking of crew safety equipment.)

**Not notifying Pit Marshall or Starter of a problem or an inability to start in order**

PENALTY DNS

Missing safety equipment for primary starter whilst externally priming the fuel system

Applies to qualifying and elimination rounds.

PENALTY DNS in the offending round

## 4. CODE OF CONDUCT

1. All boats must carry the designated number of crewmembers for their class.

### 2. CREW ELIGIBILITY

-All drivers and navigators must have a current NZJSA License & Medical Certificate. A recognised current Aviation or Motor sport Medical Certificate is acceptable. A disabled driver or navigator must provide an appropriate medical clearance and apply for dispensation from the NZJSA.

NZ 400 Class & NZ Group A

-The minimum age is 16 years for drivers and navigators.

Superboats

-The minimum age is 18 years for drivers and 16 years for navigators.

All Classes

-Navigators can apply to race if under the age of 16 by completing appropriate NZJSA form and submitting to Executive for approval.

### 3. ALL CLASSES

-Maximum of two crews per boat.

-Each driver is to have his or her own navigator for elimination rounds.

-Navigators can only compete in one boat in elimination rounds.

-Drivers and navigators cannot exchange roles.

4. No driver may compete in more than one boat or class on Race Day.

However, (and notwithstanding the ruling in section 1. Sprint Classes), if a boat is rendered unable to continue racing, the crew may continue racing in another boat, providing they can record a qualifying time in that replacement boat, before Elimination Rounds commence. Qualifying times previously recorded in the disabled boat will be disregarded.

5. A declared alcohol-free zone refers only to the consumption of alcohol and/or prescribed drugs by any person in that area. However, any crewmember that willingly breaks a civil law concerning prescribed substances in a manner which brings the Sport into disrepute, may be deemed to be in breach of the Code of Practice and can be penalized as provided for in the Constitution and the general rules of the NZJSA.

6. All items named in Boat and Safety Equipment (Section 2, Clause 13) shall be available for inspection at the time and place nominated for checking.
7. The Secretariat shall be at a time and place nominated by the Event Organiser and must be attended by all crews unless prior arrangements are made with the Organiser.
8. All Crews must enter the race before the closing date.
9. All drivers and navigators must be licensed financial members of the New Zealand Jet Sprint Association. Financial crewmembers from affiliated clubs and Associations and licensed International crewmembers are deemed to meet the requirement. A Day License may be granted at the discretion of the NZJSA, provided that the application can be processed in time, and the applicant's name/s can be included in the Insurance Schedule.
10. Points accrued in any International, national, Island or local series will be deemed to have been earned by a Driver, not a particular boat or crew combination. A substitute driver may be used in a series if approval is granted by the NZJSA for unseen personal situations.
11. No Driver shall compete with an injury or disability, which in the opinion of the Sprint Controller could adversely affect his/her ability to safely and effectively control the boat. This includes the ability of the crewmembers to safely and quickly exit the boat.
12. If a driver/navigator is injured and a medical clearance relating to that injury is requested by the Sprint Controller/s, they may not continue to compete if a clearance is not given. A report of the accident must be given to the medical practitioner who will be providing the Medical clearance.

#### **4.1 EVENT RULES**

##### **1. Definitions:**

-PIT AREA is channel or mark nominated by race control in channel from spin out pool to launch area to start zone mark.

-START ZONE is mark in start channel nominated by starter/race control to timing start line.

-START GATE is mark in start zone to timing start line where starter will signal start.

-START is defined by a craft entering the start zone under its own power.

-FINISH is defined by a craft triggering the timing system at the end of the rotation.

-DNF (Did not finish) is defined by the craft incorrectly negotiating the event rotation or unable to complete the racecourse under its own power.

-DNS (Did not start) is a boat unable to enter start zone under its own power when required by race control.

-RACE CLASS A minimum number of three (3) boats and four (4) drivers constitute a class. A boat cannot compete in more than one (1) class.

2. While racing is in progress, each boat should have one crewmember at the boat, in case of a change in the running order.

3. Boats will start from idle power in forward thrust and may not accelerate until given the start signal which will be when the boat is wholly within the start gate as indicated by the Starter. The start gate will normally be marked by two cones/buoys adjacent to the start channel. A third cone/buoy may indicate the aborted start limit.

4. In the event of no primary or back-up time being recorded during qualifying, the competitor will be given a re-run as soon as practical, either prior to the completion of that qualifying stage, or at the start of the next stage of the event, as an extra run to be considered to be a part of the qualifying run from which the missed time occurred, unless already qualified.

5. In the event of no primary or back up time being recorded during an elimination run, the competitor will be included in the next elimination round as an extra and run first.

6. A Crew must be ready to start in the correct running order in each round. If unable to start where allocated, the Starter, Pit Marshall or Sprint controller/s must be notified immediately. The crew will be allowed to start later in that round in accordance with rule stated under heading DNS.

7. In elimination rounds if the B driver of a double driven boat at the end of the running order cannot effect repairs under the 5 minute rule, they will be allowed a start in the following round. Their time will count for the previous and also current round if they eliminate the slowest competitor from the previous round.

8. They must start on time in next elimination round and have no other repair time available, If boat does not start, a DNS will be recorded for the previous round.

9. They must nominate either 5 min rule or rule 7 when due to start and mechanical problem explained/shown to race control in order to apply rule 7.
10. Any boat that suffers a heavy impact or obvious damage in a racing accident must be rechecked before further competition. The rechecking process will take place after the repair work has been completed and must be approved by the Sprint Controller or his nominee before the boat can resume racing.
11. On Race Day, there will be a minimum of two (2) qualifying rounds. Formation of the elimination rounds will be advised on the event programme, or at the drivers briefing. The cut progression will be advised prior to the running of that segment, but will normally be 16-12-8-5-3.
12. The running order from the top 8 down is slowest to fastest time. Due to the number of variables such as weather, accidents, competitor numbers, etc. the Sprint Controller retains the right to vary the progression of the Elimination cuts.
13. Crews will be informed of the variations at the earliest opportunity. Regardless of the number of crews available, no crew may be included in the Elimination Rounds without recording a qualifying time, except where the time needs to be allowed between two drivers. The NZJSA reserves the right to change event formats, such changes shall be advised with the Entry Form.
14. During the Elimination rounds, if crews record equal times in the same round and that time qualifies for the last spot in the next round, both will be included in that round.
15. If more than one crew record a DNF during the same elimination stage of an event, the times recorded during the previous elimination will be considered, and the higher placing will be awarded to the driver who scored the faster time during the previous elimination. Where only qualifying times have been recorded, the higher place will be awarded to the driver with the best qualifying time from all the qualifying runs. Where three or more drivers DNF at the same stage of elimination, the driver with the next best results using this formula will be awarded the next highest result and so forth. The same (above) formula can be applied to rank the results of two or more competitors who DNS at the same stage of an event. In all instances, a DNF will score higher than a DNS.
16. In a final, if crews record equal times or DNF, they will have a run-off, in the same order as before to determine the Winner. If necessary, this process will be repeated until a result is achieved.
17. To be eligible for points in a series, a competitor must enter and compete in a minimum of rounds as decided by NZJSA. In order to score points in New Zealand Championship events, a competitor must enter the Championship by completing the appropriate application form and paying any applicable fee by the closing date that will be advised in the Championship documentation.
18. DNF overrides missed times. Where a competitor records a DNF in any round of the competition a DNF will be recorded in all cases except where a red flag has been shown to the competitor PRIOR TO their DNF occurring.
19. Method of correcting rotational errors. The error must be corrected from the direction the approach is indicated in the rotation.
20. All double driven boats will have an A and B driver with the A drivers seeded first in running order and B drivers last. This will apply in all qualifying rounds and elimination rounds.

#### 4.1.1 SIGNALS

##### **Digital race order screen.**

**If the screen is in use the 1 minute start rule applies from when your number turns from red to green at the top of the screen. If boat that is currently racing on track fails to complete course the screen will advise course is closed and race boat can return to trailer. Your number will be only illuminated green when your boat is able to start when course is clear and extra time to be determined by race control will be allowed in order to refill, restart boat and safety checks. You will then need to proceed to the start zone when you will then become under the control of the official starter.**

The starter has control of the start flag

RED - You may not start or pass this point under any circumstances.

**GREEN** - A start is imminent, you should be idling towards the start line and are under the control of the Starter.

**WAVED FLAG** - You are cleared to start.

Flag signals: Each group of Safety Crew have a red flag. Unless the track is clear of boats, crew or unplanned obstacles, a red flag will be displayed and a start is not permitted.

#### **4.1.2 CONTROL FUEL**

1. The control fuel process will be administered by the Sprint Controller and the NZJSA.
2. Where the control fuel is required, it shall be No. 1 race fuel with a minimum octane of 100 (RON). All filtered fuel dispensed must be paid for by competitors if required by the JSA.
3. The control fuel may be dispensed either from a central point to which each boat must come, or by smaller containers refilled from the main source. An official will oversee all refuelling operations. Fuel tanks must be drained prior to the additions of control fuel at the discretion of the NZJSA or Sprint Controller.

#### **4.1.3 ENGINE SPECIFICATION TESTING**

The NZJSA reserves the right to test at random any engine for compliance without notice.

In the event of disqualification, lower placed crews will move up in the finishing order.

Testing will be conducted by a NZJSA appointed official and/or appointed deputy.

The boat owner or designated representative must be available to remove any required items for the purpose of testing.

Refusal to allow an engine to be tested will be taken as evidence of non-compliance and the penalty applied immediately.

The result of the engine capacity testing detailed in Section 4.2 will be final and not subject to appeal.

Where an engine is dismantled under the instructions of the NZJSA officials or representatives for inspection, the cost of reinstating will be borne by the competitor regardless of compliance.

#### **Non-compliance engine or refusal of testing**

**PENALTY** Loss of all series points and results accrued from time of engine sealing; Engine builder/sealer banned from any future involvement with NZJSA; Legal action over false documentation.

### **4.2 ENGINE TESTING AND SEALING PRODUCERS**

???

### **4.3 WORKSHOP CAPACITY TESTING**

NOTE: All testing methods must be approved by the NZJSA. Methods submitted to the NZJSA technical committee for approval must meet the criteria of accuracy.

All Group A and 400 class boats engines are to be sealed by the NZJSA list of approved engine sealers.

The engine builder/ sealer must complete appropriate NZJSA form and send to the JSA.

Engines are to be pre-drilled prior to the first round of the New Zealand Championship or other sanctioned championship events.

Any seals tampered with, missing or unreadable will result in loss of all points and results from time of sealing.

When breaking any engine seal, there needs to be an approved engine sealer from NZJSA s list to recheck engine and reseal it and complete NZJSA appropriate form.

In the New Zealand championship, the top three boats in the 400 and Group A class may have a cylinder head removed for capacity testing, valve measurements and port size etc.

Any unsealed engines will need to be checked.

The tests need to be verified before final results can be confirmed.

#### **TESTING METHOD FOR VAVLE LEFT**

This shall be carried out by an NZJSA approved person using a DTI gauge.

These measurements will be considered final and not subject to appeal.

#### **TESTING METHOD FOR CARBURETTOR**

An NZJSA approved person using a Vernier scale device or purpose build tool shall carry this out.

These measurements will be considered final and not subject to appeal.

Only one head of a "V"-configuration engine need to be removed to enable access to the cylinder bore for the purpose of accurately measuring the bore and stroke of that engine.

The resultant calculated swept volume shall not exceed 412 cubic inches or 3752cc or 365 cubic inches or 5982cc for Group A/ 400 classes.

There shall be zero tolerance allowed when the capacity is measured in this manner.

#### **4.4 GENERAL RULES**

The pits are a controlled access area and are an alcohol and smoking-free zone until completion of race and children must be under the control of a responsible adult at all times.

##### **Smoking or drinking alcohol in the designated pit area while race is in progress**

PENALTY Exclusion from the pit area for the remainder of the meeting. Competitors and their crew will be suspended for one NZSJA sanctioned meeting. Repeat offence up to twelve months suspension at the discretion of the NZJSA.

Prior to the commencement of racing and for the duration of the meeting, or until they have concluded their activities for the day, no crewmember or support crewmember shall consume alcohol. Competitors may be required to undergo random testing before and during an event. The test reading must be under the level specified by the NZJSA and as evidenced by their test equipment. The event is deemed to have started at the commencement of the competitor briefing, and deemed to have finished when the last boat has completed its run.

##### **Consumption of alcohol during a meeting**

PENALTY NZJSA to determine penalty.

THE NZJAS ENDORSES AND ADOPTS THE NEW ZEALAND POWERBOAT FEDERATION INC. ANTI-DOPING CODE.

When a series is tied for points, the winner and/or placegetters will be decided on a count back of best previous placings. If that result is the same, a tie is declared.

##### **4.4.1 SPORTSMANSHIP AND COMPETITOR CODE OF CONDUCT.**

The NZJSA has a total commitment to promote and foster good sportsmanship within the jet sprinting movement. This is to assist in the creation of a strong, positive public image of a group of competitors with a professional attitude, providing exciting, spectacular entertainment in a safe environment. All competitors, their crew and race officials are expected to understand and display, in public, all those qualities which define good sportsmanship. Any public displays of bad sportsmanship by any member will be considered a breach of the code of conduct and subject to disciplinary action by the NZJSA. The code of conduct requires not only public display of good sportsmanship, but compliance with the rules of racing and the constitution of the NZJSA. All personnel involved with an event, competitors, their crew and officials, are required to function within the code of conduct.

##### **4.4.2 PENALTIES**

For any offence occurring on race day or as a result of technical/safety checking, the maximum penalty, which can be imposed by the Stewards, shall be disqualification for the meeting.

Additional penalties can only be imposed by the disputes committee and/or NZJSA following the meeting and after consultation with all parties concerned with the incident.

A penalty for a breach of the rules may, at the discretion of the committee, be in the form of a suspended penalty and will remain current for a period of up to one year from the time of the offence.

Any further breach of the rules within that time will cause the suspended penalty to be immediately applied.

Suspension penalties for one or more meetings shall apply from the next scheduled NZJSA sanctioned meeting and of more than one, shall be consecutive.

#### **4.5 DISPUTES AND PROTESTS.**

The NZJSA appointed Stewards shall deal with disputes and may make necessary ruling concerning a dispute.

The ruling will be given after due and careful consideration of the issue involved and will be final.

It will not be open to further discussion during the meeting.

Any ruling, which affects the results of the meeting, may not be challenged during the meeting, but is subject to appeal by affected competitors only as allowed under the appeals rule.

The Stewards will formally advise affected persons that they have been reported for breach of the rules or code of conduct.

#### **4.5.1 PROCEDURES**

Whenever possible and practical, the Sprint Controller will consult with the Disputes Committee when considering disciplinary action.

The disputes committee will be comprised of the two (2) NZJSA appointed Stewards from different classes.

Competitors will be advised of the Disputes Committee Members at the Competitor Briefing.

NZJSA may request a competitor, crew member or official to attend a meeting of the disputes committee, either during the event or at some other suitable time, to provide good reason why they should not have disciplinary action taken against them for a breach of the rules or code of conduct, which, in the opinion of the disputes committee, could bring the sport into disrepute.

Failure to attend such a meeting will result in the immediate imposition of the appropriate penalty without the right of appeal.

The Stewards shall forward a report on all matters relating to disciplinary matters to the NZJSA Secretary no later than 48 hours after the event conclusion.

##### **Protest procedure during a race meeting**

**A protest must be lodged with a drivers representative within 15 minutes of incident occurring.**

**The driver's representative will consider protest and advise driver on validity of protest. If driver still wishes to proceed with protest he must follow the procedure listed below.**

**a) Advise the race controller immediately so race order can be changed to allow "add on runs for affected boat/s". (A race result can then be found depending on outcome of protest.)**

**b) Credit card details or cash for protest fee must be given to race control/JSA secretary. The \$100 fee will not be refunded be if race control deems protest invalid.**

**c) Protest must be written down and handed to JSA /Race control before the conclusion of the meeting with all relevant details for disputes committee/ JSA executive to consider.**

A competitor cannot protest the eligibility of an engine, but is encouraged to disclose any related information to the Sprint Controller/NZJSA.

Members seeking information on rule interpretations are to consult with the NZJSA for a definition/s.

#### **4.5.2 APPEALS**

Any member subjected to disciplinary action may lodge a formal appeal with the NZJSA within 7 days of the penalty being imposed.

Appeals must be lodged in writing with the NZJSA secretary and accompanied by a \$50 fee.

Refundable if the appeal is upheld.

#### **4.6 COURSE DESIGN**

#### **4.7 EVENT ADMINISTRATION**

A suitably qualified and competent Sprint Controller(s) shall be appointed to control each event.

The Stewards are the final arbiters for any disputes during the meeting other than official protests.

Technical/Safety Audits will be carried out by a suitably qualified person/s approved by the NZJSA.



Any question/s that cannot be satisfactorily resolved by this person/s will be referred to the Stewards and/or NZJSA Safety Officer/s.

The Stewards will be the final arbiters.

Incident report: A full report on any incident involving injury requiring first aid/medical attention must be forwarded by the Sprint Controller to the Secretary of the NZJSA within 5 days of the conclusion of the meeting.

#### **4.8 SAFETY PRECAUTIONS**

The Promoters of all events sanctioned by the NZJSA must provide adequate first aid equipment for any likely emergency for the duration of the meeting.

A St John Ambulance must be in attendance, and the vehicle double-crewed with at least one (1) permanent officer with no lesser qualification than Intermediate Care Officer (ICO).

A first-aid unit is not acceptable.

The Promoters of all events sanctioned by the NZJSA must provide adequate fire extinguishing equipment for any likely emergency (petrol and methanol).

There will be a minimum of six (6) 4.5kg Dry Powder BE-Type extinguishers and six (6) 9-litre Alcohol Resistance AFFF (Foam) extinguishers available, sited at the launch ramp and with each safety crew group.

The Promoters of events sanctioned by NZJSA must provide a minimum of twelve (12) able bodied persons to act as safety crews.

All safety crew members must be suitably attired, and attend a compulsory briefing with the Sprint Controller or the NZJSA-appointed Safety Coordinator prior to the scheduled Competitor Briefing.

#### **4.9 TIMING SYSTEM**

If there is a failure of the electronic timing, racing will continue under manual timing.

A minimum of two stopwatches must be used and timing will be recorded in this manner by the race controller(s) or appointed person(s).

The average time will be taken from the two times recorded.

Competitors cannot protest times recorded under the manual timing system.

If electronic timing fails during an elimination run, the competitor does not DNF and completes their run, they will automatically proceed to next elimination round as an extra in the field.

## 5. NEW ZEALAND CHAMPIONSHIP REGULATIONS

The following outlines the rules for the New Zealand Jetsprint Championships, including points allocation to decide the winners and placegetters.

1. It is compulsory to register for the championship in order to score points towards the championship. Registration must be completed before any event competed in, for points to be allocated to an entrant. Registration will close at the completion of secretariat at Round Three of the championship .

2. Points will be allocated per round in each class as follows:

1st .....	30 points
2nd.....	29 points
3rd.....	28 points
4th.....	26 points
5th.....	25 points
6th.....	23 points
7th.....	22 points
8th.....	21 points
9th.....	19 points
10th.....	18 points
11th .....	17 points
12th.....	16 points
13th.....	15 points
14th.....	14 points
15th.....	13 points
16th.....	12 points
17th onwards.....	10 points

3. Every championship registered competitor who starts any event will receive points using the scale above. Starting an event is defined as having your craft leave the launch ramp under its own power at least once during practise or qualifying.

4. Competitors who are not registered for the New Zealand Jetsprint Championship will be deemed to not exist when points are allocated. Where up to two competitors in the same class are unregistered in the championship and qualify for any elimination stage of any NZ Championship event, they will be included in the elimination rounds as additional competitor(s), and the full number of championship entrants will also be allowed to advance to this elimination stage .(i.e 16-12-8-5-3 champs competitors plus up to two additional non-registered competitors who have qualified). Non-Championship Competitors times will be deemed to not exist when considering which Championship registered competitors qualify to advance to the next elimination round. Where three or four non-championship registered competitors enter any championship event in the same class, provided they qualify, they will be included as additional competitors up to inclusion in the Top 8 elimination, following which they will be excluded from the championship elimination, but will be allowed their own final run to be held between the non-championship competitors only. Where five or more non-championship registered competitors enter any championship event in the same class, provided they qualify, they will be included as additional competitors up to inclusion in the Top 16 elimination, following which they will be excluded from the championship elimination, but will be allowed their own elimination to find a top 4, then a four boat final run to be held between the non-championship competitors only.

5. To be eligible to enter the New Zealand Jetsprint Championship you must be a current member of the New Zealand Jetsprint Association (NZJSA).

6. Classes catered for in the New Zealand Jetsprint Championship are as follows:

- (a) International Group A Class.
- (b) Superboat Class
- (c) NZ 400

7. 400 **may** not be promoted on TV.

8. Tie Break – if any of the top 3 places in the final championship result in any class provides a

tie of points, the following tie break formula will be used:

When a series is tied for points the winner and / or Top 3 placegetters will be decided on a count back of the best previous placings. The greatest number of first placings will be the first determining factor. If that is the same, then the greatest number of second placings will be considered. If that is also the same, the greatest number of third placings will be considered. In all such cases, the entrant with the greatest number of placings at the highest level, will be declared the winner. If that result is the same, a tie is declared.

**9.** The entrant must carry advertising decals as directed by NZJSA.

**10.** The entrant will carry on-board TV cameras as directed by NZJSA.

**11.** The entrant, and his team members will at all times act in a manner that is in the best interests of the sport of Jetsprinting.

**12.** The entrant will present his team and equipment in a clean, tidy and professional manner.

**13.** The entrant will NOT bring the sport into disrepute.

## 6. ANTI-DOPING CODE

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### INTRODUCTION

The Board of Drug Free Sport New Zealand (DFS) has made these Rules under section 16 of the Sports Anti-Doping Act 2006 (the Act) in order to adopt and implement the provisions of the World Anti-Doping Code (the Code) and to give effect to the functions of DFS as set out in the Act. The Code seeks to protect the

fundamental rights of Athletes to participate in doping-free sport and to bring about the harmonisation of core

anti-doping elements across Signatories to the Code. It is intended that National Sporting Organisations will

agree to the Rules so that the Rules apply to their members and all Participants as governing the conditions

under which sport is played.

DFS is an independent Crown entity continued under the Act and is the National Anti-Doping Organisation

responsible for implementing the Code in New Zealand, as provided in Article 20.5 of the Code and section

12 of the Act.

The Rules contain the core anti-doping Articles from the Code (Article 1 (Definition of Doping) Article 2 (Anti-Doping Rule Violations), Article 3 (Proof of Doping), Article 9 (Automatic Disqualification of Individual Results), Article 10 (Sanctions on Individuals), Article 11 (Consequences to Teams), Article 13 (Appeals) with the exception of Article 13.2.2, Article 17 (Statute of Limitations) and Definitions. The Rules

also provide for the application of International Standards established by WADA, in particular the Prohibited

List, the International Standard for Testing (and applicable WADA Guidelines for Sample Collection), the International Standard for Laboratories and the International Standard for therapeutic use exemptions.

The Sports Tribunal and any NSO Anti-Doping Tribunal established by a National Sporting Organisation to

hear Violation Proceedings will function under the Rules when hearing Violation Proceedings.

It is intended that National Sporting Organisations will agree to the Rules as their anti-doping rules in order

to implement the Code. By agreeing to the application of the Rules, National Sporting Organisations will agree that DFS and the Sports Tribunal (or any NSO Anti-Doping Tribunal) can exercise all the functions and powers in the Act and the Rules.

National Sporting Organisations that agree to the Rules will do so on the basis that they agree to the application of the Rules as amended from time to time. In accordance with its obligations under the Act, DFS will provide National Sporting Organisations, Athletes and the Privacy Commissioner a reasonable opportunity to comment before amending the Rules.

National Sporting Organisations that have agreed to the Rules will take all reasonable steps to ensure that

Participants under their authority are informed of their obligations under the Code and the Rules.

DFS will continue to function and operate in accordance with the core obligations under the Code. DFS will

carry out Doping Control under the provisions of the Code and follow the relevant mandatory International Standards as provided by WADA.

DFS will collect Samples or Specimens to test for the presence of substances or methods that are prohibited

under the WADA Prohibited List. Samples will be collected in accordance with the International Standard for Testing and applicable WADA Guidelines for the Collection of Blood and Urine Samples. DFS will

also carry out investigations in relation to Anti-Doping Rule Violations under Rules 3.2 to 3.8. National Sporting Organisations will refer all information relating to possible Anti-Doping Rule Violations to DFS.

DFS will review information obtained in any investigation and decide whether the information supports the bringing of Violation Proceedings. DFS will bring Violation Proceedings and present the evidence in support of the proceedings before either the Sports Tribunal or an NSO Anti-Doping Tribunal. Subject to its various obligations to notify and report and present evidence under the Rules, and to certain exceptional

circumstances, the process of investigating and hearing Violation Proceedings will be treated as a confidential

process by DFS and all National Sporting Organisations and Persons subject to the Rules until a decision has

been made in relation to the alleged Violation.

The terms in italics in this introduction and in the Rules are defined as set out in the Definitions section at the end of the Rules.

## **1. APPLICATION OF THESE RULES**

1.1 The Rules apply to:

(a) DFS and all Doping Control and any investigation into any Anti-Doping Rule Violation carried out by DFS (save where DFS carries out Doping Control or any investigation by agreement with foreign governments, other Anti-Doping Organisations or Signatories to the Code under the Act, in which case Doping Control or any investigation will be governed by the agreement entered into or the Code);

(b) any TUE Committee established by DFS;

(c) any National Sporting Organisation that agrees to the Rules;

(d) any club, team, association, league or any other Person that either:

(i) is a member of a National Sporting Organisation that has agreed to the Rules; or

(ii) agrees to the application of the Rules with the National Sporting Organisation; or

(iii) otherwise agrees to the application of the Rules;

(e) all Persons who:

(i) are members of a National Sporting Organisation that has agreed to the Rules, regardless of where the Persons reside or are situated; or

(ii) are members of any club, team, association, league or other organisation that has agreed to

the application of the Rules with a National Sporting Organisation, regardless of where the Persons reside or are situated; or

(iii) are Participants who agree to the Rules as part of the conditions of participation in any capacity in any activity organised, held, convened or authorised by a National Sporting Organisation or one or more of its member organisations, clubs, teams, associations, leagues or other organisations, regardless of whether the Person is a member of any such organisation; or

(iv) otherwise agree to the Rules; and

(f) the Sports Tribunal and any NSO Anti-Doping Tribunal established in accordance with the Rules;

## 1.2 Application to National Sporting Organisations

1.2.1 A National Sporting Organisation may agree to the Rules by incorporating them by reference into its governing documents, constitution, rules or anti-doping policies so that the Rules form part of the rules of the National Sporting Organisation and govern the rights and obligations of all Persons who are subject to the Rules of the National Sporting Organisation. A National Sporting Organisation may also adopt the Rules as its anti-doping policy or anti-doping rules.

1.2.2 By agreeing to the Rules, National Sporting Organisations:

(a) recognise and accept the authority and responsibility of DFS as the sole National Anti-Doping Organisation in New Zealand for implementing the Code; and

(b) authorise DFS to carry out Doping Control, to investigate Anti-Doping Rule Violations under the Rules and to present evidence in support of Anti-Doping Rule Violations before the Sports Tribunal or an NSO Anti-Doping Tribunal. Members of National Sporting Organisations and all Persons to whom the Rules apply also recognise and accept the authority and responsibility of DFS.

1.2.3 A National Sporting Organisation that has agreed to the Rules will take all reasonable steps to ensure that any Person who wishes to take part in any event, competition or activity organised or authorised by it who is not a member of the National Sporting Organisation or who has not otherwise agreed to be bound by the Rules, agrees to be bound by the Rules.

1.2.4 A National Sporting Organisation that has agreed to the Rules must ensure that any Person who is not a member of the National Sporting Organisation but who wishes to participate in International Events or Events organised, sanctioned or authorised by the National Sporting Organisation and who fulfills the requirements to be part of DFS's Registered Testing Pool, becomes either a member of the National Sporting Organisation and/or agrees to make himself or herself available for Testing, at least twelve (12) months before participating in any International Event or in any Event.

1.2.5 Nothing in the Rules shall be interpreted as limiting the functions of DFS under the Act and its obligations as a Signatory to the Code. Nothing in the Rules prevents DFS from collecting Samples from Athletes and arranging for Testing and reporting of the results of Testing or undertaking any other anti-doping activity or investigation in accordance with any agreement or arrangement with any other Anti-Doping Organisation, International Federation, Signatory to the Code or any National Sporting Organisation which has not agreed to the Rules, or in accordance with any obligation under the Act or Code.

1.2.6 DFS will encourage and assist National Sporting Organisations to agree to the Rules, and will encourage all Participants and Persons to agree to take part in sport on the basis of the Rules.

1.2.7 Where a National Sporting Organisation is a member of an International Federation and is bound by the Rules and the anti-doping rules of the International Federation and there is a conflict or inconsistency between the Rules and the anti-doping rules of the International Federation, the rules of the International Federation will prevail, solely to the extent of any inconsistency or conflict. The anti-doping rules of the International Federation must comply with the Code if they are to prevail over the Rules.

1.2.8 The Rules are subject to the Regulations (Disallowance) Act 1989.

## **2. INTERNATIONAL STANDARDS AND GUIDELINES**

### **INCORPORATED INTO THE RULES**

2.1 The Rules incorporate the following International Standards and Guidelines by reference:

- (a) World Anti-Doping Agency Prohibited List 2007;
- (b) World Anti-Doping Agency International Standard for Therapeutic Use Exemptions that came into effect on 1 January 2005;
- (c) World Anti-Doping Agency International Standard for Testing, version 3.0, June 2003;
- (d) World Anti-Doping Agency Guidelines for Blood Sample Collection, version 5.0, January 2006;
- (e) World Anti-Doping Agency Guidelines for Urine Sample Collection, version 4.0, June 2004;
- (f) World Anti-Doping Agency International Standard for Laboratories, version 4.0, August 2004; and
- (g) Addendum to the World Anti-Doping Agency International Standard for Laboratories, version 1.0, July 2004.

2.2 Where the Rules refer to any of the above International Standards or Guidelines, the reference is to the version of the International Standard or Guideline dated as above.

## **3. ANTI-DOPING RULE VIOLATIONS**

Doping is defined as the occurrence of one or more of the Anti-Doping Rule Violations set forth in Rules 3.1 to 3.8 of the Rules. The following constitute Anti-Doping Rule Violations:

3.1 The presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Bodily Specimen.

3.1.1 It is each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their bodily Specimens. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish an Anti-Doping Rule Violation under 3.1.

3.1.2 Excepting those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List, the detected presence of any quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample shall constitute an Anti-Doping Rule Violation.

3.1.3 As an exception to the general rule of Rule 3.1, the Prohibited List may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.

3.2 Use or Attempted Use of a Prohibited Substance or a Prohibited Method

3.2.1 The success or failure of the Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an Anti-Doping Rule Violation to be committed.

3.3 Refusing, or failing without compelling justification, to submit to Sample collection after notification under the Rules or any applicable International Standard or WADA guideline or otherwise evading Sample collection.

3.4 Violation of the requirements regarding Athlete availability for Out-of-Competition Testing including failure to provide whereabouts information required by DFS or any other Anti-Doping Organisation and missed tests which are declared by DFS under the Rules.

3.5 Tampering, or Attempting to tamper, with any part of Doping Control.

3.6 Possession of Prohibited Substances and Methods:

3.6.1 Possession by an Athlete at any time or place of a Prohibited Substance that is prohibited in Out-of-Competition Testing or a Prohibited Method unless the Athlete establishes that the Possession is pursuant to a TUE granted in accordance with Rule 5.4 (TUEs) or other acceptable justification.

3.6.2 Possession of a Prohibited Substance that is prohibited in Out-of-Competition Testing or a Prohibited Method by Athlete Support Personnel in connection with an Athlete, Competition or training, unless the Athlete Support Personnel establishes that the Possession is pursuant to a TUE granted to an Athlete in accordance with Rule 5.4 (TUEs) or other acceptable justification.

3.7 Trafficking in any Prohibited Substance or Prohibited Method.

3.8 Administration or Attempted administration of a Prohibited Substance or Prohibited Method to any Athlete, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an Anti-Doping Rule Violation or any Attempted Violation.

#### **4. PROOF OF DOPING**

4.1 Burdens and Standards of Proof

4.1.1 DFS has the burden of establishing that an Anti-Doping Rule Violation has occurred.

The standard of proof shall be whether DFS has established an Anti-Doping Rule Violation to the comfortable satisfaction of the Sports Tribunal or NSO Anti-Doping Tribunal, bearing in mind the seriousness of the allegation that is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.

4.1.2 Where these Rules place the burden of proof upon the Athlete or other Person alleged to have committed an Anti-Doping Rule Violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

4.2 Methods of Establishing Facts and Presumptions Facts related to Anti-Doping Rule Violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

4.2.1 WADA-accredited laboratories are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories.

The Athlete may rebut this presumption by establishing that a departure from the International Standard occurred. If the Athlete rebuts the preceding presumption by showing that a departure from the International Standard occurred, then DFS shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

4.2.2 Departures from the International Standard for Testing which did not cause an Adverse Analytical Finding or other Anti-Doping Rule Violation shall not invalidate such results. If the Athlete establishes that departures from the International Standard occurred during Testing then DFS shall have the burden to establish that such departures did not cause the Adverse Analytical Finding or the factual basis for the Anti-Doping Rule Violation.

#### **5. THE PROHIBITED LIST**

5.1 Incorporation of the Prohibited List

5.1.1 The Rules adopt and incorporate the Prohibited List 2007.

5.1.2 It is the responsibility of each National Sporting Organisation to take all reasonable steps to ensure that the current Prohibited List is available to its members and Participants.

5.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List The Prohibited List identifies those Prohibited Substances and Prohibited Methods which are prohibited as doping at all times (both In-Competition and Out-of-Competition) and those substances and methods which are prohibited In-Competition only.

5.3 Substances and Methods on the Prohibited List

WADA's determination of the Prohibited Substances and Prohibited Methods that shall be included on the Prohibited List shall be final and shall not be subject to challenge by an Athlete or other Person.

5.4 TUEs

5.4.1 The Rules adopt and incorporate the WADA International Standard for Therapeutic Use Exemptions.

5.4.2 Athletes subject to the Rules with a medical condition requiring the Use of a Prohibited Substance or a Prohibited Method, shall obtain a TUE from DFS or an International Federation.

5.4.3 DFS shall at all times have policies and procedures for the application for TUEs and for consideration of such applications.

5.5 Therapeutic Use Exemption Committee (TUE Committee)



5.5.1 DFS shall appoint a TUE Committee to consider applications for TUEs. The TUE Committee shall be established according to the requirements of the International Standard for Therapeutic Use Exemptions. Where members of the TUE Committee have an interest in individual National Sporting Organisations or International Federations, they are excluded from considering applications for TUEs from Athletes who are members of the same individual National Sporting Organisations or International Federations.

5.5.2 The TUE Committee member(s) shall promptly evaluate any request for a TUE in accordance with the International Standard for TUEs and render a decision on such request, which shall be the decision of DFS.

5.5.3 DFS and the TUE Committee shall conduct the administration and determination of applications for TUEs in strict confidence.

## **6. TESTING**

6.1 Incorporation of the International Standard for Testing The Rules adopt and incorporate the WADA International Standard for Testing and the WADA Guidelines for Blood Sample Collection and Urine Sample Collection. Testing conducted by, or, on behalf of, DFS and National Sporting Organisations shall be in accordance with the International Standard for Testing.

### **6.2 Testing**

All Athletes subject to the Rules are subject to In-Competition Testing by their International Federation, DFS and any Anti-Doping Organisation responsible for Testing at a Competition or Event in which they participate. All Athletes subject to the Rules are also subject to Out-of-Competition Testing at any time or place, by their International Federation, DFS, WADA, the National Anti-Doping Organisation of any country where the Athlete is present, Major Event Organisations, the International Olympic Committee in connection with the Olympic Games and the International Paralympic Committee in connection with the Paralympic Games.

6.3 Testing at Events At International Events, the collection of Doping Control Samples shall be initiated and directed by the international organisation that is the ruling body for the Event. If the international organisation decides not to conduct any Testing at such an Event, DFS may, in coordination with and with the approval of the international organisation or WADA, initiate and conduct such Testing. At National Events, the collection of Doping Control Samples shall be initiated and directed by DFS.

### **6.4 Registered Testing Pool, Whereabouts information & Missed Tests**

#### **6.4.1 Registered Testing Pool**

DFS shall identify a Registered Testing Pool, and shall revise its Registered Testing Pool from time to time as appropriate. Each National Sporting Organisation shall assist DFS in identifying and maintaining the DFS Registered Testing Pool. National Sporting Organisations shall take all reasonable steps to ensure that Athletes who seek to be selected in the New Zealand team of a National Sporting Organisation for any Olympic, Paralympic or Commonwealth Games agree to be bound by the Rules and who meet any additional criteria set out by DFS are included in the DFS Registered Testing Pool for at least a year before the date of the commencement of the Games for which they seek selection.

#### **6.4.2 Whereabouts Information**

DFS shall notify each Athlete of their inclusion in the Registered Testing Pool and advise each Athlete of their obligations under the Rules. Each Athlete in the Registered Testing Pool will be responsible for providing whereabouts information to DFS in the manner and form required by DFS. Each Athlete will ensure that the information is kept current and complete at all times. Where an Athlete is required to provide whereabouts information to their International Federation, the Athlete shall provide a copy of that information to DFS at the same time.

6.4.3 Where an Athlete in the DFS Registered Testing Pool has failed to submit whereabouts information or has submitted inadequate whereabouts information and has been given a written warning on 2 occasions by DFS in a period of 12 months, DFS will review the failures under Rule 9.4 in order to determine whether to bring Violation Proceedings against the Athlete.

6.4.4 Missed Tests Where DFS attends at a location given by the Athlete in whereabouts information provided by the Athlete to conduct Testing and the Athlete is not at the location, DFS will take all reasonable steps to locate the Athlete at the location. If the Athlete cannot be located the failure to be present for Testing will be reported as a missed test. Where there is a report of a missed test, DFS will review the circumstances set out in the report and may issue a written warning to the Athlete in relation to the missed test. Where an Athlete has been the subject of 2 written warnings in relation to missed tests in a period of 12 months, DFS will review the information concerning the missed tests under Rule 9.4 to determine whether to bring Violation Proceedings against the Athlete.

6.4.5 Where an Athlete has been given 1 written warning for a failure to provide whereabouts information under Rule 6.4.2 and has also been given 1 written warning for a missed test under Rule 6.4.4 within a period of 12 months, DFS will review the matter under Rule 9.4 in order to determine whether to bring Violation Proceedings against the Athlete.

6.5 Selection of Athletes to be Tested DFS shall select Athletes for Testing through a process that complies with the International Standard for Testing. In this regard, No Advance Notice shall be the preferred method of notification for Out-of-Competition Testing.

#### 6.6 Testing of Minors

Testing of Minors will be carried out by DFS under the Rules in the manner set out in the International Standard for Testing. Where any National Sporting Organisation has members or is responsible for Participants or Persons who are Minors, the National Sporting Organisation will take all reasonable steps to ensure that the Minor and a Person with legal responsibility for the Minor has given consent to Testing. Where a Minor is a Participant, DFS will assume, in the absence of notice to the contrary, that consent to the Testing has been given by a Person with legal responsibility for the Minor and by the Minor. Where DFS intends to carry out Testing which may involve Minors it will, where considered appropriate by DFS, seek to review the position regarding consent to the Testing with the National Sporting Organisation concerned before carrying out Testing.

#### 6.7 Independent Observer Program

DFS, National Sporting Organisations and the organising committees for Events and their employees, contractors, officials and agents shall provide access to Persons participating in the Independent Observers Program at Events.

## **7. ANALYSIS OF SAMPLES**

#### 7.1 Incorporation of the International Standard for Laboratories

The Rules adopt and incorporate the WADA International Standard for Laboratories.

#### 7.2 Utilisation of Approved Laboratories

DFS shall send Doping Control Samples collected under the Rules for analysis to WADA-accredited laboratories or to laboratories which have been otherwise approved by WADA. The choice of the WADA-accredited laboratory used for the Sample analysis shall be determined exclusively by DFS. Laboratories shall analyse Doping Control Samples and report results in conformity with the International Standard for Laboratories.

#### 7.3 Substances Subject to Detection

Doping Control Samples shall be analysed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List and other substances as may be directed by WADA pursuant to the Monitoring Program described in Article 4.5 of the Code.

#### 7.4 Research on Samples

No Sample may be used for any purpose other than the detection of substances (or classes of substances) or methods on the Prohibited List, or as otherwise identified by WADA pursuant to its Monitoring Program, without the Athlete's written consent.

## **8. OBTAINING INFORMATION AT SAMPLE COLLECTION**

Where DFS carries out or attempts to carry out Sample collection it will obtain all relevant information and

complete all appropriate documentation to support any possible allegation that there has been a refusal to submit to Sample collection contrary to Rule 3.3 or any other Anti-Doping Rule Violation under Rules 3.2. to 3.8. Information obtained before, during, or after Sample collection and completed documentation will be forwarded to DFS by the Doping Control Officer for further consideration and investigation by DFS.

## **9.MANAGING RESULTS**

9.1 Laboratory results and possible refusal or failure to submit to Sample collection reports

9.1.1 DFS will undertake Testing for Anti-Doping Rule Violations under Rule 3.1 according to the International Standard for Testing.

9.1.2 DFS shall receive the analytical results of Doping Control Samples from the laboratory. DFS shall receive any Doping Control Officer Reports indicating a possible refusal or failure to submit to Sample collection under Rule 3.3 or other information from the relevant Doping Control Officer along with other documentation from the Sample collection.

9.2 Negative Analytical Findings

9.2.1 DFS shall identify from the Doping Control Form all Athletes whose Samples have resulted in a Negative Analytical Finding.

9.2.2 DFS will notify Athletes or any representative of Negative Analytical Findings.

9.2.3 All documentation from the Sample collection and the notification of Negative Analytical Findings shall be retained by DFS for a minimum of eight (8) years.

9.3 Adverse Analytical Findings

9.3.1 Initial Review

9.3.1.1 Upon receipt of an Adverse Analytical Finding, DFS will review the laboratory report and decide whether there is any applicable TUE in effect. If DFS decides that there is an applicable TUE in effect, it will take no further action in relation to the Adverse Analytical Finding.

9.3.1.2 Upon receipt of an Adverse Analytical Finding, DFS shall review the documentation relating to the Sample Collection Session (including the Doping Control Form, Doping Control Officer Report and other Records), and the laboratory analysis for any departure from the International Standard for Testing.

9.3.1.3 If there is any departure shown by the documentation, DFS shall decide whether the departure can be considered to undermine the validity of the Adverse Analytical Finding.

9.3.1.4 If DFS considers that departures undermine the validity of the Adverse Analytical Finding, DFS shall declare the test result void.

9.3.1.5 Where the laboratory report Sample shows the presence of a Prohibited Substance or Prohibited Method in circumstances where, under the Prohibited List further investigation may be required, DFS will conduct any further investigation as may be required under the Prohibited List to decide whether an Adverse Analytical Finding is confirmed.

9.3.2 Notification After Initial Review

9.3.2.1 When DFS has decided, after its initial review and any further investigation required under the Prohibited List, that there is an Adverse Analytical Finding, DFS will give notice to the Athlete of the Adverse Analytical Finding. The notice will identify the Athlete, by name, state the Athlete's country, sport and discipline, the date of Sample collection, whether the collection was In-Competition or Out-Of-Competition, the details of the Prohibited Substance identified in the A Sample, the Anti-Doping Rule Violation which it is alleged the Athlete has committed and the possible consequences of a Violation.

9.3.2.2 The notice will further set out the Athlete's right to request the analysis of the B Sample within 5 working days of service of the notice and that, if the Athlete fails to make a request within the time limit, the B Sample analysis will be deemed waived and the A Sample finding used. The notice will set out the right of the Athlete to attend the B Sample opening and analysis if such analysis is requested, whether in person or by a representative, the other parties that will be notified of the A Sample Adverse Analytical Finding, and the Athlete's right to request copies of the A and B Sample Laboratory report including the information required by the International

Standard for Laboratories.

9.3.2.3 DFS will give notice of the Adverse Analytical Finding to the Athlete's National Anti-Doping Organisation (where applicable), the relevant National Sporting Organisation, the relevant International Federation, WADA and any other relevant Anti-Doping Organisation not later than the end of the process of the initial review of the Adverse Analytical Finding. The notice will contain the information set out in Rule 9.3.2.1.

9.3.2.4 Where the Athlete requests that the B Sample be analysed, DFS will contact the laboratory to establish the date and timing of the testing of the B Sample, and will notify the Athlete of that date no later than 5 working days after the Athlete's request for the analysis of the B Sample. The time for analysis of the B Sample may be extended by agreement. DFS will also notify the Athlete of the Athlete's right to attend, whether in person or by a representative, on the identification, opening and analysis of the B Sample. Where the Athlete or a representative does not attend on the identification, opening and analysis of the B Sample, DFS will appoint an independent person to attend at the identification and opening of the B Sample.

9.3.2.5 Where the Athlete requests a B Sample analysis, DFS shall report the result of such an analysis to the relevant National Sporting Organisation, the relevant International Federation, WADA and any other relevant Anti-Doping Organisation.

9.3.2.6 If the B Sample analysis does not confirm the A Sample analysis, DFS will notify the Athlete that there has been a negative test and no further steps will be taken. If the B Sample analysis confirms the A Sample analysis, DFS will proceed under these Rules in relation to the Adverse Analytical Finding.

9.3.2.7 Where DFS is aware that the Athlete may be subject to the imposition of a Provisional Suspension under the rules of a National Sporting Organisation, International Federation, Major Event Organisation or other Signatory to the Code, it may, where notice has to be given to the Athlete as a matter of urgency, give verbal notice of the Adverse Analytical Finding to the Athlete and the other Persons under Rule 9.3.2.3 and any other relevant Persons. Where notice is given verbally, notice will be confirmed in writing as soon as possible after the verbal notice.

#### 9.4 Other Anti-Doping Rule Violations

9.4.1 In addition to carrying out Testing under the International Standard for Testing in relation to Violations under 3.1, DFS will carry out such investigations as it sees fit (whether arising from Sample collection or otherwise) into all matters which may be relevant to the commission of any Violation under Rules 3.2 to 3.8.

9.4.2 Where DFS has obtained documentation or information from Sample collection carried out under the Rules or from any other investigation which it has carried out, or from any other source, which may support an allegation that a Violation under Rule 3.2 to 3.8 has occurred, DFS will review that information and carry out any such further investigation as it sees fit, to decide whether, in its view, a Violation has occurred.

9.4.3 At any time during the course of an investigation DFS may ask to interview any Participant or any other Person who it believes may assist in the investigation. Where DFS requests such an interview, DFS will inform the Participant or Person who it wishes to interview that they can be accompanied by a representative to any interview if they wish.

9.4.4 National Sporting Organisations, Participants and any Person bound by these Rules shall refer to DFS all documentation, materials and information they receive or are made aware of, concerning any possible Anti-Doping Rule Violation, for investigation by DFS, regardless of whether or not such documentation, materials or information have been referred to a International Federation or any other organisation.

9.4.5 National Sporting Organisations and Participants shall take all reasonable steps to support any investigation conducted by DFS into the commission of any Anti-Doping Rule Violation. National Sporting Organisations shall take all reasonable steps to ensure that all Participants under their authority assist DFS in any investigation which it carries out under the Rules.

9.4.6 Where DFS decides that, as a result of any investigation, it has material which supports

an allegation that a Participant or other Person has committed a Violation under Rule 3.2 to 3.8 and DFS intends to make such an allegation, DFS will give notice in writing of its intention to make the allegation to the Participant or Person. The notice will set out the matters which DFS believes support the allegation that the Violation has been committed, and ask whether the Participant or Person wishes to provide any statement or comment on the allegation or provide any further information to DFS, whether at an interview or in writing. The notice will also set out the possible consequences of the Violation if it is proven, recommend that the Participant or Person obtains advice and will also provide that the Participant or Person may, if they wish, admit the Violation in writing. DFS will, in its notification to the Participant or Person provide for a reply to be received in 7 days. If no reply has been received by DFS within that time, DFS will proceed to make its final decision whether to bring Violation Proceedings. Where the Participant or Person provides a statement or comment or further information to DFS in relation to the alleged Violation, DFS will consider any material provided before making its decision to bring Violation Proceedings. DFS may decide that it will not give notice under this Rule where it considers that it is inappropriate to do so. Where DFS does not give notice under this Rule, it will proceed to make a decision whether to bring Violation Proceedings on the basis of the material which it has obtained in any investigation.

9.4.7 Where DFS is conducting an investigation into a possible Violation under Rules 3.2 to 3.8, DFS may notify the National Sporting Organisation, International Federation, Major Event Organisation or other relevant Signatory to the Code of the investigation and the information which it has obtained and the identity of the Participant or any other Person under investigation at any time before it has reached a decision on whether to bring Violation Proceedings, where DFS considers that such notification is necessary to allow for the consideration of the imposition of a Provisional Suspension under Rule 12 or otherwise.

9.4.8 At any stage in an investigation DFS may decide that it will bring Violation Proceedings. Where DFS so decides, it will proceed to notify its decision and bring the Violation Proceedings as set out in Rule 10.

## **10. NOTIFICATION AND REFERRAL TO THE SPORTS TRIBUNAL**

### 10.1 Notice to Participant or Person

Where:

(a) there has been an Adverse Analytical Finding and, after DFS has carried out the steps under Rule 9.3 which are applicable, DFS considers that an Anti-Doping Rule Violation has been committed under Rule 3.1; or

(b) after considering and assessing documentation or information obtained or provided during any investigation under Rule 9.4 and any further matters which it considers relevant, DFS considers that an Anti-Doping Rule Violation under Rules 3.2. to 3.8 has occurred and decides that it will bring Violation Proceedings against any Participant or other Person, DFS will notify the Participant or Person in writing who is alleged to have committed the Violation, setting out the Violation which DFS alleges has been committed. The notice will give particulars of the alleged Violation and the possible sanctions which may apply if the Violation is established. DFS will also notify the Person of the other parties who will be notified of the allegation under Rule 10.2. The notice will also provide that the Participant or Person who is the subject of the Violation Proceeding may admit the Violation in writing.

### 10.2 Notice to Organisations

When DFS has determined as a result of any investigation that it will bring Violation Proceedings, in addition to giving the notice under Rule 10.1, DFS will notify the Participant's or Person's National Anti-Doping Organisation (where applicable), the relevant National Sporting Organisation(s), the relevant International Federation(s), any other relevant Signatory to the Code and WADA, of the alleged Violation, identifying the Participant or Person who it alleges has committed the Violation and providing the details which are given to the Participant or Person under Rule 10.1.

### 10.3 Provisional Suspension

After a Participant or other Person has been notified of an alleged Anti-Doping Rule Violation

under the Rules, whether under Rule 9.3.2.7, 9.4.7 or Rule 10.1, the National Sporting Organisation will take steps under Rule 12 to initiate consideration of whether to impose a Provisional Suspension.

#### 10.4 Notice to Sports Tribunal or NSO Anti-Doping Tribunal

Where DFS has determined that it will bring Violation Proceedings against any Participant or Person, it will notify the Sports Tribunal or the relevant NSO Anti-Doping Tribunal of the alleged Violation and bring Violation Proceedings before the Sports Tribunal or relevant NSO Anti-Doping Tribunal. Where DFS is not aware of the position in relation to the existence of any relevant NSO Anti-Doping Tribunal it will notify the Sports Tribunal. DFS will file and serve the documents required to commence Violation Proceedings under the rules of the Sports Tribunal or NSO Anti-Doping Tribunal

10.5 DFS will take all necessary steps to bring and progress Violation Proceedings in a timely manner before the Sports Tribunal or NSO Anti-Doping Tribunal and will present evidence relevant to the alleged Anti-Doping Rule Violation before the Sports Tribunal or NSO Anti-Doping Tribunal.

### **11. RIGHT TO INFORMATION**

Subject to the provisions of sections 27 to 29 of the Privacy Act 1993 and subject to any other good reason

to withhold information under statute or the common law, any Person who is notified by DFS under these Rules that they may be the subject of Violation Proceedings, will be entitled to copies of all of the documentation relevant to the allegation that there has been an Anti-Doping Rule Violation, and DFS shall

provide this to the Person or their representative upon request.

### **12. PROVISIONAL HEARINGS AND SUSPENSIONS**

12.1 Where a National Sporting Organisation has received notice of an alleged Anti-Doping Rule Violation under Rules 9.3.2.7, 9.4.7 or 10.2 from DFS against a Person who is subject to the Rules, the National Sporting Organisation shall refer the question whether to impose a Provisional Suspension under the Rules to the Sports Tribunal, and DFS and the National Sports Organisation will provide the Sports Tribunal with the information relevant to the alleged Anti-Doping Rule Violation. Where a National Sporting Organisation has established an NSO Anti-Doping Tribunal, the National Sporting Organisation shall refer the question of whether to impose a Provisional Suspension to that Tribunal for consideration in accordance with the rules of the NSO Anti-Doping Tribunal. Every reference to the Sports Tribunal in Rule 12 shall apply to any NSO Anti-Doping Tribunal dealing with the question whether to impose a Provisional Suspension.

12.2 Where a National Sporting Organisation has referred the question whether to impose a Provisional Suspension to the Sports Tribunal, the Sports Tribunal will either notify the Person who may be subject to a Provisional Suspension that it will hold an urgent provisional hearing before deciding whether to impose a Provisional Suspension, or will decide whether to impose a Provisional Suspension on the material before it, without hearing from the Person upon whom a Provisional Suspension may be imposed.

12.3 Where the Sports Tribunal decides to proceed without holding an urgent provisional hearing, it will, in the event that it decides to impose a Provisional Suspension, either hold an expedited hearing on whether the Provisional Suspension should be maintained, or hold an expedited hearing in relation to the Anti-Doping Rule Violation, as soon as possible after the imposition of the Provisional Suspension. The Person who is subject to the Provisional Suspension will be notified of the date and timing of the hearing which is to be held. It will be for the Sports Tribunal to decide which form of hearing it will adopt. It may, in reaching a decision on the form of hearing, hear representations on the appropriate process.

12.4 The Sports Tribunal will, wherever possible, seek to hold an urgent provisional hearing before imposing a Provisional Suspension, but the choice of procedure to be followed will be a matter for the Sports Tribunal in the particular circumstances.

12.5 The Sports Tribunal will adopt such procedures for any hearing in relation to a Provisional Suspension (whether held before or after the imposition of a Provisional Suspension under the

Rules) as the Sports Tribunal considers will provide the parties with a fair hearing in the matter in accordance with the principles of set out in Articles 7.5 and 8 of the Code.

12.6 In considering whether to impose a Provisional Suspension, the Sports Tribunal may request further information or material from DFS, the National Sporting Organisation or the Person who may be subject to the Provisional Suspension. DFS, the National Sporting Organisation and the Person who may be the subject of the Provisional Suspension will take all reasonable steps to comply with any request for information or material.

12.7 A decision by the Sports Tribunal in relation to a Provisional Suspension will be notified to the Participants or Persons who have been notified of the alleged Violation under these Rules, but will otherwise remain confidential until publication of the final decision on the Anti-Doping Rule Violation, unless the Sports Tribunal considers that it is in the interests of the National Sporting Organisation and its members that the decision in relation to the Provisional Suspension be Publicly Reported.

12.8 A Provisional Suspension may be imposed where the Sports Tribunal is satisfied that there is a prima facie case that a Violation has been committed and that it is appropriate in the circumstances to impose a Provisional Suspension.

12.9 A Person who is subject to a Provisional Suspension may not take part in any way in any event or activity, organised, sanctioned or authorised by the National Sporting Organisation or any member organisation or club of the National Sporting Organisation or by any Person in any way connected with the National Sporting Organisation. The National Sporting Organisation shall take all necessary steps to have the Provisional Suspension recognised by other Anti-Doping Organisations.

12.10 All provisional hearings or expedited hearings by the Sports Tribunal must be conducted in accordance with Articles 7.5 and 8 of the Code and in accordance with the rules and procedures of the Sports Tribunal.

12.11 Where a Provisional Suspension has been imposed after an A Sample Adverse Analytical Finding, the Athlete has requested that the B Sample analysis be conducted and the B Sample analysis does not confirm the A Sample analysis, then the Provisional Suspension shall be rescinded by the Sports Tribunal or NSO Anti-Doping Tribunal immediately upon receiving notice from DFS that the B Sample analysis does not confirm the A Sample analysis.

12.12 Where the Athlete or the Athlete's team has been removed from a Competition or Event following a Provisional Suspension and the Provisional Suspension is then rescinded, and it is still possible for the Athlete or team to be reinstated without otherwise affecting the Competition or Event, the Athlete or team shall be allowed to continue to take part in the Competition or Event.

12.13 If DFS declares that there has been no Anti-Doping Rule Violation, at a time when a Provisional Suspension is in effect, it shall immediately inform the Athlete's International Federation, National Sporting Organisation, any relevant Signatory to the Code, the Sports Tribunal or any NSO Anti-Doping Tribunal (where appropriate) and WADA.

12.14 When the Sports Tribunal or NSO Anti-Doping Tribunal receives notification from DFS of a declaration under Rule 12.13 that there has been no Anti-Doping Rule Violation, the Sports Tribunal or NSO Anti-Doping Tribunal shall immediately rescind any Provisional Suspension.

### **13.DISCIPLINARY PROCEDURE**

#### **13.1 Role of Sports Tribunal**

13.1.1 Subject to Rule 13.1.2, the Sports Tribunal established under the Act is the body responsible for hearing and determining Anti-Doping Rule Violations referred to it by DFS under the Rules. In particular, the Sports Tribunal will determine whether an Anti-Doping Rule Violation has been committed and if so, the Consequences of the Violation for the Athlete or any other Person who has committed the Violation. The Sports Tribunal will regulate its own procedures and will provide a hearing which respects the principles in Article 8 of the Code.

13.1.2 A National Sporting Organisation may establish and nominate an NSO Anti-Doping Tribunal to hear Anti-Doping Rule Violations brought by DFS provided that the NSO Anti-Doping Tribunal complies with all the requirements of the Rules (including all the requirements relating to the Sports Tribunal) and the Code in all aspects of its consideration of an alleged Violation. Any NSO Anti-Doping Tribunal established

under the Rules shall, by its rules, accept the authority of DFS to notify and bring Violation Proceedings and to appear before it to present the evidence in support of such Violation Proceedings. Where a National Sporting Organisation establishes an NSO Anti-Doping Tribunal it will immediately notify DFS and provide DFS with all relevant rules relating to the operation of the NSO Anti-Doping Tribunal.

#### 13.2 Hearing Procedure

13.2.1 Proceedings under the Rules must be completed in a timely manner, and should normally be completed within three (3) months of the date of notification of the Violation Proceedings to the Sports Tribunal by DFS.

13.2.2 Proceedings in connection with Events may be conducted on an expedited basis. Decisions may be given orally in the first instance but, in every case, written reasons for the decision will be given.

#### 13.3 Confidentiality of Hearings and reporting of Decisions

13.3.1 All hearings and deliberations before the Sports Tribunal in relation to Anti-Doping Rule Violations will be held in private and be confidential save where the parties otherwise agree.

13.3.2 Written decisions of the Sports Tribunal that an Anti-Doping Rule Violation has been committed shall be Publicly Reported by the Sports Tribunal within 20 days of the time when the written decision is given in relation to the Anti-Doping Rule Violation. Interim rulings of the Sports Tribunal will remain confidential until a final decision in relation to the Anti-Doping Rule Violation has been given by the Sports Tribunal unless the Sports Tribunal considers that such a decision should be Publicly Reported. Decisions of the Sports Tribunal shall be advised to the parties to the proceedings, WADA, the relevant International Federation, any relevant Anti-Doping Organisation (and to the National Olympic Committee and National Sporting Organisation if not a party to the proceedings), by the Sports Tribunal as soon as practicable after the decision has been given.

13.3.3. Where the Sports Tribunal decides that no Anti-Doping Rule Violation has been committed, the decision of the Sports Tribunal will be notified to the parties and the organisations set out under Rule 13.3.2 The decision of the Sports Tribunal will be Publicly Reported in a summary form in a manner which does not identify the Person who was the subject of the allegation. Where the Person consents, or the Sports Tribunal considers that such a report of the decision is necessary in the circumstances of the particular proceedings, the Sports Tribunal may order that the decision be Publicly Reported in full identifying the Person who was the subject of the allegation.

#### 13.4 Appeals

13.4.1 Appeals from the decisions of the Sports Tribunal are exclusively to CAS as set out in Rule 15 of the Rules.

#### 13.5 Other Matters

13.5.1 Subject to the application of Rule 4.2.2. of the Rules in relation to departures from the International Standard for Testing, no failure to follow, or departure from, the procedures provided for by the Rules by DFS or any National Sporting Organisation will provide a ground to exclude evidence which is relevant to the determination whether an Anti-Doping Rule Violation has been committed from being considered by the Sports Tribunal or otherwise provide a ground for the Sports Tribunal to find that an Anti-Doping Rule Violation has not been committed. Nor will any such failure or departure provide a ground to invalidate a decision by the Sports Tribunal on an appeal to CAS, save where CAS, in the exercise of its jurisdiction on appeal considers that there has been a miscarriage of justice as a direct consequence of the failure or departure.

## **14. SANCTIONS**

#### 14.1 Automatic Disqualification of Results

14.1.1 Where the Sports Tribunal finds that an Anti-Doping Rule Violation has been established, it will consider what sanction to impose on the Person who has committed the Violation in accordance with these Rules.

14.1.2 An Anti-Doping Rule Violation in connection with an In-Competition test



automatically leads to Disqualification of the individual result obtained in that Competition with all resulting Consequences, including forfeiture of any medals, points and prizes.

14.1.3 An Anti-Doping Rule Violation occurring during or in connection with an Event may, upon the decision of the ruling body of the Event, lead to Disqualification of all of the Athlete's individual results obtained in that Event with all Consequences, including forfeiture of all medals, points and prizes, except as provided in Rule 14.1.4.

14.1.4 If the Athlete establishes that they bear No Fault or Negligence for the Violation, the Athlete's individual results in the other Competitions shall not be Disqualified unless the Athlete's results in Competitions other than the Competition in which the Anti-Doping Rule Violation occurred were likely to have been affected by the Athlete's Anti-Doping Rule Violation.

14.2 Imposition of Ineligibility for Prohibited Substances and Prohibited Methods

Except for the specified substances identified in Rule 14.3, the period of Ineligibility imposed for a Violation of Rule 3.1 (Presence of Prohibited Substance or its Metabolites or Markers), Rule 3.2 (Use or Attempted Use of Prohibited Substance or Prohibited Method) and Rule 3.6 (Possession of Prohibited Substances and Prohibited Methods) shall be:

First Violation: Two (2) years' Ineligibility.

Second Violation: Lifetime Ineligibility.

However, the Athlete or other Person shall have the opportunity in each case, before a period of Ineligibility is imposed, to establish the basis for eliminating or reducing this sanction as provided in Rule 14.5 (Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances).

14.3 Specified Substances

The Prohibited List may identify specified substances which are particularly susceptible to unintentional Anti-Doping Rule Violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where an Athlete can establish that the Use of such a specified substance was not intended to enhance sport performance, the period of Ineligibility found in Rule 14.2 (Imposition of Ineligibility for Prohibited Substances and Prohibited Methods) shall be replaced with the following:

First Violation: At a minimum, a warning and reprimand and no period of Ineligibility from future Events, and at a maximum, one (1) year's Ineligibility.

Second Violation: Two (2) years' Ineligibility.

Third Violation: Lifetime Ineligibility.

However, the Athlete or other Person shall have the opportunity in each case, before a period of Ineligibility is imposed, to establish the basis for eliminating or reducing (in the case of a second or third Violation) this sanction as provided in Rule 14.5 (Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances).

14.4 Ineligibility for Other Anti-Doping Rule Violations

The period of Ineligibility for other Anti-Doping Rule Violations shall be:

14.4.1 For Violations of Rule 3.3 (Refusing or Failing to Submit to Sample Collection) or Rule 3.5 (Tampering with Doping Control), the Ineligibility periods set forth in Rule 14.2 (Imposition of Ineligibility for Prohibited Substances and Prohibited Methods) shall apply.

14.4.2 For Violations of Rule 3.7 (Trafficking), or Rule 3.8 (Administration of Prohibited Substance or Prohibited Method) the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility. An Anti-Doping Rule Violation involving a Minor shall be considered a particularly serious Violation, and, if committed by Athlete Support Personnel for Violations other than specified substances referenced in Rule 14.3, shall result in lifetime Ineligibility for such Athlete Support Personnel. In addition, Violations of the Rules that also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

14.4.3 For Violations of Rule 3.4 (whereabouts Violation or missed test), the period of Ineligibility shall be:

First Violation: A minimum of three (3) months to a maximum of two (2) years Ineligibility;  
Second and Subsequent Violations: Ineligibility for a period of two (2) years.

14.5 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances.

#### 14.5.1 No Fault or Negligence

If the Athlete establishes in an individual case involving an Anti-Doping Rule Violation under Rule 3.1 (Presence of Prohibited Substance or its Metabolites or Markers) or under Rule 3.2 (Use of a Prohibited Substance or Prohibited Method) that they bear No Fault or Negligence for the Violation, the otherwise applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or its Metabolites is detected in an Athlete's Specimen in Violation of Rule 3.1 (Presence of Prohibited Substance), the Athlete shall also establish how the Prohibited Substance entered their system in order to have the period of Ineligibility eliminated.

In the event that this Rule is applied and the period of Ineligibility otherwise applicable is eliminated, the Anti-Doping Rule Violation shall not be considered a Violation for the limited purpose of determining the period of Ineligibility for multiple Violations under Rules 14.2 (Imposition of Ineligibility for Prohibited Substances and Prohibited Methods), 14.3 (Specified Substances) and 14.6 (Rules for Certain Multiple Violations).

#### 14.5.2 No Significant Fault or Negligence

This Rule 14.5.2 applies only to Anti-Doping Rule Violations involving Rule 3.1 (Presence of Prohibited Substance or its Metabolites or Markers), Use of a Prohibited Substance or Prohibited Method under Rule 3.2, failing to submit to Sample collection under Rule 3.3, administration of a Prohibited Substance or Prohibited Method under Rule 3.8. If an Athlete establishes in an individual case involving such Violations that they bear No Significant Fault or Negligence, then the period of Ineligibility may be reduced, but the reduced period of Ineligibility may not be less than one-half of the minimum period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this section may be no less than 8 years. When a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's Specimen in violation of Rule 3.1 (Presence of Prohibited Substance), the Athlete shall also establish how the Prohibited Substance entered their system in order to have the period of Ineligibility reduced.

#### 14.5.3 Athlete's Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations by Athlete Support Personnel and Others

The Sports Tribunal may also reduce the period of Ineligibility in an individual case where the Athlete has provided substantial assistance to an Anti-Doping Organisation which results in the Anti-Doping Organisation discovering or establishing an Anti-Doping Rule Violation by another Person involving Possession under Rule 3.6.2 (Possession by Athlete Support Personnel), Rule 3.7 (Trafficking), or Rule 3.8 (Administration to an Athlete). The reduced period of Ineligibility may not, however, be less than one-half of the minimum period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this section may be no less than 8 years.

#### 14.6 Rules for Certain Potential Multiple Violations

14.6.1 For purposes of imposing sanctions under Rules 14.2 (Imposition of Ineligibility for Prohibited Substances and Prohibited Methods), 14.3 (Specified Substances) and 14.4 (Ineligibility for Other Anti-Doping Rule Violations), a second Anti-Doping Rule Violation may be considered for purposes of imposing sanctions only if DFS can establish that the Athlete or other Person committed the second Anti-Doping

Rule Violation after the Athlete or other Person received notice, or after DFS made a reasonable Attempt to give notice, of the first Anti-Doping Rule Violation. If DFS cannot establish this, the Violations shall be considered as one single first Violation, and the sanction imposed shall be based on the Violation that carries the more severe sanction.

14.6.2 Where an Athlete, based on the same Doping Control, is found to have committed an Anti-Doping Rule Violation involving both a specified substance under Rule 14.3 (Specified Substances) and another Prohibited Substance or Prohibited Method, the Athlete shall be considered to have committed a single Anti-Doping Rule Violation, but the sanction imposed shall be based on the Prohibited Substance or Prohibited Method that carries the most severe sanction.

14.6.3 Where an Athlete is found to have committed two separate Anti-Doping Rule Violations, one involving a specified substance governed by the sanctions set forth in Rule 14.3 (Specified Substances) and the other involving a Prohibited Substance or Prohibited Method governed by the sanctions set forth in Rule 14.2 (Imposition of Ineligibility for Prohibited Substances and Prohibited Methods) or a Violation governed by the sanctions in Rule 14.4.1, the period of Ineligibility imposed for the second offence shall be at a minimum two years' Ineligibility and at a maximum three years' Ineligibility. Any Athlete found to have committed a third Anti-Doping Rule Violation involving any combination of specified substances under Rule 14.3 (Specified Substances) and any other Anti-Doping Rule Violation under Rule 14.2 (Imposition of Ineligibility for Prohibited Substances and Prohibited Methods) or Rule 14.4.1 shall receive a sanction of lifetime Ineligibility.

#### 14.7 Disqualification of Results in Competitions Subsequent to Sample Collection

In addition to the automatic Disqualification of the results in the Competition which produced the positive Sample under Rule 14.1.2 or 14.1 (Automatic Disqualification of Individual Results), all other competitive results obtained from the date a positive Sample was collected (whether In-Competition or Out-of-Competition), or other Anti-Doping Rule Violation occurred, through the commencement of any Provisional Suspension or Ineligibility period, shall, unless fairness requires otherwise, be Disqualified with all of the resulting Consequences including forfeiture of any medals, points and prizes.

#### 14.8 Commencement of Ineligibility Period

14.8.1 The period of Ineligibility shall start on the date of the hearing decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed.

14.8.2 Any period of Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility to be served.

14.8.3 Where required by fairness, such as delays in the hearing process or other aspects of Doping Control not attributable to the Athlete, the Sports Tribunal may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection.

#### 14.9 Status During Ineligibility

14.9.1 No Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in any NOC Team or National Sporting Team, Competition, Event, or activity, whether local or national (other than authorised anti-doping education or rehabilitation programs) organised, authorised or sanctioned by, any Signatory or Signatory's member organisations or any National Sporting Organisation (whether a member of a Signatory or not) or any member organisations or Persons, or organisation in any way connected with a National Sporting Organisation. In addition, for any Anti-Doping Rule Violation not involving specified substances described in Rule 14.3 (Specified Substances), some or all sport-related financial support or other sport-related benefits received by such Person shall be withheld by the Signatories, Signatories' member Organisations, National Sporting Organisations and the New Zealand government.

14.9.2 A Person subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate in local sport Events in a sport other than the sport in which the Person committed the Anti-Doping Rule

Violation, but only so long as the local sport Event is not at a level that could otherwise qualify such Person directly or indirectly to compete in (or accumulate points toward) a National Event or International Event.

#### 14.10 Reinstatement Testing

14.10.1 As a condition to regaining eligibility at the end of a specified period of Ineligibility, an Athlete must, during any period of Provisional Suspension or Ineligibility, make him or herself available for Out-of-Competition Testing by DFS, and any other Anti-Doping Organisation having Testing jurisdiction, and shall, if requested, provide current and accurate whereabouts information as provided in Rule 6.4 (Whereabouts Information).

14.10.2 If an Athlete, subject to a period of Ineligibility, retires from sport and is removed from Out-of-Competition Registered Testing Pools and later seeks reinstatement, the Athlete shall not be eligible for reinstatement until the Athlete has notified DFS, the New Zealand Olympic Committee, where applicable, the applicable National Sporting Organisation and relevant Anti-Doping Organisations and has been subject to Out-of-Competition Testing for a period of time equal to the period of Ineligibility remaining as of the date the Athlete had retired. During such remaining period of Ineligibility, the Athlete shall be subject to Out-of-Competition Testing. DFS shall determine the number and frequency of Testing.

14.10.3 DFS shall be responsible for conducting the Out-of-Competition Testing required under this Rule, but Testing by any Anti-Doping Organisation may be used to satisfy the requirement.

14.10.4 Once the period of an Athlete's suspension has expired, and the Athlete has fulfilled the conditions of reinstatement then the Athlete shall become automatically re-eligible and no application by the Athlete or by the Athlete's National Sporting Organisation shall then be necessary.

#### 14.11 Consequences to Team Sports

Where more than one team member in a Team Sport has been notified of a possible Anti-Doping Rule Violation in connection with an Event, the team shall be subject to Target Testing for the Event. If more than one team member in a Team Sport is found to have committed an Anti-Doping Rule Violation during the Event, the team may be subject to Disqualification or other disciplinary action under the rules of the relevant National Sporting Organisation, International Federation, Major Event Organiser, Anti-Doping Organisation or other organisation responsible for the Event. In sports which are not Team Sports but where awards are given to teams, Disqualification or other disciplinary action against the team when one or more team members have committed an Anti-Doping Rule Violation shall be as provided for in the applicable rules of the National Sporting Organisation, International Federation, Major Event Organiser, Anti-Doping Organisation or other organisation responsible for the awards.

## **15. APPEALS**

### 15.1 Decisions Subject to Appeal

Decisions made by the Sports Tribunal or any NSO Anti-Doping Tribunal under the Rules may be appealed as set out in this Rule. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

### 15.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, and Provisional Suspensions

A decision that an Anti-Doping Rule Violation was committed, a decision imposing Consequences for an Anti-Doping Rule Violation, a decision that no Anti-Doping Rule Violation was committed, a decision that the Sports Tribunal lacks jurisdiction to rule on an alleged Anti-Doping Rule Violation or its Consequences, and a decision to impose a Provisional Suspension as a result of a Provisional Hearing or in violation of the principles referred to in Rule 12.5 may be appealed exclusively as provided in this Rule.

15.2.1 A decision of the Sports Tribunal under these Rules may be appealed exclusively to CAS in accordance with the provisions applicable before CAS.

#### 15.2.2 Persons Entitled to Appeal

In cases under Rule 15.2.1, the following parties shall have the right to appeal to CAS:

a) the Athlete or other Person who is the subject of the decision being appealed;

- b) the other party or parties to the case in which the decision was rendered;
- c) the relevant International Federation and/or National Sporting Organisation and any other Anti-Doping Organisation under whose rules a sanction could have been imposed;
- d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and
- e) WADA.

Notwithstanding any other provision in the Rules, the only Person that may appeal from a Provisional Suspension is the Athlete or other Person upon whom the Provisional Suspension is imposed.

### 15.3 Appeals from Decisions Granting or Denying a TUE

15.3.1 Decisions by DFS denying TUEs, which are not reversed following a review by WADA, may be appealed by International-Level Athletes exclusively to CAS and by other Athletes to the Sports Tribunal or an NSO Anti-Doping Tribunal which has been established by a National Sporting Organisation to hear such appeals.

15.3.2 Decisions by WADA reversing the grant or denial of a TUE may, be appealed exclusively to CAS by the Athlete or DFS.

## **16. REPORTING**

### 16.1 Reporting of TUEs

DFS shall promptly report any TUE granted to an Athlete (except those Athletes not in the DFS Registered Testing Pool), to the applicable International Federation, to the Athlete's National Sporting Organisation and to WADA.

### 16.2 Reporting of Testing

DFS shall submit to WADA current Athlete whereabouts information. WADA shall make this information accessible to other Anti-Doping Organisations having authority to test the Athlete.

16.2.1 DFS shall report all In-Competition and Out-of-Competition tests to WADA as soon as possible after such tests have been conducted.

16.2.2 All information shall be maintained in strict confidence at all times. It shall be used exclusively for purposes of planning, co-ordinating or conducting Testing and shall be destroyed after it is no longer relevant for these purposes.

### 16.3 Reporting Regarding Results Management

16.3.1 In addition to providing the notices and reports set out in Rules 9.3.2 and 10.2, DFS will provide regular reports to the parties notified under the Rules on the status of the Violation Proceedings including results management, hearings and appeals.

16.3.2 In any case in which the period of Ineligibility is eliminated under Rule 14.5.1 (No Fault or Negligence) or reduced under Rule 14.5.2 (No Significant Fault or Negligence) DFS shall provide the relevant International Federation, National Sporting Organisation and WADA and any other relevant Anti-Doping Organisation with a copy of the written decision where the decision has not been provided by the Sports Tribunal or NSO Anti-Doping Tribunal.

### 16.4 Reporting Under the Code

DFS shall publish annually, a general statistical report of its Doping Control activities during the calendar year with a copy provided to WADA.

## **17. CONFIDENTIALITY AND PUBLIC DISCLOSURE**

17.1 DFS will give notices, provide reports and present evidence as set out in the Rules. Subject to its obligations under the Rules, DFS will operate under the Rules on a confidential basis. Where it gives notices or reports under the Rules to parties not subject to the Rules, it will request that the parties notified keep the information confidential in accordance with the Rules. DFS, National Sporting Organisations, Participants and Persons which agree to the Rules shall not Publicly Disclose or Publicly Report the identity of Athletes whose Samples have resulted in Adverse Analytical Findings, or of Persons who are alleged to have committed a Violation under the Rules nor Publicly Disclose or Publicly Report any information concerning Adverse Analytical Findings or Violation Proceedings, until such time as a final decision that an Anti-Doping Rule

Violation has been committed, or has not been committed, has been given by the Sports Tribunal or the NSO Anti-Doping Tribunal and the final decision has been Publicly Reported or Publicly Disclosed by the Sports Tribunal, NSO Anti-Doping Tribunal or DFS under these Rules .

17.2 Where a Provisional Suspension is imposed, the Sports Tribunal or the NSO Anti-Doping Tribunal may Publicly Report or Publicly Disclose the outcome of proceedings relating to a Provisional Suspension as provided by Rule 12.7. Where the Sports Tribunal or the NSO Anti-Doping Tribunal does this, the National Sporting Organisation and DFS may Publicly Report or Publicly Disclose the outcome of such proceedings.

17.3 DFS may, notwithstanding the provisions of Rule 17.1, Publicly Report or Publicly Disclose information relating to an alleged Anti-Doping Rule Violation or investigation under the Rules where an Athlete or other Person, who it is alleged has committed a Violation under the Rules, or is the subject of an investigation under these Rules, or any party notified under the Rules, has made public comment or comment to any third party concerning the allegation or investigation which, in DFS's view, requires that it Publicly Discloses or Publicly Reports matters concerning the alleged Violation or the investigation under the Rules. Where the Sports Tribunal or the NSO Anti-Doping Tribunal fails to Publicly Report on a decision on an Anti-Doping Rule Violation as required under Rule 13. DFS shall Publicly Report the decision in the Violation Proceedings in the manner provided by Rule 13.

## **18. LIMITATION PERIOD**

No action may be commenced under these Rules against an Athlete or other Person in respect of an Anti-Doping Rule Violation under the Rules unless such action is commenced within eight years from the date on which the alleged Violation occurred.

## **19. MUTUAL RECOGNITION**

Subject to any applicable rights of appeal, the Testing, TUEs and hearing results or other final decisions or adjudications of any Signatory which are consistent with the Code and are within the authority of the Signatory, shall be recognised and respected by DFS, the Sports Tribunal, any NSO Anti-Doping Tribunal,

and all National Sporting Organisations and Persons who are subject to the Rules.

## **20. AMENDMENT AND INTERPRETATION**

### **20.1 Amendment**

20.1.1 DFS shall be responsible for monitoring and reviewing the operation of the Rules and considering any amendment to the Rules under the Act. From time to time National Sporting Organisations and Participants will be asked by DFS to provide comment in relation to the operation of the Rules.

### **20.2 Interpretation**

20.2.1 The headings used in the Rules are for convenience only and shall not be deemed part of the substance of the Rules or to affect in any way the language of the provisions to which they refer.

20.2.2 The INTRODUCTION and the APPENDIX 1 DEFINITIONS shall be considered integral parts of the Rules.

20.2.3 The Rules have been adopted pursuant to the applicable provisions of the Act and Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The comments annotating various provisions of the Code shall be referred to, where applicable, to assist in the understanding and interpretation of the Rules.

## **21. INFORMATION AND NOTICES**

### **21.1 Information**

Any Person who submits information including data or medical information to any Person in accordance with the Rules shall be deemed to have agreed that such information may be utilised by such Person for the purposes set out in the Rules.

### **21.2 Notices**

21.2.1 All notices referred to in the Rules shall be governed by the provisions of this Rule 21.2 (Notices).

21.2.2 Each Athlete in DFS Registered Testing Pool shall provide DFS with an address to which notice may be delivered and in the event of a change of address it is the responsibility of the Athlete to provide DFS with such amended details. Where no

address is provided any notice may be given to the Athlete by giving notice to the relevant National Sporting Organisation, International Federation or Anti-Doping Organisation.

21.2.3 All notices relating to allegations or potential allegations that an Anti-Doping Rule Violation has occurred shall be delivered by courier, registered post or other method which provides proof of delivery. Proof of delivery by courier, registered post or other method providing proof of delivery shall be conclusive. Where there is no proof of delivery available, notice shall, in any event, be deemed to have been received upon the expiry of three (3) working days after the date of despatch.

21.2.4 Any other notice to an Athlete or other Person shall be given by posting the notice to the address provided by that Athlete or Person or to the address of the relevant National Sporting Organisation or International Federation or Anti-Doping Organisation under Rule 21.2. Such notice shall be deemed to have been received upon the expiry of three (3) working days after the date of posting.

21.2.5 DFS may, with the prior agreement of the intended recipient, as an alternative to, or in conjunction with, notice by registered post, use any other method of communication available, including, but not limited to, facsimile, email, and telephone.

## **22. COMMENCEMENT AND VALIDITY**

### **22.1 Commencement**

22.1.1 The Rules shall come into full force and effect, on 1 July 2007. The Rules will apply to a National Sporting Organisation and its members from the date when the National Sporting Organisation agrees to the application of the Rules.

22.1.2 Subject to Rule 22.1.3 the Rules shall not apply retrospectively to matters pending before the date the Rules come into effect. Determinations in relation to Violation Proceedings made by the Sports Tribunal or by National Sporting Organisations before the Rules come into effect which are consistent with the provisions of the Code will be relevant in relation to the imposition of sanctions for Violations under these Rules.

22.1.3 Where DFS exercises its functions under section 48A of the Act in relation to the gathering of information and evidence in support of potential Anti-Doping Rule Violations before the Rules come in force, DFS may use any information or evidence obtained in exercising its functions for the purposes of investigating Violations and bringing Violation Proceedings under the Rules.

### **22.2 Validity**

22.2.1 If any Rule in the Rules is held invalid, unenforceable or illegal for any reason, the Rules shall remain otherwise in full force apart from such Rule which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

22.2.2 All acts done bona fide by any Person in the implementation of the Rules, notwithstanding that it be afterwards discovered that there was some defect in the appointment, qualification or authority of such Person so acting, shall be as valid as if every such Person had been duly appointed, qualified or authorised.

## **DEFINITIONS**

Act: Sports Anti-Doping Act 2006

Adverse Analytical Finding: A report from a laboratory or other approved Testing entity that identifies in a Specimen the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

Anti-Doping Organisation: A Signatory 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 Organisations that conduct Testing at their Events, WADA, International Federations, and National Anti-Doping Organisations.

Anti-Doping Rule Violation or Violation: A violation of the provisions of Rule 3 of the Rules.

Athlete: For purposes of Doping Control, any Person who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each National Anti-Doping Organisation) and any additional Person who participates in sport at a lower level if designated by the Person's National Anti-Doping Organisation. For purposes of anti-doping

information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organisation accepting the Code.

**Athlete Support Personnel:** Any coach, trainer, manager, agent, team staff, official, medical or para-medical personnel working with or treating Athletes participating in or preparing for sports Competition.

**Attempt:** Engaging in conduct that constitutes a substantial step in a course of conduct which could or did culminate in the commission of an Anti-Doping Rule Violation. Provided, however, there must be no Anti-Doping Rule Violation based solely on an attempt to commit a Violation if the person renounces the attempt prior to it being discovered by a third party not involved in the attempt.

**CAS:** The Court of Arbitration for Sport.

**Code:** The World Anti-Doping Code first adopted by WADA on 5 March 2003, and any subsequent amendments.

**Competition:** A single race, match, game or singular athletic contest. For example, the finals of the Olympic 100-meter dash. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a Competition and an Event will be as provided in the rules of the relevant International Federation.

**Consequences of Anti-Doping Rules Violations or Consequences:** An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the Athlete's results in a particular Competition or Event are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) Ineligibility means the Athlete or other Person is barred for a specified period of time from participating in any Competition or other activity or funding as provided in Rule 14.9 (Status During Ineligibility); and (c) Provisional Suspension means the Athlete or other Person is barred temporarily from participating in any Competition prior to the final decision at a hearing conducted under Rule 12.5.

**DFS:** Drug Free Sport New Zealand established under the Sports Anti-Doping Act 2006 formerly the New Zealand Sports Drug Agency under the New Zealand Sports Drug Agency Act 1994.

**Disqualification:** See Consequences of Anti-Doping Rules Violations above.

**Doping Control:** The process including test distribution planning, Sample collection and handling, laboratory analysis, results management, hearings and appeals.

**Event:** A series of individual Competitions conducted together under one ruling body (eg., the Olympic Games, FINA World Championships, or Pan American Games).

**In-Competition:** For purposes of differentiating between In-Competition and Out-of-Competition Testing, unless provided otherwise in the rules of an International Federation or other relevant Anti-Doping Organisation, an In-Competition test is a test where an Athlete is selected for Testing in connection with a specific Competition.

**Independent Observer Program:** A team of observers, under the supervision of WADA, who observe the Doping Control process at certain Events and report on observations. If WADA is Testing In-Competition at an Event, the observers must be supervised by an independent Organisation.

**Ineligibility:** See Consequences of Anti-Doping Rules Violations above.

**International Event:** An Event where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major Event Organisation, or another international sport organisation is the ruling body for the Event or appoints the technical officials for the Event.

**International-Level Athlete:** An Athlete designated by one or more International Federations as being within the Registered Testing Pool for an International Federation.

**International Standard:** A standard adopted by WADA in support of the Code. Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly.

**Major Event Organisations:** This term refers to the continental associations of National Olympic Committees and other international multi-sport organisations that function as the ruling body for any continental, regional or other International Event.

**Marker:** A compound, group of compounds or biological parameters that indicates the Use of a Prohibited Substance or Prohibited Method.

**Metabolite:** Any substance produced by a biotransformation process.

**Minor:** A natural Person who has not reached the age of majority as established by the applicable laws of their country of residence.



**National Anti-Doping Organisation:** The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement Anti-Doping Rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. If this designation has not been made by the competent public authority(ies), the entity must be the country's National Olympic Committee or its designee. For the purposes of the Rules, DFS will be the designated entity.

**National Event:** A sport Event involving International-Level Athletes or National-Level Athletes that is not an International Event.

**National-Level Athlete:** An Athlete, other than an International-Level Athlete, who is designated by DFS as being within DFS Registered Testing Pool.

**National Olympic Committee:** The organisation recognised by the International Olympic Committee. The term National Olympic Committee must also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical National Olympic Committee responsibilities in the anti-doping area. In New Zealand the National Olympic Committee is the New Zealand Olympic Committee Incorporated.

**National Sporting Organisation:** a body that represents members involved in a particular type of sporting event or activity in New Zealand and, if a national organisation does not exist for a sport, includes local, regional or other sporting organisations.

**Negative Analytical Finding:** An analysis of a Sample by a laboratory that does not identify or indicate the presence of a Prohibited Substance or the Use of a Prohibited Method.

**NSO Anti-Doping Tribunal:** A Tribunal established under the Rules by a National Sporting Organisation to hear and determine Violation Proceedings.

**No Advance Notice:** A Doping Control which takes place with no advance warning to the Athlete and where the Athlete is continuously chaperoned from the moment of notification through Sample provision.

**NOC Team:** Any National Olympic Team or other team selected by the New Zealand Olympic Committee.

**No Fault or Negligence:** The Athlete's establishing that they did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that they had Used or been administered the Prohibited Substance or Prohibited Method.

**No Significant Fault or Negligence:** The Athlete's establishing that their fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the Anti-Doping Rule Violation.

**NSO:** See National Sporting Organisation above.

**Out-of-Competition:** Any Doping Control which is not In-Competition.

**Participant:** Any Athlete or Athlete Support Personnel.

**Person:** A natural person or an organisation or other entity.

**Possession:** The actual, physical possession, or the constructive Possession (which must be found only if the Person has exclusive control over the Prohibited Substance/Method or the premises or property in which a Prohibited Substance/Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists, constructive Possession must only be found if the Person knew about the presence of the Prohibited Substance/Method and intended to exercise control over it. Provided, however, there must be no anti-doping rule violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person no longer intends to have Possession and has renounced the Person's previous Possession.

**Prohibited List:** The WADA List identifying the Prohibited Substances and Prohibited Methods 2007.

**Prohibited Method:** Any method so described on the Prohibited List.

**Prohibited Substance:** Any substance so described on the Prohibited List.

**Provisional Suspension:** See Consequences of Anti-Doping Rules Violations above.

**Publicly Disclose or Publicly Report:** To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Rule 17 (Confidentiality and Public Disclosure).

**Registered Testing Pool:** The pool of top level Athletes established separately by each International Federation and DFS who are subject to both In-Competition and Out-of-Competition Testing as part

of that International Federation's or DFS' test distribution plan.

Rules: The Sports Anti-Doping Rules 2007 made under the Sports Anti-Doping Act 2006.

Sample/Specimen: Any biological material collected for the purposes of Doping Control.

Signatories: Those entities signing the Code and agreeing to comply with the Code, including the International Olympic Committee, International Federations, International Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Event Organisations, National Anti-Doping Organisations, and WADA.

SPARC: Sport and Recreation New Zealand.

Sports Tribunal: The Sports Tribunal of New Zealand continued under the Sports Anti-Doping Act 2006

Tampering: Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

Target Testing: Selection of Athletes for Testing where specific Athletes or groups of Athletes are selected

on a non-random basis for Testing at a specified time.

Team Sport: A sport in which the substitution of players is permitted during a Competition.

Testing: The parts of the Doping Control process involving test distribution planning, Sample collection, Sample handling, and Sample transport to the laboratory.

Trafficking: To sell, give, administer, transport, send, deliver or distribute a Prohibited Substance or Prohibited Method to an Athlete either directly or indirectly or through one or more third parties, but excluding the prescription, dispensing, sale or distribution of a Prohibited Substance for genuine and legal therapeutic purposes.

TUE: Therapeutic use exemption.

TUE Committee: The TUE Committee established by DFS.

Use: The application, ingestion, injection or consumption by any means whatsoever of any Prohibited Substance or Prohibited Method.

Violation Proceedings: Proceedings in respect of an alleged breach of the Violations in Rule 3 of the Rules.

WADA: The World Anti-Doping Agency, being a Foundation constituted under the Swiss Civil Code in Lausanne on 10 November 1999 and any National Anti-Doping Organisation contracted by WADA.