

Anti-Doping Policy

2023

All Players participating in Approved Tournaments shall be subject to the terms and conditions of the European Tour Anti-Doping Policy (DP World Tour Anti-Doping Policy)



EUROPEAN TOUR ANTI-DOPING POLICY & DEFINITIONS

A. Introduction

The PGA EUROPEAN TOUR has developed this Anti-Doping Policy (the “Policy”) to protect the integrity that is inherent in the sport of golf, and to ensure the health and safety of all *Players*. Doping is contrary to the spirit of fair competition that has always been a part of golf. This Policy is based on approved International Anti-Doping Standards, tailored to the sport of golf. The PGA EUROPEAN TOUR is committed to educating *Players* on the harms associated with doping substances and the consequences of violating this Policy. The Policy will be administered by the PGA EUROPEAN TOUR Anti-Doping Programme Administrator (the “Anti-Doping Programme Administrator”), with the assistance of PGA EUROPEAN TOUR staff and external legal, medical, and scientific experts. *Italicised words in this Policy have the meanings set forth in the Definitions section.*

In support of this Policy, PGA European Tour shall promote education of Players and Support Personnel to raise awareness, provide accurate information and develop sound decision-making to prevent intentional or inadvertent Anti-Doping Rule Violations and other breaches of the Anti-Doping or Integrity Policies.

B. Policy Application

By virtue of membership, all *Players* who are members of the DP World Tour, Legends Tour or Challenge Tour agree to comply with and be bound by the terms of the Policy. Any *Player* who participates in a PGA EUROPEAN TOUR co-sponsored, approved or coordinated tournament agrees as a condition of participation to comply with and be bound by the terms of the Policy. This Policy also applies to *Player Support Persons, Other Persons and Related Personnel*.

The PGA European Tour has appointed a person with primary responsibility for the management of the Anti-Doping Policy (The Anti-Doping Administrator). In relation to an alleged breach, the Anti-Doping Administrator shall be responsible for ensuring that an investigation is conducted, and where applicable, disciplinary procedures are followed and implemented.

C. Jurisdiction

The PGA EUROPEAN TOUR retains jurisdiction to bring Anti-Doping Rule Violation cases against retired *Players* or *Players* who are not members on account of an Anti-Doping Rule Violation which occurred while a *Player* was a member or while a *Player* was participating in a PGA EUROPEAN TOUR co-sponsored, approved or coordinated tournament. Actions may be commenced under this Policy against any player or other *Person for an Anti-Doping Rule Violation* contained in this Policy within **10 years** from the date the *Anti-Doping Rule Violation* occurred. Any application for Qualifying School for participation from a player currently under suspension following an Anti-Doping Rule Violation found proven via another governing body will not be accepted.

D. Prohibited Conduct

The following conduct constitutes an Anti-Doping Rule Violation under the Policy:

1. Presence of a Prohibited Substance or its Metabolites or Markers in a Player's sample.

a. It is each *Player's* personal duty to ensure that no Prohibited Substance enters his body and that no Prohibited Method is used. *Players* are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their samples. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Player's* part be demonstrated in order to establish an Anti-Doping Rule Violation under Section D (1).

b. Sufficient proof of an Anti-Doping Rule Violation under Section D(1) is established by any of the following: presence of a Prohibited Substance or its Metabolites or Markers in a *Player's* A Sample where the *Player* waives analysis of the B Sample and the B Sample is not analysed; or where the B Sample is analysed and the analysis of the B Sample confirms the presence of the Prohibited

Substance or its Metabolites or Markers found in the *Player's* A sample; or where the *Player's* A or B Sample is split into two (2) parts and the analysis of the confirmation of the split Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first part of the split Sample or the *Player* waives analysis of the confirmation part of the split Sample.

c. Excepting those substances for which a Decision Limit (quantitative reporting threshold) is specifically identified in the PGA EUROPEAN TOUR Prohibited List or a WADA Technical Document, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in a *Player's* sample shall constitute an Anti-Doping Rule Violation.

d. As an exception to the general rule of Section D(1)(c), the PGA EUROPEAN TOUR Prohibited List may establish special criteria for reporting or the evaluation of certain Prohibited Substances, or rely upon relevant International Standards or Technical Documents for reporting of Atypical Findings which may be further investigated.

2. Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method.

It is each *Player's* personal duty to ensure that no Prohibited Substance enters their body and that no Prohibited Method is Used. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use be demonstrated in order to establish an Anti-Doping Rule Violation for the Use of a Prohibited Substance or a Prohibited Method.

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. Evading, Refusing or Failing to Submit to Sample Collection by a Player

Evading sample collection; or refusing or failing to submit to Sample Collection without compelling justification after notification by a duly authorised person.

4. Tampering, or Attempted Tampering, with any part of Doping Control by a Player or Player Support Person which subverts the Doping Control process but which would not otherwise be included in the definition of Prohibited Methods. Tampering shall include, without limitation, intentionally interfering or attempting to interfere with a Doping Control official, providing fraudulent information to the PGA European Tour or intimidating or attempting to intimidate a potential witness.

5. Possession, by a Player, of any Prohibited Substance or Prohibited Method, unless the *Player* establishes that the Possession is pursuant to a therapeutic use exemption granted in accordance with Section F (Therapeutic Use Exemptions) or other acceptable justification.

6. Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.

7. Administration or Attempted administration to any Player of any Prohibited Substance or Prohibited Method.

8. Complicity; assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an Anti-Doping Rule Violation or Attempted Anti-Doping Rule Violation by a *Player* or *Player Support Person*, or *Other Persons or Related Personnel*; or a *Player's* violation of a period of ineligibility imposed by the PGA European Tour.

9. Prohibited Association

9.1 Association by a *Player* who is subject to the authority of the PGA European Tour in a professional or sport-related capacity with any *Player Support Person* who:

a. If subject to the authority of the PGA European Tour (or an Anti-Doping Organization), is serving a period of *Ineligibility*; or

b. If not subject to the authority of the PGA European Tour (or an Anti-Doping Organization) and where *Ineligibility* has not been addressed in a results management process pursuant to an Anti-Doping Policy, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Anti-Doping Policy compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six

years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

c. Is serving as a front or intermediary for an individual described in Section D (10.1 or 10.2).

9.2 To establish a violation of Section 10.1, the European Tour must establish that the *Player* knew of the *Player Support Person's* disqualifying status. The burden shall be on the *Player* to establish that any association with *Player Support Personnel* described in this Section is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided. The European Tour, aware of *Player Support Personnel* who meet the criteria described in this Section, may advise the World Golf Foundation, International Golf Federation or any of its members of that information.

10. **Whistle-blower Protection:**

acts by a *Player* or Other Person to Discourage or Retaliate against Reporting to Authorities

a. Any act which threatens or seeks to intimidate another Person with the intent of discouraging the Person from the good-faith reporting of information that relates to an alleged Anti-Doping Rule Violation, Drugs of Abuse Violation, or any other doping activity to the European Tour, law enforcement, or a professional disciplinary body.

b. Retaliation against a Person who, in good-faith, has provided evidence or information that relates to an alleged Anti-Doping Rule Violation or other doping activity, to the European Tour, law enforcement, or a professional disciplinary body.

For the purposes of Section 11, retaliation, threatening and intimidation include an act taken against such Person either because the act lacks a good faith basis or is a disproportionate response.

E. Prohibited Substances and Prohibited Methods

The PGA EUROPEAN TOUR shall publish a PGA EUROPEAN TOUR Prohibited List which identifies substances and methods prohibited under the Policy. Prohibited Substances and Prohibited Methods may be included in the PGA European Tour Prohibited List by general category (e.g., anabolic agents) or by specific reference to a particular substances or method. The PGA EUROPEAN TOUR has the right to amend the PGA EUROPEAN TOUR Prohibited List from time to time. If the PGA EUROPEAN TOUR Prohibited List is amended, unless the PGA EUROPEAN TOUR decides otherwise, the portion so amended will go into effect three months (90 days) after publication.

The PGA European Tour's determination of the Prohibited Substances and Prohibited Methods that will be included in the PGA European Tour Prohibited List and the classification of substances into categories on the PGA European Tour Prohibited List is final and shall not be subject to challenge by a *Player*.

The PGA EUROPEAN TOUR may also establish a PGA EUROPEAN TOUR Monitoring List of substances and methods which are not currently prohibited but which laboratories will be asked to identify in analysing samples so that the PGA EUROPEAN TOUR can evaluate whether those substances or methods are being abused. Laboratory results of samples pertaining to substances on the PGA EUROPEAN TOUR Monitoring List shall be reported anonymously. The presence of a monitored substance in a *Player's* system is not a violation under the Policy.

F. Therapeutic Use Exemptions ("TUEs")

Players may be granted a TUE for the use of a *Prohibited Substance* and/or *Prohibited Method* if (and only if), on the balance of probabilities, the following four criteria are fulfilled:

1. The *Prohibited Substance* or *Prohibited Method* in question is needed to treat a diagnosed medical condition supported by clinical evidence;¹ and
2. The therapeutic use of the Prohibited Substance or Prohibited Method will not, on the balance of probabilities, produce any additional enhancement of performance beyond what might be anticipated by a return to the Player's normal state of health following the treatment of a legitimate medical condition²; and
3. The Prohibited Substance or Prohibited Method is an indicated treatment for the medical condition, and there is no reasonable therapeutic alternative³; and
4. The necessity for the use of the otherwise Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of a prior use (without a TUE) of any substance or method which was prohibited at the time of such use. .

A TUE can only be granted if all four criteria are fulfilled.

An application (including all requested medical information) for a TUE shall be made to the PGA EUROPEAN TOUR at least **thirty (30) days prior** to participation in the PGA EUROPEAN TOUR co-sponsored, approved or coordinated tournament for which the TUE is sought, unless it is an emergency or exceptional situation.

A Retroactive TUE may be applied for if any of the following apply

- a. Emergency or urgent treatment was necessary.
- b. Exceptional circumstances prevented the Player from submitting a TUE application prior to *Sample* collection (The Player is required to explain the exceptional circumstances that prevented a prospective TUE application)
- c. The Player has prepared a *Medical File* to submit as a TUE application, for a medically justified and specified treatment which is permitted under the TUE Policy.

The application will be considered by an independent TUE Committee appointed and administered by the PGA EUROPEAN TOUR, who may seek the guidance of additional specialists as appropriate from an established list of medical experts⁴.

A *Player* whose TUE application is denied by the TUE Committee may appeal the denial to a TUE Appeal Committee by submitting a written appeal to the PGA EUROPEAN TOUR within fourteen (14) days of the date of Notification of the denial. In considering the appeal, the TUE Appeal Committee may consult with additional medical advisors and may require the Player to submit additional information. Within thirty (30) days of receiving the TUE appeal, the PGA EUROPEAN TOUR will advise the *Player* of the TUE Appeal Committee's decision either confirming the denial of the TUE or granting the TUE. The TUE Appeal Committee's decision on the TUE is final and binding.

Prior to a TUE being granted, a *Player* who uses a substance on the PGA EUROPEAN TOUR Prohibited List does so at his own risk of a TUE denial, potentially resulting in a violation under the Policy. The PGA European Tour may recognise TUEs granted by other golf organisations provided the exemption was granted in a manner consistent with the PGA European Tour's Policy.

The presence of a Prohibited Substance or its Metabolites or Markers, Use or Attempted Use of a Prohibited Substance or Prohibited Method, Possession of a Prohibited Substance or Prohibited Method or administration of a Prohibited Substance or Prohibited Method consistent with the provisions of an applicable TUE shall not be considered an Anti-Doping Rule Violation.

¹ The Use of the Prohibited Substance or Prohibited Method may be part of a necessary diagnostic investigation rather than a treatment per se.

² A Player's normal state of health will be determined on an individual basis. A normal state of health for a specific Player is their state of health but for the medical condition for which the Player is seeking the TUE.

³ The Physician must explain why the treatment chosen was the most appropriate, e.g., based on experience, side-effect profiles or other medical justifications, including, where applicable, geographically specific medical practice, and the ability to access the medication. Further, it is not always necessary to try and fail alternatives before using the Prohibited Substance or Prohibited Method.

⁴ European Tour has established an independent Therapeutic Use Exemption Committee (TUEC) to consider applications for the grant or recognition of TUEs, consistent with the relevant international standard as outlined in PGAET TUE Policy

G. Sample Collection and Analysis

The PGA EUROPEAN TOUR, and third parties authorised by the PGA EUROPEAN TOUR, may collect a urine and/or blood sample from any *Player* covered by the Policy with or without notice at any time or place. Target Testing may be directed by the Anti-Doping Programme Administrator. Testing at golf tournaments shall take full account of tournament conditions.

The PGA EUROPEAN TOUR has the right to require that *Players* provide their whereabouts to permit testing at any time. Once collected, all samples become the property of the PGA EUROPEAN TOUR.

For purposes of violations of Section D (1) of the Policy, samples shall be analysed only in Approved Laboratories. The choice of the laboratory used for sample analysis shall be determined exclusively by the PGA EUROPEAN TOUR.

Samples shall be analysed to detect Prohibited Substances and Prohibited Methods identified on the PGA EUROPEAN TOUR Prohibited List, and on the PGA, EUROPEAN TOUR Monitoring List or to assist the PGA EUROPEAN TOUR in profiling relevant parameters in a *Player's* urine and/or blood for Anti-Doping purposes. A sample may be reanalysed at any time at the direction of the Anti-Doping Programme Administrator. PGA European Tour may use analytical data from a Doping Control test to monitor eligibility rules. No sample may be used for any other purpose without the *Player's* written consent. Samples used for research shall have any means of identification removed such that they cannot be traced back to a particular *Player*.

Approved Laboratories shall analyse samples and report results in conformance with the International Standard for Laboratories or otherwise as provided in the PGA EUROPEAN TOUR Prohibited List, PGA EUROPEAN TOUR Monitoring List or as directed by the PGA EUROPEAN TOUR. If, at any stage, any question or issue arises in relation to a sample, the laboratory may at the PGA EUROPEAN TOUR's request conduct any further or other tests necessary to clarify the question or issue so raised and such tests may be relied upon by the PGA EUROPEAN TOUR when deciding whether an Anti-Doping Rule Violation may have been committed.

H. Results Management

1. Unless otherwise agreed, the PGA ET is responsible for results management of its members and tournament participants. Upon receipt of a laboratory report showing **no Adverse Analytical Finding (AAF)** under the Policy, the PGA EUROPEAN TOUR Anti-Doping Programme Administrator will promptly notify the *Player* of the result.

2. Upon receipt of a laboratory report indicating an **Adverse Analytical Finding**, the Anti-Doping Programme Administrator will conduct an expedited review, (with designated independent experts if appropriate), to determine whether an applicable TUE has been granted or whether there is any apparent departure from the International Standard for Testing or International Standard for Laboratories that could reasonably have caused the Adverse Analytical Finding. If that review does not reveal an applicable TUE, or Medical File which is subsequently accepted as explaining the AAF, or departure from the International Standards, the Anti-Doping Programme Administrator shall promptly Notify the *Player* of the Adverse Analytical Finding and the date on which the laboratory will conduct the analysis of the B sample or a split sample for the purpose of confirmation. Analysis of the B or split sample may be delayed, at the Anti-Doping Programme Administrator's discretion, if the *Player* promptly submits a retroactive TUE application or Medical File for review. The *Player* may attend the B (or split) sample analysis accompanied by a representative, or may have a representative appear on his behalf at the *Player's* expense. The *Player* may also waive analysis of the B (or split) sample. The *Player* must notify the Anti-Doping Programme Administrator within two (2) business days whether he will attend the B sample analysis. If the *Player* waives the B or split sample analysis, the PGA EUROPEAN TOUR may nevertheless proceed to have the B or split sample analysed if it considers that such analysis will be relevant to consideration of the *Player's* case. Upon receipt of the laboratory's B or split sample analytical report, the Anti-Doping Programme Administrator shall promptly Notify the *Player* of the result. If the B or split sample analysis confirms the Adverse Analytical Finding, the Anti-Doping Programme Administrator shall provide with the *Player* the applicable laboratory documentation.

3. Upon receipt of a laboratory report indicating an *Atypical Finding* or *Atypical Passport Finding*, the Anti-Doping Programme Administrator shall conduct any follow-up investigation which may be appropriate.

4. If the PGA EUROPEAN TOUR becomes aware of any conduct by a Player or other Person, consistent with a breach of this Policy, the Anti-Doping Programme Administrator shall conduct any follow-up investigation which may be appropriate to determine, on the balance of probabilities to proceed with disciplinary action.

5. At such time as the Anti-Doping Programme Administrator determines that a *Player*⁵ may have committed an Anti-Doping Rule Violation, the *Player* shall be Notified of the potential violation. The *Player* shall have seven (7) calendar days from such Notice to provide a written explanation to the Anti-Doping Programme Administrator. The Anti-Doping Programme Administrator will consider any information submitted by the *Player* and shall then decide whether to go forward with an Anti-Doping Rule Violation against the *Player*. If the Anti-Doping Programme Administrator's decision is to go forward with an Anti-Doping rule violation, the *Player* shall be Notified of the Anti-Doping Rule Violation with which he is charged and of the applicable sanctions (or range of sanctions) for such violation in accordance with Section K below.

6. In a case involving an Illicit and Recreational Drug/Substance of Abuse, the Anti-Doping Programme Administrator may decide, rather than referring the case to discipline, to recommend that the *Player* undergo at his own expense a programme of assessment, counselling, treatment or rehabilitation. If the *Player* refuses to undergo, or subsequently fails to complete, the recommended programme, the Anti-Doping Programme Administrator shall decide whether to issue the *Player* with Notice of an Anti-Doping Rule Violation as if no period of assessment, counselling, treatment or rehabilitation has taken place. Decisions regarding Illicit and Recreational Drug/Substance of Abuse may be appealed through the Independent Tribunal process set out in Section I.

7. Every *Player* shall be entitled to a hearing before the Independent Tribunal before any liability or sanction is determined under this Policy, unless he has waived (or is deemed to have waived) his right to a hearing pursuant to Sections H (8) and/or H (9) below (as applicable).

8. Within seven (7) calendar days of Notification of the Anti-Doping Rule Violation with which he is charged, the *Player* shall notify the Anti-Doping Programme Administrator in writing if he wishes to contest the Anti-Doping Rule Violation at a hearing. If the Anti-Doping Rule Violation is contested by the *Player*, a hearing shall be conducted by the Independent Tribunal in accordance with Section J below. If the *Player* fails to notify the Anti-Doping Programme Administrator of his wish to contest the Anti-Doping Rule Violation at a hearing within the designated time, he will be deemed to have waived his right to a hearing and to have accepted the Anti-Doping Rule Violation. The Anti-Doping Programme Administrator shall notify this fact to the *Player* in writing within a further seven (7) calendar days.

9. If the *Player* accepts the Anti-Doping Rule Violation with which he has been charged (or is deemed to have accepted the Anti-Doping Rule Violation in accordance with Section H(8) above) and also accepts the sanction proposed by the European Tour, the Anti-Doping Programme Administrator will issue a written reasoned decision⁶ confirming the commission of the Anti-Doping Rule Violation and the sanction imposed (subject to Section M below).

10. If the *Player* accepts the Anti-Doping Rule Violation with which he has been charged (or is deemed to have accepted the Anti-Doping Rule Violation in accordance with Section H (8) above), but does not accept the sanction proposed by the European Tour, the Anti-Doping Programme Administrator will automatically refer the *Player's* case to the Independent Tribunal for a determination on the issue of sanction only. Such determination may be reached on the basis of written submissions without the need for a hearing (unless the *Player* requests a hearing in writing by the deadline stipulated by the Anti-Doping Programme Administrator). The European Tour may elect to have the B sample analysed at their own cost.

⁵ Or where this applies, Other Person or Related Personnel under the jurisdiction of the PGA European Tour.

⁶ The written reasoned decision shall be known as a **Results Management Agreement** (RMA), which may recognise prompt admission, taking account of the seriousness of the violation. Discussions to agree the RMA shall be without prejudice to the parties.

I. Hearings before the Independent Tribunal

1. All hearings shall be conducted before an Independent Tribunal which will sit at the *Player's* election either as a sole arbitrator or as a panel of three (3) arbitrators. The Independent Tribunal shall be formed by selection (within two days) of a sole arbitrator by the *Player*, or an arbitrator selected each by the *Player* and by the European Tour Chief Executive. The selected arbitrators shall then nominate an Independent Chair from the Independent Panel of Arbitrators held by the Anti-Doping Programme Administrator and Notice of the formation shall be sent to the *Player*. The *EUROPEAN TOUR's* Anti-Doping Administrator shall refer the following matters for determination by the *Independent Tribunal*:

- a. A charge that one or more *Anti-Doping Rule Violations* has been committed. Where such charge is upheld or admitted the *Independent Tribunal* will determine what consequences (if any) should be imposed, in accordance with and pursuant to **Section E** Prohibited Substances and Prohibited Methods and **Section K** Sanctions.
- b. An application that a Provisional Suspension not be imposed (or be lifted), pursuant to **Section L** (Provisional Suspension).

and *Notice* of the referral shall be sent to the player.

2. Within seven (7) calendar days of the Independent Tribunal being formed, the sole arbitrator or Chair of the panel will convene a meeting of the *Player* (either in person or by telephone):

- a. to fix a date for the hearing (which shall be within forty-five calendar (45) days of the Notice set forth in Section H (5) above unless such period is extended by the Independent Tribunal for good cause);
- b. to fix a timetable for the submission of written evidence in advance of the hearing;
- c. to make such other procedural directions or decide such other issues as may be considered necessary; and
- d. where relevant, to determine, at the PGA EUROPEAN TOUR's request, the provisional suspension of the *Player* pending the outcome of the hearing.

3. Hearings shall be held at a location designated by agreement between the parties and Independent Tribunal and Notified to the *Player*. Hearings shall be conducted in English unless the parties agree otherwise. Each party has the right to be represented before the Independent Tribunal by legal counsel and, where necessary, by an interpreter (at his or its own expense). Hearing proceedings before the Independent Tribunal shall not be held in public, unless at the request of the *Player*.

4. The procedure to be followed shall be at the discretion of the Independent Tribunal provided that the hearing is conducted in a fair manner and that each party is afforded a reasonable opportunity to present evidence (including the right to call and to question witnesses), to address the Independent Tribunal and generally to present his or its case. All parties shall instruct witnesses or potential witnesses to keep the matter confidential. Where appropriate the Independent Tribunal shall request the assistance of expert witnesses to the Tribunal.

5. The PGA EUROPEAN TOUR shall have the burden of establishing to the comfortable satisfaction of the Hearing Panel⁷ that an Anti-Doping Rule Violation has occurred. Facts related to Anti-Doping Rule Violations may be established by any reliable means including, but not limited to, admissions, witness statements, documentary evidence, or conclusions drawn from longitudinal profiling or other analytical information which does not otherwise satisfy all the requirements to establish a violation for Section D (1). Where the burden of proof is placed on the *Player* to rebut a presumption or to establish specified facts or circumstances, the standard of proof shall be by a balance of probability. No discovery shall be permitted for any hearing under this section other than as specified below.

- i. In support of an Adverse Finding or Atypical Finding, laboratory documentation shall be consistent with the International Standard for Laboratories

⁷ This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond reasonable doubt.

- ii. For decisions involving Therapeutic Use Exemptions, a file of all documents considered by the TUE Committee with the timeline of the process shall be required.

The following presumptions shall be applicable:

- a. Analytical methods or decision limits approved by WADA, after appropriate consultation within the relevant scientific community and which have been the subject of peer review, are presumed to be scientifically valid. Either party may seek to rebut the presumption of scientific validity. Approved Laboratories are presumed to have conducted sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The *Player* may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.
- b. Departures from an International Anti-Doping Standard or other Anti-Doping rule or policy which did not cause an Adverse Analytical Finding or other Anti-Doping Rule Violation shall not invalidate such results. If the *Player* establishes that a departure from the International Standard for Laboratories or other anti-doping rule or policy which could reasonably have caused the Adverse Analytical Finding occurred, then the PGA EUROPEAN TOUR shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the Anti-Doping Rule Violation.
- c. The hearing panel may draw an inference adverse to a *Player* if the *Player* refuses, after a request made a reasonable time in advance of the hearing, to appear at the hearing and to answer questions from the PGA European Tour or the hearing panel.

6. Once the evidence has been heard and the parties have completed their respective submissions, the Independent Tribunal shall reach a decision as soon as reasonably practicable and, in any event, within 15 days of the date of the hearing (unless exceptional circumstances render this impossible). Where the decision is that an Anti-Doping Rule Violation has been committed, or where the case has been referred to the Independent Tribunal for the determination of sanction only, the Independent Tribunal shall determine the applicable sanction(s) for the Anti-Doping Rule Violation in accordance with the range of sanctions set out in Section K below. In applying the sanctions in Section K in a particular case, the Independent Tribunal may, except for cases involving Illicit and Recreational Drugs/Substances of Abuse, look for guidance to International Anti-Doping Standards. The *Independent Tribunal* shall provide its written decision to both the *Player* and the *EUROPEAN TOUR*. Each of the parties shall be responsible for the availability of their respective witnesses and shall bear its own costs, legal, expert or otherwise. The *Independent Tribunal* shall not have power to order any other party to pay such costs. The *EUROPEAN TOUR* shall meet the costs of convening the *Independent Tribunal*.

7. In the case where the *Player* admits the violation but contests the sanction applicable, the *Player* shall have the burden of establishing that the sanction proposed by the Tour is disproportionate to the violation. The Hearing Panel may increase the sanction(s) if new facts are established during the hearing that would have caused the European Tour to impose a different and/or more significant sanction.

8. Facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which are not the subject of a pending appeal shall be irrefutable evidence against the *Player* or Other Person to whom the decision pertained of those facts unless the *Player* or Other Person establishes that the decision violated principles of natural justice.

9. Management for an investigation of an Anti-Doping Rule Violation by Other Persons under the jurisdiction of the European Tour shall follow the procedural principles set out above.

J. Decision of the Independent Tribunal Final

The majority decision of the Independent Tribunal shall be the full, final and complete disposition of the *Player's* case and shall be binding on both the PGA EUROPEAN TOUR and the *Player*. If the decision is that an Anti-Doping Rule Violation has been committed, the decision shall be published in accordance with the provisions of Section M below.

Each party is responsible for its own costs and legal fees.

K. Sanctions

Sanctions on *Players* may include:

1. Disqualification, including loss of results, points, and prize money from the date the Anti-Doping Rule Violation was found to occur forward.
2. Ineligibility to participate in PGA EUROPEAN TOUR competitions or other activities.
 - a. The applicable period of Ineligibility for a first Anti-Doping Rule Violation under the Policy, other than for Illicit and Recreational Drugs/Substances of Abuse, shall be up to one-year Ineligibility except in cases involving Trafficking, administration, or Aggravating Circumstances, where the sanction may be up to permanent Ineligibility.
 - b. The applicable period of Ineligibility for a second Anti-Doping Rule Violation under the Policy, other than for Illicit and Recreational Drugs/Substances of Abuse, shall be up to five (5) years Ineligibility except in cases involving Trafficking, administration, or Aggravating Circumstances, where the sanction may be up to permanent Ineligibility.
 - c. The applicable period of Ineligibility for a third Anti-Doping Rule Violation under the Policy, other than Illicit and Recreational Drugs/Substances of Abuse, shall be up to a permanent Ineligibility.
 - d. The applicable period of ineligibility for cases involving violations of Sections D (6) to D (8), and/or Aggravating Circumstances shall be up to and including a permanent ban.
3. A Player committing an Anti-Doping Rule Violation under the Policy may also be subject to the imposition of a fine in an amount up to £250,000 (sterling).
4. Sanctions for Illicit and Recreational Drugs/Substances of Abuse may include a PGA EUROPEAN TOUR approved plan of treatment and rehabilitation to be conducted at the Player's expense, in addition to or in lieu of Ineligibility and fines.
5. Participation in activities that violate a sanction of Ineligibility may result in the imposition of a new period of Ineligibility up to twice the length of the original period of Ineligibility.

L. Provisional Suspension

The PGA EUROPEAN TOUR's Anti-Doping Programme Administrator may in exceptional circumstances make an application to the Board of the PGAET to impose a Provisional Suspension from participation in PGAET Sanctioned Tournaments at any time after the PGAET has received an Adverse Analytical Finding or after the Anti-Doping Administrator has decided to move forward with an Anti-Doping Rule Violation and has so Notified the player as provided in [Section H \(5\)](#) above; or to suspend the accreditation of a Related Person or suspend of an employee pending the outcome of the investigations and/or disciplinary hearing or appeal process. The Board of the PGAET by simple majority will determine whether such application by the Anti-Doping Administrator is granted.

A Player may also voluntarily accept a Provisional Suspension. All periods of Provisional Suspension, whether voluntarily accepted or imposed by the PGA European Tour's Anti-Doping Programme Administrator, shall count against any period of Ineligibility ultimately imposed. If a Player is not Provisionally Suspended and chooses to continue participating in any tournaments pending the resolution of the case, then any prize money won by the Player shall be held in escrow pending the outcome of the case.

If a Player is not Provisionally Suspended after Notice provided in [Section H \(5\)](#), the Player may choose to continue participating in any tournaments pending the resolution of the case. However if

any period of Ineligibility is later upheld through the hearing process, then the prize money won by the Player at any time after the PGA European Tour has received an Adverse Analytical Finding that may result in a finding of an Anti-Doping Rule Violation or after the Anti-Doping Administrator has decided that an Anti-Doping Rule Violation has been committed and so notified the Player as provided in Section H(5) above, must be returned to the PGA European Tour by direct payment to the Tour within ten (10) days of the conclusion of the hearing process. If the Player fails to return all or any portion of this prize money within ten (10) days of the conclusion of the hearing process, the Player agrees that the PGA European Tour may deduct all amounts due plus applicable interest from future prize money otherwise payable to the Player by the Tour until repaid in full. A Player may appeal the imposition of a Provisional Suspension to the Independent Tribunal as referred to in Section I.

M. Confidentiality and Reporting

The PGA EUROPEAN TOUR will use all reasonable efforts to maintain the confidentiality of *Players* in all aspects of the Anti-Doping programme, except as provided in this [Section M](#) below. Personal data may be processed by third parties in subsequent reports to other Anti-Doping organisations. *Player* data will be limited to those within the golf tours who have an authorised need to know.

The PGA EUROPEAN TOUR will use its reasonable endeavours to ensure that persons under its control do not publicly disclose the identity of a *Player* whose sample has resulted in an Adverse Analytical Finding or who has been alleged to have committed an Anti-Doping rule violation until after the process described in [Sections H and I](#) have been completed.

At any time after a *Player* has received Notice as provided in [Section H \(5\)](#), however, the PGA EUROPEAN TOUR may advise the World Golf Foundation or any of its members of the pending case against the *Player* unless the *Player* agrees in advance not to participate in any tournaments of those organisations pending the resolution of the case.

The PGA EUROPEAN TOUR will only discuss the specifics of cases still pending under [Sections H and I](#) where to do so is appropriate, in response to public comments attributed to the *Player* or *Player's* representative.

In each case where a period of Ineligibility has been imposed or tournament results have been Disqualified, the PGA EUROPEAN TOUR will, at a minimum, publish the name of the *Player*, the Anti-Doping Rule Violation, and the sanction imposed. As an exception, the PGA EUROPEAN TOUR may decide not to publish information on cases involving Illicit and Recreational Drugs/Substances of Abuse.

The PGA EUROPEAN TOUR may publish statistical information about the Policy, including a list of occasions on which each *Player* has been tested.

N. Mutual Recognition of Decisions

The PGA EUROPEAN TOUR may recognise and give effect to the Anti-Doping decisions of other golf organisations in all cases where those decisions would be equally appropriate under this Policy.

O. Release

As a condition of membership or participation in PGA EUROPEAN TOUR co-sponsored, approved or coordinated tournaments, each *Player* hereby releases the PGA EUROPEAN TOUR, the PGA EUROPEAN TOUR's Chief Executive, the Anti-Doping Programme Administrator, and each director, officer, member, employee, agent or representative of any of the foregoing, jointly and severally, individually and in their official capacity, of and from any and all claims, demands, damages and causes of action whatsoever, in law or equity, in arising out of or in connection with any decision, act or omission arising under the Policy.

P. Governing Law, Appeal and Continuing Jurisdiction

This Policy and any matter arising from or in connection with it shall be governed by and construed in accordance with the law of England and Wales. All disputes arising from this Policy shall be submitted to the exclusive jurisdiction of the courts of England and Wales. Actions may be commenced under this Policy against any *Player* or other Person for an Anti-Doping Rule Violation contained in this Policy within 10 years from the date the Anti-Doping Rule Violation occurred.

Definitions

Adverse Analytical Finding: A report from a laboratory or other Approved Laboratory that, consistent with the International Standard for Laboratories and Technical Documents, identifies in a sample the presence of a PGA EUROPEAN TOUR Prohibited Substance or its Metabolites or Markers or evidence of the Use of a Prohibited Substance or Prohibited Method on the PGAET Prohibited List.

Adverse Passport Finding: A report identified as an Adverse Passport Finding as described in the applicable International Standards.

Aggravating Circumstances: Aggravating Circumstances are present when it is clear that the Player intentionally violated the PGA EUROPEAN TOUR Anti-Doping Programme. Examples of the types of evidence supporting a finding of Aggravating Circumstances could include: the Player committed the Anti-Doping rule violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit Anti-Doping rule violations; the Player Used or Possessed multiple Prohibited Substances or Prohibited Methods or Used or Possessed a Prohibited Substance or Prohibited Method on multiple occasions; a normal individual would be likely to enjoy the performance-enhancing effects of the Anti-Doping rule violation(s) beyond the period of Ineligibility which might otherwise be applied, the Player engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an Anti-Doping Rule Violation.

Anti-Doping Rule Violation: Prohibited conduct as set out in Section D of this Policy.

Approved Laboratories: Laboratories accredited by the World Anti-Doping Agency (WADA) or as otherwise approved by WADA or PGA EUROPEAN TOUR.

Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an Anti-Doping rule violation. Provided, however, there shall be no Anti-Doping Rule Violation based solely on an Attempt to commit a violation if the Player renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

Atypical Finding: A report from a laboratory or other WADA or PGA EUROPEAN TOUR-approved entity which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an Adverse Analytical Finding.

Atypical Passport Finding: A report described as an Atypical Passport Finding as described in the applicable International Standards.

Disqualification: The Player's results in a particular tournament(s) are invalidated, with all resulting consequences including forfeiture of any prize money and points.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as sample collection and handling, laboratory analysis, therapeutic use exemptions, results management and hearings.

Endogenous: a substance, such as a hormone, that is produced or growing from within.

Illicit and Recreational Drugs/Substances of Abuse: The following substances which are normally associated with social abuse rather than athletic performance, including their Metabolites and D and L optical isomers where relevant, are prohibited:

Natural (e.g. cannabis, hashish and marijuana) or synthetic delta 9-tetrahydrocannabinol (THC) and cannabimimetics (e.g. "Spice" (JWH018, JWH, HU,210); cocaine, methylenedioxyamphetamine (ecstasy), phencyclidine (PCP), dimethylamphetamine (DMA), benzylpiperazine (BZP), and amphetamine, methamphetamine (D-), methylenedioxyamphetamine, p-methylamphetamine, and the following narcotics: buprenorphine (Suboxone), dextromoramide, diamorphine (heroin), fentanyl (Fentora, Duragesic) and derivatives, hydromorphone (Dilaudid), meperidine (Demerol), methadone, morphine (Avinza, Kadian, MS Contin, MSIR), oxycodone (Percocet, Roxicet, Tylox), oxymorphone (Opana, OpanaER), pentazocine (Talwin, Talacen), pethidine.

Ineligibility: No Player who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in a tournament or other activity of the PGA EUROPEAN TOUR, the International Golf Federation or any of its members, other than authorised Anti-Doping education or rehabilitation programmes.

International Anti-Doping Standard: A standard adopted by WADA in support of the World Anti-Doping Code as adopted by the PGA European Tour. Compliance with an International Anti-Doping Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Anti-Doping Standard were performed properly. International Anti-Doping Standards shall include any Technical Documents issued pursuant to the International Anti-Doping Standards.

International Standard for Laboratories: The International Anti-Doping Standard for sample analysis established by WADA tailored to the sport of golf.

International Standard for Testing and Investigations: The International Anti-Doping Standard for sample collection established by WADA tailored to the sport of golf.

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

Medical File; Player medical information as set out in the TUE Policy

Metabolite: Any substance produced by a biotransformation process.

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

Notice: Any Notification required by this Policy to be given to a Player shall be hand-delivered or sent to him via registered or certified mail, return receipt requested, to the address of the Player as shown in the records of the PGA EUROPEAN TOUR. Delivery to a member's locker at a tournament for which the Player has committed shall also constitute hand delivery under this section. Notice by registered or certified mail shall be effective as of the date of mailing.

Player Support Person/Other Person/Related Personnel: Any coach, trainer, manager, agent, caddie, team staff, official, medical, paramedical personnel, parent or any **Other Person** working with, treating or assisting a Player participating in or preparing for a *PGA EUROPEAN TOUR* sanctioned, sponsored, approved or coordinated tournament.

PGA EUROPEAN TOUR Prohibited List: The list identifying the Prohibited Substances and Prohibited Methods.

PGA EUROPEAN TOUR Monitoring List: The list identifying substances which are not prohibited but which laboratories may, as directed, seek to detect in Player samples and report anonymous results quarterly to the PGA EUROPEAN TOUR.

Possession: The actual, physical Possession, or the constructive Possession (which shall be found only if the Player has exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists); provided, however, that if the Player does not have exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method

exists, constructive Possession shall only be found if the Player knew about the presence of the Prohibited Substance/Method and intended to exercise control over it. Provided, however, there shall be no Anti-Doping rule violation based solely on Possession if, prior to receiving Notification of any kind that the Player has committed an Anti-Doping Rule Violation, the Player has taken concrete action demonstrating that the Player never intended to have Possession and has renounced Possession by explicitly declaring it to the PGA EUROPEAN TOUR. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes Possession by the Player who makes the purchase.

Prohibited Method: Any method so described on the PGA EUROPEAN TOUR Prohibited List.

Prohibited Substance: Any substance so described on the PGA EUROPEAN TOUR Prohibited List.

Provisional Suspension: The Player is barred temporarily from participating in any tournament prior to the final decision in the matter.

Tampering: Conduct which subverts the Doping Control process but would otherwise be included in the definition of Prohibited Methods such as altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; or obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring. Tampering specifically includes, but is not limited to intentionally interfering or Attempting to interfere with a Doping Control official; or providing fraudulent information to the PGAET or its agents, or intimidating or Attempting to intimidate a potential witness.

Target Testing: Selection of Players for testing where specific Players are selected on a non-random basis for testing at a specified time.

Trafficking: Selling, giving, transporting, sending, delivering or distributing a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by a Player to any third party without acceptable therapeutic justification.

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

WADA: The World Anti-Doping Agency



FURTHER INFORMATION - CONTACT

EUROPEAN TOUR ANTI-DOPING ADMINISTRATOR

Michele Verroken

M: +44 (0) 7785 326569

Email: michele@sportingintegrity.com / michele.verroken@consultant.europeantourgroup.com

EUROPEAN TOUR CHIEF MEDICAL OFFICER

Dr Andrew Murray

M: +44 7791 303980

Email: amurray@europeantour.com

EUROPEAN TOUR HEAD OF INTEGRITY

Andrew Howell

M: +44 7879 437207

Email: AHowell@europeantourgroup.com

EUROPEAN TOUR DIRECTOR OF OPERATIONS

David Garland

M: +44 (0) 7899 940040

Email: dgarland@europeantour.com

PGA EUROPEAN TOUR

Wentworth Drive
Virginia Water
Surrey GU25 4LX
England

T : +44 (0) 1344 840400

F: +44 (0) 1344 840500

E: info@europeantour.com

www.europeantour.com



“All Members, Players, Related Personnel and Employees of the PGA European Tour must act with honesty and sportsmanship at all times so that we represent the honour and dignity of fair play and preserve the recognised high standards associated with Integrity in Golf”.

For more information on the European Tour Integrity Policy:

<https://www.europeantour.com/european-tour/news/articles/detail/the-european-tour-integrity-programme/>

How to avoid breaching Integrity Regulations:

- 1. Be SMART – Know the rules**
- 2. Be SAFE – Never bet on Golf**
- 3. Be CAREFUL – Never share inside information**
- 4. Be CLEAN – Never fix an outcome or event**
- 5. Be OPEN – Tell someone if you are approached**

Making a disclosure in the public interest (Whistleblowing)

<https://www.europeantour.com/european-tour/news/articles/detail/making-a-disclosure-in-the-public-interest-whistleblowing/>

Anti-Doping is an important part of the Tour’s Integrity Programme

#protectingintegrityingolf

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Confidential Helpline

NO OBLIGATION, NO DEMANDS - JUST HELP WHEN YOU NEED IT

The Confidential Helpline has been set up for Members of the European / Legends / Challenge Tours, their partners / wives and Members of the European Tour Caddies Association, who would like to talk to a professional counsellor and therapist in absolute confidence.

If you are struggling with a personal problem such as drink, drugs or gambling dependency, family issues, bereavement, depression or anything else that may be affecting your profession and your life in general, help is just a phone call away.

- Free confidential help and support when and where you need it.
- Experienced, professional counsellors and therapists and life coaches who understand the pressures of your profession.

The helpline doesn't have to be the first port of call. You could chat to European / Legends / Challenge Tour Medical staff or another employee / Member and be put directly in touch with help. The first call is just the start. As soon as your need is ascertained, face-to-face meetings close to your home will follow.

Don't delay making a call. There is no such thing as a time waster with this service.

This Confidential Helpline is set up specifically for the benefit of European / Legends / Challenge Tour Members, their partners / wives and Members of the European Tour Caddies Association and the PGA European Tour will fund up to three initial sessions as required.

CALL THE CONFIDENTIAL HELPLINE ANY TIME ON:

- 0844 800 6873 (Calls from the UK)
- +44 1373 858080 (Calls from outside the UK)