

<p style="text-align:center">REGULATIONS</p> <p style="text-align:center">ON DETERMINATION OF RESPONSIBILITY OF THE PERSON WHO MADE</p> <p style="text-align:center">VIOLATION OF ANTI-DOPING RULE</p>

Article 1

These Regulations establish proceedings for determination of responsibility and imposition of disciplinary measures to the person who violated anti-doping rule, in case the competent national sports association does not impose such measures, making decision in the appellant proceedings on measures imposed by the competent national sports association, terms and method of election and dismissal of members of the Anti-Doping Committee.

I. GENERAL PROVISIONS

Article 2

Sports associations, athletes, organizations in the field of sports and other persons participating in sports of the country are obliged to provide assistance to Anti-Doping Agency of the Republic of Serbia (hereinafter: ADAS), i.e., to the Anti-Doping Committee of ADAS and on request of the Anti-Doping Committee to provide information and documents they possess and to respond to the call of the Anti-Doping Committee to participate in the proceedings.

Provisions of these Regulations are to be applied accordingly to determination of responsibility for violation of anti-doping rule related to doping of animals.

In the sense of these Regulations as the competent sports association are considered the Olympic Committee of Serbia, the Paralympic Committee of Serbia, the Serbian Sports Federation and a national branch sports association which, directly or indirectly, has competence over persons charged in the proceedings for violation of anti-doping rule.

All terms and definitions of these Regulations have a meaning determined by the Law on Prevention of Doping in Sports and the World Anti-Doping Code.

Article 3

Anti-Doping Committee makes decision, in individual cases, through the First Instance and Appeal Chamber for anti-doping violations, consisted of three members.

Members of the Chamber for Anti-Doping Violations of the Paragraph 1 of this Article (hereinafter: Chamber) are appointed by the Chairman of Anti-Doping Committee from members of the Anti-Doping Committee. For the President of First Instance and Appeal Chamber is to be appointed the member of Anti-Doping Committee with gained university level education from the field of legal science at studies of second degree (master-academic studies, specialist academic studies, specialist professional studies), i.e., from basic studies in duration of at least four years.

Members of Anti-Doping Committee who, in any possible way, participated in making of first instance decision on responsibility for violation of anti-doping rule cannot participate in the work of Appeal Chamber for Anti-Doping Violations.

Article 4

Anti-Doping Committee is a professional working body of the Anti-Doping Agency independent in decision making, and its members must be prominent experts in the fields of the Article 24, Paragraph 3 of the Law on Prevention of Doping in Sports.

Article 5

Anti-Doping Committee makes decisions by majority of votes out of its total number of members.

Chamber for Anti-Doping Violations makes decisions by majority of votes out of its total number of members.

Article 6

In the proceedings of determination of anti-doping rule violation, the Anti-Doping Committee must ensure, in the proceedings of sanctioning of persons responsible for doping, respect of their personality and right to appropriate legal protection (respect of privacy, on-time search, guarantee of a right to provide legal statement, fair and impartial body entitled to search, right on representative on his/her own costs, the right to inspect the records, filling of proofs, standards with regard to proving of doping, on-time providing of information, in good time, written and justified decision, right of appeal, etc.).

II. CONFORMATION OF ANTI-DOPING COMMITTEE

Article 7

Anti-Doping Committee has its Chairman and eight members nominated for a period of four years, in accordance to the Statute of ADAS.

Same person may be nominated again for a member of the Anti-Doping Committee.

Chairman and members of the Anti-Doping Committee are nominated by the Administrative Committee of ADAS, on proposal of the Chairman of Administrative Board of ADAS.

On termination of office of a member of the Anti-Doping Committee provisions of the Article 14 of the Statute of ADAS related to termination of duties as a member of Administrative Board are to be applied accordingly.

1. Chairman

Article 8

Chairman of the Anti-Doping Committee supervises the application of these Regulations, follows up and discusses the practice of dispute resolution and carries out other tasks for which he/she is responsible under these Regulations.

In accordance to these Regulations the Chairman of Anti-Doping Committee:

- 1) makes a decision on jurisdiction of ADAS, i.e., the Anti-Doping Committee,
- 2) makes a decision on exemption of members of the Chamber,
- 3) makes a decision on issues in relation to proceedings of certain dispute before the Chamber has been formed;
- 4) represents the Anti-Doping Committee and organizes its work;

- 5) nominates members of the Chamber and Chairman of the Chamber in cases foreseen by these Regulations;
- 6) carries out other tasks foreseen by these Regulations, or for which any other member of the Anti-Doping Committee has not been nominated,

Chairman of the Anti-Doping Committee takes care of Chamber's standardization of practice and for such purpose organizes sessions of the Anti-Doping Committee where disputed individual legal issues are to be discussed and principled positions are to be taken; at the beginning of proceedings introduces the Chairman of the Chamber on previous decision in similar cases; may indicate to the Chamber, when required to put his/her signature, formal deficiencies of the decision and previous practice on certain legal issues.

Chairman of the Anti-Doping Committee may be nominated for the Chairman of the Chamber only.

Chairman of the Anti-Doping Committee must have gained higher, university level, education in the field of legal science on second degree studies (master-academic studies, specialist academic studies, specialist professional studies), i.e., on basic studies in duration of at least four years.

Article 9

Anti-Doping Committee nominates, on proposal of the Chairman of the Anti-Doping Committee, one member as a Deputy Chairman of the Anti-Doping Committee.

If the Chairman of the Anti-Doping Committee is absent or prevented for a long time period to perform his/her duties, his/her function is to be performed by the Deputy Chairman.

If in given case the Chairman of the Anti-Doping Committee is nominated for a member of the Chamber, his function related to that particular case is to be performed by the Deputy Chairman.

Chairman of the Anti-Doping Committee may transfer to the Secretary of the Anti-Doping Committee performance of certain tasks from his/her jurisdiction determined by these Regulations in relation to costs of proceedings.

Article 10

Decisions made by the Chairman of the Anti-Doping Committee related to proceedings are final, unless otherwise determined by these Regulations.

If against the decision made by the Chairman of the Anti-Doping Committee appeal can be filed, the Anti-Doping Committee makes the decision on appeal.

2. Secretary

Article 11

Secretary of ADAS performs tasks of the Secretary of the Anti-Doping Committee established by these Regulations.

Secretary provides performance of professional and administrative tasks of the Anti-Doping Committee.

3. Members of the Anti-Doping Committee and Chamber

Article 12

For a member of the Anti-Doping Committee may be nominated a person who meets the following criteria: to be a citizen of the Republic of Serbia; to have legal affairs acumen; that is not legally convicted of a crime that makes him unworthy for election to be a member of the Anti-Doping Committee; he/she is prominent expert in the fields of the Article 24, Paragraph 2 of the Law on Prevention of Doping in Sports; that he/she is worthy of trust to be nominated, i.e., that from previous actions may be concluded that he/she is going to perform conscientiously tasks of the member of the Anti-Doping Committee and protect reputation of the Anti-Doping Committee.

List of members of the Anti-Doping Committee are to be published in the “Official Bulletin” of ADAS and on internet page of ADAS.

Article 13

Members of the Chamber are to be nominated in accordance to the Statute of ADAS and these Regulations.

Article 14

Exemption from being member of the Chamber may be requested if there are circumstances that may lead to justifiable suspicion as to his/her impartiality or

independence, for reasons determined by these Regulations and the Law on Civil Proceedings for exemption of judges.

Party in proceedings may request exemption only by nominating certain member of the Chamber who takes part in the proceedings.

Request for exemption of Chamber's member is to be submitted in written within eight days since learned of the nomination or reasons for exemption, and not later until the conclusion of oral proceedings before the first instance Chamber, and if without oral proceedings until the decision has been made.

Exemption of a member of the Chamber is not admissible if a request: 1) is the one with which general exemptions of all members of the Anti-Doping Committee or the members of the Anti-Doping Committee that might participate in the proceedings is required; 2) is the one without justification of reason of Paragraph 1 of this Article due to which exemption is requested; 3) is for the case where the decision has already been made; 4) is the one filed by the unauthorized person; 5) is the one filed untimely. Inadmissible request for exemption shall be rejected by the Chairman of the Anti-Doping Committee, i.e, the Chairman of the Chamber, and against this decision on rejection of the request special appeal is inadmissible.

Member of the Chamber may withdraw from his/her function after the request for his/her exemption is filed, with proviso that it does not anyhow mean recognition of the validity of the request for exemption.

If the Chairman of the Anti-Doping Committee accepts filed request for exemption, at the same time he/she nominates a new member of the Chamber/Chairman of the Chamber,

and then all parties and nominated member of the Chamber are informed about it within three days from the date of nomination.

Proceedings for nomination of a new member of the Chamber determined by the previous paragraph is to be accordingly applied in case of Paragraph 5 of this Article.

Appeal to the decision made by the Chairman of the Anti-Doping Committee on exemption of a member of the Chamber is not permitted.

If the request for exemption of a member of the Chamber is directed to the Chairman of the Anti-Doping Committee, final decision on such request is to be made by the Deputy Chairman of the Anti-Doping Committee. If the request for exemption of members of the Chamber is directed to the Chairman and Deputy Chairman of the Anti-Doping Committee, finally the Anti-Doping Committee itself makes the decision.

When a member of the Chamber finds out that request for his/her exemption has been filed, he/she is immediately obliged to stop all his work in that particular case, and exceptionally he/she may undertake, until the final decision on such request is made, only actions for which there is danger if they are suspended.

If the request for exemption is accepted and if the Chairman of the Chamber has been replaced, oral proceedings must start from the beginning and all proofs already given must be provided again. Oral proceedings must also start from the beginning when some other member of the Chamber has been replaced, but in such case there is a possibility, after the hearing of parties, for the Chamber to make a decision that all previously heard witnesses and experts are not to be heard again but only minutes of heard evidence at the previous session to be read out.

Article 15

Members of the Anti-Doping Committee are not allowed to provide opinion or advices, orally or in written or to be representatives and advisers in disputes that are ongoing before the Anti-Doping Committee.

Parties in dispute cannot communicate directly or keep direct contact with the members of the Chamber.

Employees and members of parties in dispute or their related persons, members of their bodies and permanent associates, cannot be nominated for the members of the Chamber in disputes they are participating in.

If there are circumstances that would lead to suspicion on impartiality of the member of the Chamber, such member is obliged immediately after becoming aware of existence of such circumstances to notify the Chairman of the Chamber.

III. RESOLUTION OF DISPUTES

1. Principles

Article 16

In the proceedings before the Anti-Doping Committee parties are equal.

Anti-Doping Committee is obliged to enable each party to present its views and evidence, as well as to speak about actions and proposals of the opponent.

Proceedings on determination of responsibility for violation of anti-doping rule is to be carried out in accordance to the Law on Prevention of Doping in Sports, World Anti-

Doping Code, international standards for doping control approved by the World Anti-Doping Agency, these Regulations and other rules and regulation of ADAS.

Parties are obliged to provide facts on which they base their requests and to propose evidence with which those facts are to be determined. Anti-Doping Committee is authorized also to determine facts not provided by parties, if as a result from discussion and providing evidence follows that this is necessary for resolution of dispute.

Which facts are to be taken as proved is to be decided by the Anti-Doping Committee on the basis of free evaluation of evidence (after its conviction). Anti-Doping Committee shall carefully evaluate every piece of evidence in particular as well as all the evidence together.

Parties are obliged before the Anti-Doping Committee to tell the truth and are not allowed to abuse rights they have in the proceedings.

Dispute before the Anti-Doping Committee is urgent. Anti-Doping Committee conducts the proceedings without delay and with less cost possible.

In the proceedings before the Anti-Doping Committee it is not possible to have inaction of proceedings.

Proceedings before the Anti-Doping Committee are to be conducted in Serbian language.

Athletes and other persons suspected for violation of anti-doping rule have a right to competent interpreter, on their own expense.

Proceeding before the Anti-Doping Committee is confidential and is not public, unless the parties agreed otherwise, or unless otherwise determined by these Regulations.

Anti-Doping Board is authorized to reject or in any other appropriate way remove actions of parties in the proceedings that are of harassing character, or with which rights belonging to parties in the proceedings are misused.

Anti-Doping Committee is not obliged to decide or respond to parties on various accusations, suggestions and requests that are not related to the course of proceedings, especially the ones pointed out after the final completion of the proceedings.

2. Competence

Article 17

Competence of the Anti-Doping Committee is determined by the Law on Prevention of Doping in Sports and the Statute of ADAS.

Article 18

Anti-Doping Committee:

- 1) determines responsibility for violation of anti-doping rule in case that competent national sports association does not pronounce disciplinary measures for violation of anti-doping rule within four months from the date of filing of the report on made violation of anti-doping rule;
- 2) makes decision on appeals to disciplinary measures pronounced by the competent national sports association except if in accordance to the Law competence of the international sports arbitration for decision making on appeals is not determined, i.e., agreed.

Article 19

Parties may dispute competence of ADAS, i.e., Anti-Doping Committee by filing an objection in his response to the report, i.e., appeal.

If the party, against who the submitted report is filed , disputes competence of the Anti-Doping Committee or does not respond to report, i.e., appeal, the Chairman of the Anti-Doping Committee determines if the Anti-Doping Committee is competent, on the basis of the Law on Prevention of Doping in Sports and these Regulations.

When the Chairman of the Anti-Doping Committee determines existence of competence of the Anti-Doping Committee, proceedings are going to be continued even if the other party refuses to take part in it.

If the Chairman determines that the Anti-Doping Committee is not competent for resolution in particular case, he/she shall inform parties about it.

If the response to the report, i.e., appeal has been filed without the objection on competence or the party enters the dispute without filed response to the report, i.e., appeal, it shall be considered that by this competence of the Anti-Doping Committee in particular case has been determined.

On decision made by the Chairman of the Anti-Doping Committee of Paragraphs 3 & 4 of this Article appeal may be submitted to the Anti-Doping Committee, within three days from the date of delivery of the decision.

3. Parties to the Proceedings

Article 20

Party to the proceedings may be any person to which the provisions of the Law on Prevention of Doping in Sports can be applied.

Party with complete acumen to conduct legal affairs may alone perform actions in the proceedings before the Anti-Doping Committee.

Party without complete acumen to conduct legal affairs is to be represented by his/her legal representative.

Legal entities are to be represented by its legal, i.e., statutory representative.

Legal, i.e., statutory representative may on behalf of the party undertake all actions in the proceedings.

4. Attorneys and Counselors

Article 21

Parties may undertake actions in the proceedings personally or through their attorneys.

Actions taken in the proceedings by attorneys within limits of Power of Attorney they possess have the same legal effect as they have been taken by the party itself.

Party represented by the attorney may always approach the Anti-Doping Committee and provide statements beside his/her attorney, but the opponent, witnesses and experts may be questioned only through the attorney if present at the oral proceedings, unless decided otherwise by the Chairman of the Chamber.

Parties may nominate counselors upon their own choice.

Names and addresses of persons of Paragraphs 1 &4 of this Article must be stated in written to the Anti-Doping Committee and to the opponent, and such notification must have indicated if the nomination is for the representation or counseling.

5. Delivery of Summons and other Documents

Article 22

Delivery of summons and other documents to the parties during proceedings is to be carried out in accordance to the provisions of the Law on Civil Proceedings.

6. Deadlines

Article 23

Deadlines determined by these Regulations are preclusive and cannot be extended.

Extension may be allowed only in exceptional and justified situations by the Chairman of the Anti-Doping Committee, on proposal of the Chairman of the Chamber or on mutual agreement made by the parties.

Deadlines for nomination of members of the Chamber cannot be extended.

Article 24

In exceptionally urgent cases, such as violation of anti-doping rule in competition, the Chairman of the Anti-Doping Committee may decide, i.e., allow determined deadlines by these Regulations to be appropriately shortened. Parties are to be informed on decision of shortening the deadlines.

If these Regulations have not foreseen deadlines for performing certain actions, the deadlines are going to be determined by the Chairman of the Anti-Doping Committee, i.e., Chairman of the Chamber by taking into account urgency of the proceedings. These deadlines may be extended if there are justifiable reasons for extension.

Article 25

Use of telecommunication means for performing of some actions in the proceedings is allowed, with proviso that compliance with the deadline is to be considered if the original document arrive to ADAS, i.e., the Anti-Doping Committee within a reasonable time.

Article 26

Proceedings, as a rule, ends within 60 days from the date of constitution of the Chamber, i.e., from the date of payment of litigation costs.

As an exception from the provision of the Paragraph 1 of this Article, Chamber may decide to extend the proceedings after expiry of this deadline if needs for collecting evidence require it.

7. Submissions

Article 27

Report, response to the report, appeal, response to the appeal, and other statements, suggestions and declarations that are to be submitted outside the oral proceedings, are to be submitted in written (submissions). All submissions are to be filed within three days except with respect to WADA's deadline to appeal as provided in Article 13.2.3 of the World Anti-Doping Code. Requirement of written form is to be considered fulfilled if sent by telegram, telefax, fax or electronic mail. Such submissions are considered signed, if the sender is indicated.

Submissions must be understandable and they must contain all needed for taking of action upon them.

Statements provided by submission may, instead by submission, be provided orally into the record of ADAS.

On incomprehensible and incomplete submission the provisions of these Regulations related to disorderly submission are to be applied.

Submissions with enclosures to be delivered to the opponent party, are to be given to ADAS, i.e., the Anti-Doping Committee in sufficient number of copies for the Chamber and opponent party.

Chairman of the Chamber may decide that preparatory submissions are to be delivered by the parties directly to one another, followed with delivery of copies to the Anti-Doping Committee for the Chamber.

Documents that are enclosed with the submission are to be filed in original, copy or photocopy supplied with certification by the party itself. If the document is filed as copy or photocopy, the Chairman of the Anti-Doping Committee, i.e., Chairman of the

Chamber shall on request of opponent party call the applicant to file to the Anti-Doping Committee the same document in original, and the opponent party shall be allowed to inspect it, with left time frame within the document shall be filed, i.e., inspected. Against the decision related to the enclosed document appeal is not allowed.

8. Rules under which the proceedings for determination of responsibility for violation of anti-doping rule are to be carried out

Article 28

The proceedings are to be carried out upon provisions of the Law on Prevention of Doping in Sports, these Regulations, and Regulation on Harmonization of Anti-Doping Rules of ADAS with World Anti-Doping Code.

On issues which are not regulated by these Regulations, the proceedings are going to be carried out accordingly by application of provisions of the Law on Civil Proceedings, unless application of particular provision does not respond to nature of the proceedings before the Anti-Doping Committee.

If the Chamber considers that application of provisions of the Law on Civil Proceedings does not respond to nature of the proceedings before the Anti-Doping Committee, especially having in mind urgency of the proceedings, it may on issues not regulated by these Regulations carry out the proceedings in the manner that is considered appropriate (the proceedings shall be determined), with proviso that parties are treated equally and that in all phases of the proceedings each party has possibility to provide its facts and legal quotes, requests and standpoints.

In the appeal proceedings on issues that are not specially regulated by these Regulations, provisions of these Regulations applied on the first instance proceedings where the Anti-

Doping Committee makes decisions are to be applied accordingly, except where specified otherwise in the World Anti-Doping Code.

Article 29

In resolving disputes, the Chamber makes a decision and pronounce sanction on the basis of the Law on Prevention of Doping in Sports, World Anti-Doping Code, anti-doping rules of the competent international and national sports associations and these Regulations.

Competent national sports association is obliged to deliver to ADAS currently valid anti-doping rules of its international sports association, which must be established and implemented in accordance with the World Anti-Doping Code.

In cases of the Paragraph 1 of this Article, the Chamber does not apply anti-doping rules of the competent national or international sports association that are deemed contrary to the Law on Prevention of Doping in Sports and World Anti-Doping Code.

Provisions from Paragraphs 1-3 of this Article are to be applied accordingly to resolving of disputes by the competent first instance body of the national sports association.

9. Proceedings in disputes where the Anti-Doping Committee makes decision in first instance

Article 30

ADAS, i.e., the Anti-Doping Committee makes decision in first instance on responsibility for violation of anti-doping rule if the competent national sports association has not made

in good time, in accordance to the Law on Prevention of Doping in Sports and the Statute of ADAS, the decision in first instance.

Proceedings are to be initiated by submission that can be lodged by:

- 1) the Chairman of the Anti-Doping Agency,
- 2) the competent international sports association;
- 3) the World Anti-Doping Agency;
- 4) the sports organizations to which athlete or other person belongs;
- 5) the organizer of sports competition where the doping control has been performed;
- 6) the competent national sports association;
- 7) the owner of doped animal;
- 8) the athlete or other person for which there is suspicion that he/she violated anti-doping rule.

ADAS and competent national sports associations may, with the consent of the athlete, make an agreement for ADAS to take over the competence for making decisions on violation of anti-doping rule in first instance before expiry of the deadline from the Paragraph 1 of this Article.

Submission is to be filed against the person for which there is suspicion that he/she violated anti-doping rule.

ADAS and competent national sports association are party in the proceedings, on the side of the submitter, even when they have not filed the submission, and without consent of a person against whom the submission is filed.

It is not possible to carry out proceedings for violation of anti-doping rule against an athlete or other person unless he or she has been notified of the anti-doping rule violation

as provided in Article 7 of the World Anti-Doping Code, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred..

Article 31

Proceedings start on the date of receipt of a submission by the Anti-Doping Committee.

Applicant gives statement about the facts supporting his/her submission, controversial issues and determines the submission itself.

Person against the submission is filed should respond to such submission and make declaration on issues, facts and evidence from the claim, within the period of time determined by the Chairman of the Anti-Doping Committee.

During the proceedings parties may change or amend the submission, i.e., the response to the submission, unless the Chamber, in order to provide working efficiency of the proceedings, decides otherwise.

Besides quotes of the Paragraph 2 of this Article the submission should also contain accurate indication of parties.

Along with the submission, the receipt of paid registration fee should be enclosed. If such receipt of paid registration fee has not been enclosed with the submission, the Chairman of Anti-Doping Committee shall leave to the applicant additional three days for delivery of the receipt. The submission shall be considered withdrawn if the required receipt is not delivered to the Anti-Doping Committee within the given time frame. Fee

is not going to be paid when the submission has been filed by the Chairman of ADAS or the World Anti-Doping Agency.

When it is established that the submission is incomprehensible or does not contain elements prescribed by the Paragraph 2 & 6 of this Article (incomplete submission), or that there are deficiencies regarding capacity of the applicant or person against whom the submission is filed to be a party in the proceedings, or deficiencies regarding legal representation of the party, the Chairman of Anti-Doping Committee shall for the reason of removing such deficiencies return the submission for correction or amendment, citing at the same time what should be corrected or amended, i.e., which authorizations should be presented and determine additional three days for correction or amendment. The submissions shall be considered withdrawn if not returned to the Anti-Doping Committee within the given time frame, and if returned without correction, i.e., amendment, the Chairman of Anti-Doping Committee shall reject it.

Article 32

After previous examination of the submission, the Chairman of Anti-Doping Committee makes a decision with which the submission is rejected if determined that resolving of the submission is not within jurisdiction of the Anti-Doping Committee; if there is ongoing proceedings regarding the same submission; if this matter has already been legally adjudicated; if the applicant did not remove deficiencies of the submission within the given time frame neither he/she submitted sufficient number of copies of the submission and enclosures.

Article 33

The submission with enclosures is to be delivered to the person against whom the charges were brought for response within three days from the date of receipt of the correct and complete submission by the Anti-Doping Committee.

Person against whom the charges were brought is obliged to submit his/her written response to the submission within 10 days from the date of receipt of the submission for response.

In response the person against whom the charges are brought shall: makes a declaration in respect of the submission; present his defense (assertions on which the person against whom the charges are brought base it, proofs determining such assertions, and legal foundation for his assertions); point out possible procedural objections, especially with regard to the competence of the Anti-Doping Committee.

If the person against whom the charges are brought does not respond to the submission or refuses to take part in the proceedings or deliver incomplete response, the proceedings shall continue upon provisions of these Regulations.

Article 34

Submission and the response to submission (including enclosures) are to be submitted in four copies for the Anti-Doping Committee and one copy for each party.

If submission, response to submission and enclosures are not filed in the sufficient number of copies, the Chairman of Anti-Doping Committee shall call the applicant, i.e., person against whom the charges are brought to submit them within the certain period of time.

If the applicant, i.e., person against whom the charges are brought does not comply with such order, the Chairman of Anti-Doping Committee shall reject such submission, i.e., response to submission (the submission shall be deemed irregular).

Article 35

During proceedings the applicant may correct or amend his/her submission, except in cases when the Chamber considers not practical to allow such amendments having in mind protraction that may be caused or the damage that the other party might suffer, or due to some other circumstances.

Article 36

Member of Anti-Doping Committee provides written statement on acceptance of duties being member of the Chamber.

Person nominated for a member of the Chamber is obliged to, before accepting duties, state facts that may justifiably cause suspicion in his impartiality or independency.

Member of the Chamber is obliged to, from the date of nomination, state without delay facts of the Paragraph 2 of this Article if they occurred after his nomination.

Article 37

Chairman of Anti-Doping Committee in the process of nomination of a member, i.e., the Chairman of Chamber is obliged to take in consideration circumstances that ensure nomination of independent and impartial member of the Chamber.

Article 38

If a member of the Chamber during his/her mandate is being prevented in performing of his/her functions (death, withdrawal, exemption), the Chairman of Anti-Doping Committee, within three days, nominates another member of the Chamber.

Article 39

If during proceedings composition of the Chamber is altered hearing is not to be repeated, unless parties agreed so or the Chamber decides the repetition of hearing.

Article 40

Chairman, i.e., the Secretary of Anti-Doping Committee confirm to parties valid (regular) forming of the Chamber, and deliver the documents to the Chairman of Chamber.

Article 41

If, without providing justified reasons:

- 1) person against whom the charges are brought does not submit response to submission within the set deadline, the Chamber shall proceed with the proceedings, wherein the omission is not to be considered as acknowledgment of a person against whom the charges are brought of all allegations and claims from the submission, or
- 2) one of the parties, although duly summoned, does not appear at the scheduled oral hearing or does not submit written evidence, the Chamber may proceed with the proceedings and make decision on the basis of the evidence already submitted.

Article 42

Party who continue to participate in the proceedings, although knowing that certain provision of the Law and these Regulations from which there is a right to withdraw is not respected, without raising an objection with no delay or without raising an objection to set deadline, loses the right to make an objection with which is referred to non-compliance with such provisions or such requirement.

Article 43

During proceedings the Chamber may make conclusions and decisions on procedural actions that it considers necessary. Against these conclusions and decisions appeal cannot be appealed.

Chamber may, during the proceedings, order to parties to undertake certain actions and restrain themselves from certain actions related to the matter of dispute. These orders may be revoked by the Chamber at any time. Creation of factual situation that might influence the result of dispute or make irreparable damage to charged party is not allowed through interim orders.

Article 44

Chamber holds sessions at the headquarters of Anti-Doping Committee, and by a decision of the Chamber sessions may be hold elsewhere.

Article 45

Participants in the proceedings are not allowed with their statements and submissions to insult or disrespect the Anti-Doping Committee and the members of Chamber, ADAS officials or other participant in the proceedings.

Article 46

After the Chamber has been formed, all documents related to dispute received and studying of the problem, Chairman of the Chamber makes decisions on the date of oral hearing.

Chairman of the Chamber may exceptionally decide not to hold oral hearing and to conduct the proceedings based on the already provided written documents if a person charged for violation of anti-doping rule gives his/her consent for it or if there is recognition of violation of anti-doping rule given by such person or if such person refuses to participate in the proceedings.

Chairman of the Chamber is authorized to make decisions on measures and issues related to the management of proceedings and preparation of a hearing, including presentation of evidence. To such decision made by Chairman of the Chamber cannot be appealed.

On proposal of a member of the Chamber, the Chamber may reassess and alter the decision made by Chairman of the Chamber.

Article 47

Each party is obliged to prove facts on which its claim is based.

Chamber shall present the evidence essential for making a decision, but not proposed by the parties, if determined that the parties are providing evidence not allowed as being contrary to the compulsory regulations.

If the Chamber, on the basis of evaluation of presented evidence, cannot with certainty determine some allegation, on existence of such allegation shall be concluded by application of the rule on presumption and burden of proofs.

Permitted evidence are: hearing of parties, hearing of witnesses, documents, investigation, expertise, pleading guilty.

Party is obliged to submit the document to which it refers as a proof of his/her allegations. With the document composed in foreign language the certified translation is to be provided.

Article 48

Burden of proof in the proceedings is to be determined and performed in accordance to Article 3 of the World Anti-Doping Code.

Article 49

If the Chamber, after examination of the submission and the response on submission decides that the whole proceedings is to be performed in written, i.e., on the basis of the provided documents, the Chairman of the Chamber determines course of the written proceedings, wherein he/she sets deadlines for delivery of written documents (documents and proofs) and determines end (conclusion) of written discussion.

During the written preparatory proceedings, each party has a right to two submissions (two own submissions and two responses to submission of other party). After second exchange of submissions, any party cannot without consent of the opposing party send new submissions and bring new allegations and suggest new evidence, including pointing out procedural and material objections for which there was possibility to be raised previously, unless showed likely that there was no possibility to provide them or suggest them earlier with no fault of their own.

Chairman of the Chamber determines, after conclusion of the written discussion, the term for session where members of the Chamber are going to deliberate the matter in dispute and make a decision.

Chairman of the Chamber at the beginning of the session from Paragraph 3 of this Article introduces the Chamber with the course and results of the preparatory proceedings. After the introduction given by the Chairman of the Chamber, members enters the discussion about submitted documents and proofs.

During the session Chamber may decide to schedule oral hearing for the explanation of important issues.

When the Chamber considers that matter of dispute is sufficiently discussed and when each party in the proceedings has been enabled to express its views, the Chairman of the Chamber concludes session and the Chamber votes in order to make a decision.

Article 50

If the Chamber, i.e., Chairman of the Chamber does not decide that proceedings should entirely be conducted in written, the Chairman of the Chamber after examination of the submission and the response to submission immediately sets oral hearing.

Oral hearing should, as a rule, be held not later than four weeks after receipt of the response to submission.

Article 51

Authorized representatives and counselors of the parties may participate at the oral hearings.

Chamber may allow presence of certain officials as members of authorized anti-doping organizations at the oral hearing, if it is of interest for their service.

Article 52

Proceedings should be prepared in such manner that, as a rule, it may be concluded after one oral hearing.

For this purpose the Chairman of the Chamber may, on request of one party, order to the other party to submit documents in its possession, leaving certain time frame for such action. Party that makes such request should prove probable that certain document is in possession of the other party and that it is case relevant.

Provisions of the previous Paragraph are valid for other means of proof, if significant for the proceedings.

Article 53

Chairman of the Chamber determines a date of oral hearing, after the completion (conclusion) of the preparatory written proceedings, and sends invitations to persons determined for participation at the hearing.

Chairman of the Chamber may postpone the oral hearing when needed for presentation of proofs or when there are other special justified reasons. When the hearing is postponed, the Chairman of the Chamber shall immediately inform all invited on new date of hearing.

Article 54

Chairman of the Chamber opens the oral hearing and announce what the matter of dispute is. After that he determines if all invited persons are present, and if not checks if they are properly invited and if they justified their absence.

In case the properly invited party is absent, he hearing should proceed in accordance to the provisions of these Regulations with the present party.

If on two consecutive scheduled oral hearings both parties properly invited are absent, it shall be considered as the withdrawal from submission.

Article 55

Witnesses, as a rule, are to be interrogate at the hearing.

Witnesses may be interrogated out of the hearing or deliver its written statement, if accepted and not challenged by the parties.

Chamber may ask the witness, within certain time frame, to provide responses to raised questions, if parties do not challenge it.

Witnesses are to be interrogated unsworn, with the warning to legal obligation of telling the truth and guiltiness of perjury.

Witnesses of the Chamber cannot be sanctioned with procedural measures or fined.

Article 56

If parties have not agreed otherwise, the Chairman of the Chamber may:

- 1) nominate one or more experts for providing findings and opinions on issues determined by the Chamber;
- 2) order parties to provide to the expert all needed information, to deliver him/her all necessary documents, as well as to enable the expert access to the documents and other things.

If parties have not agreed otherwise, and there is request of one party and the Chairman of the Chamber determines so, expert is obliged to, after making written or oral finding and opinion, participate at oral hearing where parties may interrogate him/her or may bring other experts to discuss with nominated expert disputed issues.

Provisions of these Regulations on exemption of a member of the Chamber are to be accordingly applied to the exemption of an expert.

Article 57

On separate proposal of any party, submitted before scheduling of oral hearing latest, or on its own initiative in emergency cases, the Chamber may decide certain proof to be presented out of oral hearing by the Chairman of the Chamber or by any member of the Chamber.

Chamber may decide that witness or expert has to deliver its written certified statement, if for justifiable reasons not in a position to participate in oral hearing, and if such statement is essential for the resolution of the dispute.

Chairman of the Chamber may order parties to bring its witness.

Chairman of the Chamber may order parties in the proceedings to provide to one another the submissions, with proviso that sufficient number of copies is to be provided for the Anti-Doping Committee, as well as evidence that such submission has been provided to the other party in the proceedings.

Against the decision made in cases of this Paragraph cannot be appealed.

Article 58

Chairman of the Chamber, at the beginning of the oral hearing, introduces the Chamber with the course and results of the preparatory proceedings.

Parties may supplement the statement of the Chairman of the Chamber. Parties briefly state their claims, proposals and allegations with which they explain their proposals, i.e.,

refute opponent's proposals, including their own legal understanding related to the matter of the dispute.

Each party may respond to allegations of the opponent.

After the presentation of arguments given by the parties, presentation of evidence and discussion about results of such presentation may be carried out.

On acceptance or rejection of the proposal for presentation of certain proof submitted during the course of the hearing is to be done by the Chamber. Parties cannot propose at the hearing interrogation of witnesses and experts not cited in submissions. During the further course of the hearing the Chamber is not tied with the previous decision on presentation of certain proof.

Witnesses and experts may be warned of the obligation to tell the truth and possibility of being sanctioned for perjury.

Parties may interrogate witnesses and experts. Chairman of the Chamber shall prohibit asking of a particular question or response to the asked question, if the very question suggests how it should be answered or if the question is not related to the matter of the dispute.

After completion of the presentation of evidence, parties may give their closing arguments.

When the Chamber considers that the dispute has been discussed enough so that the decision can be made, the Chairman of the Chamber shall announce that discussion is

finished, and after that the Chamber shall withdraw for deliberation and voting on made decision.

During the deliberation and voting the Chamber may decide, for the reason of supplementing the evidentiary proceedings or clarifying important issues, to open the hearing again.

Article 59

Proceedings end by the delivery of the decision.

Proceedings may be ended if:

- 1) Applicant withdraws the submission, unless the person against whom the submission has been made oppose to it, and the Chamber decide that such person has justifiable interest for the decision about the matter of dispute;
- 2) Parties mutually agree on ending of the proceedings;
- 3) Chamber finds that the proceedings became impossible (in cases such as death of athlete or death of other person charged with violation of anti-doping rule, and similar);
- 4) Proceedings have been suspended in accordance to these Regulations.

Article 60

Minutes from the hearing are to be taken. Minutes are to be signed by the Chairman of the Chamber, parties, i.e., their legal representatives and the clerk taking the minutes. If any party reject to sign the minutes, the Chairman of the Chamber shall enter it into the minutes.

Secretary of the Anti-Doping Committee appoints the clerk who is going to take the minutes.

Article 61

Chamber makes a decision on the matter of dispute with which all issues raised by the parties are resolved, i.e., existence or non-existence of the violation of anti-doping rule of the Paragraph 3 of the Law on Prevention of Doping in Sports is determined and, if needed, sanctions are imposed.

If the person against the submission has been brought until the conclusion of the hearing pleads guilty to the accusations, the Chamber, without further discussion, makes a decision with which the request is adopted, and imposes sanctions.

If the submitter, until the completion of the hearing waive from the claim, the Chamber, without further discussion, makes a decision with which the request is rejected. for waiving from the claim the acceptance of the charged person is not needed.

Chamber may impose all sanctions foreseen by the Law on Prevention of Doping in Sports, the World Anti-Doping Code and the regulations of the competent national sports association, within limits of the general maximum and minimum.

Article 62

Decision is to made in written and must be signed by members of the Chamber.

Chamber makes a decision after deliberation in which all members must participate.

Decision of the Chamber is to be made by majority of votes of members of the Chamber.

Decision of the Chamber is also valid if signed by the majority of members of the Chamber and in the decision failure to sign is determined.

Chamber is obliged to make a decision within 14 days after the last oral hearing, i.e., in case of the written proceedings after the last determined date for exchange of written submissions.

Article 63

Member of the Chamber who is not in agreement with the decision or justification of the decision may separate in written his opinion, and such opinion is to be delivered with the decision to the parties if that member of the Chamber requests it.

Article 64

Decision is consisted of: introduction, operative part and justification.

In the decision date and place of its making must be cited.

Article 65

Not later than 20 days once the decision has been made, ADAS publishes on its web site identity of the athlete or other person, unless it comes to a minor, to whom is by the first instance or final decision determined violation of anti-doping rule, with proviso that such

information is to be publicly available for the duration of the period of punishment, i.e., 30 days if the period of punishment is less than 30 days.

ADAS shall, within the deadline for public announcement of the Paragraph 1 of this Article, send the reasoned hearing decision, or in cases where the hearing has been waived, a reasoned decision explaining the action taken, to the Athlete and to other Anti-Doping Organizations with a right to appeal under Article 13.2.3 of the Code as provided in Article 14.2.1 of the Code..

In any case where after the hearing or appeal it has been decided that an athlete or other person did not make violation of anti-doping rules, the decision must be published publicly only with given consent of the athlete or other person. ADAS shall undertake reasonable efforts to obtain such consent, and if obtained, publish such decision as a whole or with amendments approved by the athlete or other person.

No member of ADAS bodies or employee of ADAS is allowed to publicly comment specific circumstances of the certain case (except general description of processes and science), unless if it is about public comments of the athlete, other person or their representatives.

Article 66

Decision is to be done by the Chairman of the Chamber.

As soon as the decision is made the Chamber is bound with such decision.

Article 67

Period of prohibition to participate in sporting events shall start from the date of making such decision, or, if the hearing is waived or there is no hearing, on the date Ineligibility is accepted or otherwise imposed.

Each period of temporary suspension (whether imposed or voluntarily accepted) shall be accounted in the total period prohibition, but only if it is respected by the suspended person.

Where required by fairness, for example in case of delay of the hearing or other aspects of doping control that cannot be attributed to the athlete, the Chamber may for the beginning of the period of prohibition to participate at sporting events determine earlier date, starting from the date of taking the specimen or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.

Article 68

On request of each party, the Chamber shall make linguistic and technical corrections in the decision and provide certain interpretations of the decision.

Request of the Paragraph 1 of this Article is to be filed by the party within 30 days from the date of receipt of such decision.

Decision on corrections and interpretation is a constituent part of the decision to which it is related.

Delivery of the decision from the Paragraph 3 of this Article is to be done in the manner determined for delivery of the related original decision.

Article 69

Certification of validity and enforceability of the decision is to be done by the Chairman of the Anti-Doping Committee.

Original and all supporting documents are kept in ADAS.

10. Appeal Proceedings

Article 70

In cases arising from participation in an International Event or in cases involving International-Level Athletes, the decision may be appealed exclusively to CAS.

In all other cases, the decision may be appealed to the Anti-Doping Committee of ADAS.

Against the decision made in first instance by the first instance competent body of the national sports association or the first instance Chamber of ADAS, may be appealed to the Anti-Doping Committee of ADAS.

Appeal is to be submitted within 21 days from the date of delivery of the first instance decision. The above notwithstanding, the filing deadline for an appeal filed by WADA shall be the later of: (a) Twenty-one days after the last day on which any other party in the case could have appealed; or (b) Twenty-one days after WADA's receipt of the complete file relating to the decision.

Appeal is to be submitted in four copies for the Anti-Doping Committee and in one copy for each opposing side. If the appeal and enclosures are not submitted in the sufficient number of copies, the Chairman of the Anti-Doping Committee shall call the applicant to

submit it within the set time frame. If the applicant does not proceed with such an order, the Chairman of the Anti-Doping Committee shall reject the appeal as irregular.

Article 71

Appellant proceedings are not public, unless the parties make agreement otherwise or the Appellant Chamber decides otherwise on proposal of the party.

ADAS may announce arbitrary decision in its entirety, unless some part would unjustifiably violate privacy of the person against whom the proceedings were taken.

Article 72

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by WADA not to grant an exception to the six months' notice requirement for a retired *Athlete* to return to *Competition* under Article 5.7.1 of the *Code*; a decision by WADA assigning results management under Article 7.1 of the *Code*; a decision by ADAS not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Article 7.7 of the *Code*; a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing*; ADAS's failure to comply with Article 7.9 of the *Code*; a decision that ADAS lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision to suspend, or not suspend, a period of *Ineligibility* or to reinstate, or not reinstate, a suspended period of *Ineligibility* under Article 10.6.1 of the *Code*; a decision under Article 10.12.3 of the *Code*; and a decision by ADAS not to recognize another *Anti-Doping Organization's*

decision under Article 15 of the *Code*, may be appealed exclusively as provided in Articles 13.2 – 13.7 of the *Code*.

Article 73

Appeal may be submitted by persons that were party in the preceding proceedings, ADAS, and persons authorized by the Law on Prevention of Doping in Sports, the World Anti-Doping Code or by the appropriate sporting rules.

On behalf of the legal entity the appeal may be submitted by the physical person authorized for representation.

The following parties have the right to submit an appeal to CAS:

- (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the relevant International Federation; (d) ADAS and (if different) the National Anti-Doping Organization of the Person's country of residence or countries where the Person is a national or license holder; (e) 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 (f) WADA.

The following parties have the right to submit an appeal to the Anti-Doping Committee of ADAS:

- (a) the *Athlete* or other *Person* who is the subject of the decision being appealed;
- (b) the other party to the case in which the decision was rendered; (c) the relevant International Federation; (d) ADAS and (if different) the *National Anti-Doping Organization* of the *Person's* country of residence; (e) 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 (f) *WADA*.

For cases appealable to the Anti-Doping Committee of ADAS, WADA, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal to CAS with respect to the decision of the Anti-Doping Committee of ADAS. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organization whose decision is being appealed and the information shall be provided if CAS so directs.

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

Article 74

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Articles 13.2 through 13.7 of the *Code*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review provided in the *Anti-Doping Organization's* rules must be exhausted, provided that such review respects the principles set forth in Article 13.2.2 of the *Code* (except as provided in Article 13.1.3 of the *Code*).

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.

In making its decision, *CAS* need not give deference to the discretion exercised by the body whose decision is being appealed.

Where *WADA* has a right to appeal under Article 13 of the *Code* and no other party has appealed a final decision within *ADAS*'s process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in *ADAS*'s process.

Article 75

Submitted appeal in good time shall not postpone execution of the decision, except in cases when the Chairman of the Anti-Doping Committee, i.e., Appellant Chamber, on request of the applicant which is submitted with the appeal, makes decision to postpone execution of the decision due to existence of justified reasons.

Article 76

Submitting of an appeal transfers the competence for resolution of the dispute to *ADAS*.

Article 77

Appeal must be consisted of: indication of the parties; correct indication of the decision to which the appeal is made; petition for delay in execution of the decision to which the appeal is made, supported with reasons for such action, if such petition may be applied in this particular case; basis and reasons for appeal, appellant proposal; signature of the applicant.

Together with the appeal there should be enclosed: copy of the decision to which the appeal is made; receipt on paid registration fee.

If from the data contained in the appeal it is not possible to determine which decision is being contested or if the appeal has not been signed or if the appeal does not consist reasons (incomplete appeal), the Chairman of the Anti-Doping Committee shall call the applicant to amend or correct the appeal within three days by submission or into the minutes kept by ADAS. If the submitter, within determined time frame, fails to comply with this request, the Chairman of the Anti-Doping Committee shall by its decision reject the appeal as incomplete.

If the receipt on paid registration fee is not enclosed with the appeal, the Chairman of the Anti-Doping Committee shall leave additional three days to deliver such receipt. Appeal shall be considered as not submitted if the requested receipt is not delivered to the Anti-Doping Committee within the given time frame.

Article 78

Untimely, illegal and by unauthorized person submitted appeal shall be dismissed with the decision made by the Chairman of the Anti-Doping Committee.

Untimely, illegal and by unauthorized person submitted appeal shall be dismissed by the Appellant Chamber, if not previously done by the Chairman of the Anti-Doping Committee.

To the decision on dismissal of appeal of Paragraphs 1 & 2 of this Article, objection may be submitted within four days. Anti-Doping Committee makes the decision on the

objection, with proviso that in its work and decision making do not participate members of the Anti-Doping Committee who made a decision in first instance.

Article 79

Appeal is to be submitted against:

- 1) the body who made a decision;
- 2) the person in which favor the decision has been made.

Article 80

Chairman of the Anti-Doping Committee delivers the appeal (together with the reasons for appeal) to the other party and leave time frame of eight days for response.

In the response to appeal other party: raise objection related to competence of the Anti-Doping Committee; provides its standpoint regarding the allegations from the appeal.

First instance body with the response to appeal delivers to the Anti-Doping Committee documents of the case (original or copy).

In the appellant proceedings the opinions of all parties participating in the previous proceedings are required.

Response to appeal shall be delivered to the submitter, with possible leaving of short term for providing statement.

The above notwithstanding, the filing deadline for an appeal filed by *WADA* shall be the later of: (a) Twenty-one days after the last day on which any other party in the case could

have appealed; or (b) Twenty-one days after WADA's receipt of the complete file relating to the decision.

Article 81

Appellant Chamber shall make decision on appeals, as a rule, with a hearing.

When Appellant Chamber finds that, for the purpose of regular determination of a factual situation or due to the irregular and incomplete determined factual situation, it is needed to present certain evidence, or that there is essential violation of provisions of the proceedings which affected or might affect proper resolution of the dispute or finds that the first instance proceedings was suspended due to the irregular evaluation of evidence or irregular application of material law, it shall set oral hearing or determine to conduct further proceedings on the basis of the written documents. Oral hearing should be set no later than 30 days from the date of receipt of the response to appeal.

If the applicant is absent from the oral hearing, hearing will not be held, and the decision shall be made on the basis of allegations in the appeal and response on the appeal.

Article 82

Chamber is obliged to make a decision within 14 days from the date of last oral hearing, i.e., in case of written proceedings after the last set date for exchange of submissions.

Article 83

When resolving appeal the Appellant Chamber may dismiss the appeal or reject it as unfounded and may confirm the first instance decision, adopt the appeal and alter the first instance decision.

Appellant Chamber shall dismiss the appeal as untimely, prohibited or submitted by the unauthorized person, if determined that the Chairman of the Anti-Doping Committee failed to do so.

Appellant Chamber may impose all sanctions foreseen by the Law on Prevention of Doping in Sports, the World Anti-Doping Code and regulations of the competent national sports association, within the limits of general maximum and minimum.

Article 84

Appellant Chamber shall reject the appeal as unfounded and confirm the first instance decision when determined that the reasons for which the decision is contested do not exist, neither exists violation of the proceedings that affected to correct resolving of the matter in dispute.

Appellant Chamber shall grant the appeal and alter the first instance decision when it establishes that decisive facts in the first instance proceedings are determined but given the determined factual situation different decision should be made, or it is of opinion that existing violations of material law could be removed without abrogation of the first instance decision, or if it finds that during deliberation all circumstances affecting the correct sentencing were not taken into consideration or circumstances taken into consideration were not evaluated correctly. First instance decision shall be altered when it is established that the body making a decision in first instance incorrectly evaluated documents and evidence not presented by itself, and the decision is based on such evidence.

Article 85

In the justification of decision the Appellant Chamber shall evaluate allegations from the appeal and point out to violations of material law that it took into consideration ex officio.

Article 86

When the Appellant Chamber, on occasion of anybody's appeal submitted against the first instance decision, determines that the reasons for which the decision is made in favor of the offender are useful for other offenders who did not appealed or did not appeal in the same direction, it shall proceed ex officio as if such an appeal exists.

Article 87

Decision made in appellant proceedings is final and becomes valid by its delivery to the parties.

Article 88

ADAS shall return the original documents to the body which made decision in first instance.

Article 89

ADAS have a right to participate in the proceedings before the Appellant Chamber of the Anti-Doping Committee as a party in dispute.

Article 90

Competent international sports association, Olympic Committee of Serbia, Paralympic Committee of Serbia, Serbian Sports Federation and World Anti-Doping Agency have a right to attend the proceedings before the Appellant Chamber of the Anti-Doping Committee, as observers, even when they are not a party participating in the proceedings.

Article 91

Provisions of these Regulations relating to the appellant proceedings in case of violation of anti-doping rule, are applied accordingly to appeals on decisions of other bodies and officials of ADAS made in the procedure of doping control, unless determined otherwise by some other general acts of ADAS.

IV. COSTS OF THE PROCEEDINGS

Article 92

Costs of the proceedings shall be borne by the person who made violation of anti-doping rule.

When filing submission or appeal the applicant is obliged, unless the applicant is ADAS itself or the World Anti-Doping Agency, to pay ADAS fee for conducting of the proceedings for determination of responsibility for violation of anti-doping rule, the fee determined by the Managing Board of ADAS in accordance to the law.

If upon call the party does not pay for the costs of the proceedings within 7 days, the claim, i.e., appeal shall be considered withdrawn.

Article 93

For costs incurred in connection with the performance of some procedural actions, i.e, presentation of evidence, appropriate amount shall be paid in advance by the party requesting such action or presentation.

Amount that should be paid is to be determined by the conclusion of the competent Chamber.

For the costs caused by procedural actions ordered by the Chamber, by the conclusion of the Chamber shall be determined which party shall pay required amount.

Article 94

If the Chamber holds session out of ADAS headquarters, the Chairman of the Anti-Doping Committee determines additional amount for covering costs of such session.

If the Chamber holds session out of ADAS headquarters on proposal of one party, additional amount determined by the Chairman of the Anti-Doping Committee is to be paid by the party who made such proposal. If the session is to be held by mutual agreement of the parties, each party pays the half of the additional amount.

Article 95

By decision made by the competent Chamber the final amount of the proceedings costs is determined and it is also decided which party bears the costs and what is the exact amount.

When making a decision which costs are going to be compensated to the party, only costs needed for conducting and completing of the dispute should be taken into consideration.

The party who loses the dispute as a whole is obliged to compensate the costs requested by the opposing party.

If the party succeeds only partially in dispute, he/she bears a proportionate part of the costs of the other party.

Party is obliged, regardless of the outcome of the dispute, to compensate to the opposing party for the costs occurred by its own fault or by accident happened to him/her.

XIV. CLOSING PROVISIONS

Article 96

These Regulations come into force on 9.10.2015. With the entry into force of this Regulation, previous Regulation on this matter from 12.12.2014. ceases to be valid. These Regulations are to be published in the “Official Bulletin of ADAS”.