

IMMAF ANTI-DOPING COMMITTEE

Terms of Reference

1. Status and Role

1.1 The IMMAF Anti-doping Committee ("Anti-doping Committee") is appointed by, and reports to, the IMMAF Board of Directors ("Board of Directors") under Article 17 of the IMMAF Statutes.

1.2 The role of the Anti-Doping Committee is to ensure that IMMAF meets its obligations as an International Federation in the fight against doping in sport (Article 50 of the IAAF Statutes). The Committee will devise and manage an anti-doping strategic plan and recommend the necessary procedures and resources to the IMMAF Board.

2. Commencement

2.1 These Terms of Reference are effective from 1 December 2019.

3. Composition of Anti-doping Committee

3.1 Size: The Anti-doping Committee shall comprise between three (3) and five (5) experts, including 1 chairman, and seek geographic and gender balance amongst members.

3.2 Eligibility: To be eligible for nomination, and to remain as an Anti-doping Committee Member the person must be;

- b. be at least 18 years old;
- c. be able to speak and understand English reasonably well;
- d. not be under investigation, or convicted or otherwise sanctioned for:
 - i. any other offence or breach of any rules of IMMAF, an Area Association or a Member Federation; or

ii. an offence under any applicable laws punishable by a term of imprisonment of 2 years or more (unless the person has served the sanction imposed on them);

4. Term and Vacancies

4.1 Term: The term of office for members of the Anti-doping Committee is four years:

4.2 Resignation and Removal

a. A member of the Anti-doping Committee may resign prior to the expiry of their term of office by giving not less than 1 months' notice in writing to the Anti-doping Committee Chair and the IMMAF President.

b. An Anti-doping Committee Member may be removed from the Committee prior to the expiry of their term of office, by decision of the Board of Directors on the recommendation of the Committee Chairman to IMMAF President, for:

i. breach of any duty under clause 8; or

ii. any other act or conduct that, in the opinion of Board of Directors, brings the Anti-doping Committee or IMMAF into disrepute.

c. In addition, an Anti-doping Committee Member shall be deemed to have vacated his or her position if, during their term, he or she:

i. is absent from two consecutive meetings of the Anti-doping Committee.

4.3 Changes and Vacancies: If any position on the Anti-doping Committee is vacant, whether by resignation, removal or otherwise at any time, the Board of Directors may (on the recommendation of the Committee Chair and IMMAF President) appoint a replacement member (who is eligible under clause 3.2) for the balance of the term of office of the vacated position.

5. Chair

5.1 Role and Responsibilities: The role of the Chair is to lead and represent the Anti-doping Committee in close co-operation with the IMMAF CEO. The Chair has the following responsibilities:

- a. chair and prepare the agenda/papers for all meetings of the Committee;
- b. be the spokesperson for the Committee;
- c. liaise with the Anti-doping adviser and IMMAF CEO as required or requested;
- d. prepare and present reports to the IMMAF Board of Directors;
- e. attend meetings of the Board of Directors and any other Committees or Working Groups as requested by the CEO or Board of Directors;
- f. represent IMMAF Anti-doping at any forums, groups or presentations if requested by the President or the Chief Executive;
- g. regularly communicate with the Anti-doping adviser and members of the Anti-doping Committee and other persons in order to identify issues for the Anti-doping Committee to consider; and,
- h. any other specific responsibility as required by the Chief Executive, President or Board of Directors that are within the scope of the role and responsibilities of the Anti-doping Committee (set out in clauses 1.2 and 6).

5.3 Resignation or Removal: The Chair may be removed from their position, prior to the expiry of their term of office, by:

- a. resignation; or,
- b. decision of Board of Directors, in its absolute discretion; or
- c. resignation or removal from the Committee under clause 4.2.

6. Responsibilities

Commented [MV1]: Strongly recommend these are thought through again.
Are current governance standards consistent with this approach?

6.1 The Anti-doping Committee will fulfil its role by undertaking the following responsibilities:

- To help ensure that IMMAF guidelines, procedures, codes and other material related to the WADA Code are compliant.
- Support IMMAF in its efforts to be fully recognised by WADA;
- Help IMMAF National Federations to develop their own Anti-doping programmes;
- Develop anti-doping education programmes in MMA (i.e. Seminars, Workshops and educational information);
- Help to ensure that Anti-doping and Clean MMA are closely integrated in the work of other IMMAF functional areas such as Event Management, Regulatory Affairs, Ethics, Arbitration and Communications;

Commented [MV2]: Could require expertise in law and anti-doping!

7. Referral of matters

The IMMAF CEO may refer matters to this Committee as appropriate. In exercising its responsibilities, this Committee may refer any item to the IMMAF Administration for discussion, consideration and/or action. This Committee may recommend relevant matters for action or noting to other IMMAF Committees as appropriate.

8. Quorum

A quorum for the committee meeting is defined as 50% of the membership, plus one. Where attention is drawn to a loss of quorum, the meeting may be adjourned until such time as the Chair may determine. This quorum also applies to remote decisions.

9. Conflict of Interest

Committee members will sign a confidentiality and conflict of interest declaration in advance. Members will self-excuse where there are nationality, relationship or commercial conflicts of interest or potential conflicts they may have with any item on the committee's agenda.

Commented [MV3]: Would members sign a confidentiality and conflict of interest declaration in advance? Guidance on (self) excluding individuals from items (nationality, relationship, commercial interest?)

If a committee member does not self-excuse, he/she will be excused from Committee discussions and deliberations on the issue by the Chair.

10. Authority

10.1 The Anti-doping Committee may engage with the media on IMMAF anti-doping matters with the prior approval of the IMMAF CEO.

10.2 Members of the Anti-doping Committee will not make public statements about IMMAF, the Anti-doping Committee or any aspect of the Anti-doping Committee's work, without prior approval of the IMMAF CEO.

11. Duties of Anti-doping Committee Members

11.1 Members shall rigorously champion the IMMAF anti-doping rules and procedures and the provisions of the WADA Code;

11.2 Shall strive to ensure open and effective communication amongst Anti-doping Committee members;

11.3 Make timely decisions to not hold up ongoing work;

Commented [MV4]: Difficult one as if the person is not present when confidential matters are discussed it would be a matter for the Chair to bring the member up to speed but may also have to respect Col.

12. Rights of Anti-doping Committee Members

12.1 Members will be provided with complete, accurate and meaningful information in a timely manner by the IMMAF Anti-doping advisor and relevant IMMAF staff;

12.2 Members will be given reasonable time to formulate key recommendations

12.3 Members will be alerted to potential risks and issues that could impact relevant project, as they arise

12.4 Members can expect open and honest discussions, with the avoidance of misleading assertions

Commented [MV5]: First time I have seen 'rights' in a TOR!

13 Participation:

13.1 Anti-doping Committee Members shall attend meetings of the Committee (in person or using technology) unless excused by the Chair. There will be at least 1 physical meeting each year and more regular meetings on an ad-hoc basis using telephone/video conference/skype etc on a schedule set by the Chair.

Commented [MV6]: How many meetings are expected

13.2 Each Committee member shall participate in an active and energetic way in Committee meetings and in matters undertaken by the Committee between meetings.

13.3 Each Anti-doping Committee Member must be adequately prepared for each Committee meeting in order to participate effectively and constructively.

14. Anti-doping Code:

14.1 Committee Members are bound by the IMMAF Anti-doping Code and other IMMAF Policy documents. This includes principles of conduct related to integrity, equality, dignity, good faith, conflicts of interest, improper benefits, improper association and neutrality.

14.2 IMMAF Rules: Anti-doping Committee Members are bound by all the rules and regulations of IMMAF together with any directions and decisions of the Board of Directors.

15. Reporting

15.1 Reports to Board of Directors: The Anti-doping Committee shall submit a report to the IMMAF CEO in writing within 1 month of each meeting of the Committee. This report shall be prepared by the Chair of the Anti-doping Committee in collaboration with the IMMAF Staff Liaison. All Anti-doping Committee Members shall receive a copy of this report.

15.2 Annual Summary Report: By a date specified by the Chief Executive, the Chair shall, in consultation with the Anti-doping Committee members, prepare an annual report with a summary of the Committee's work for inclusion in Board of Directors' annual report to the Member Federations. This report will also be published on the IMMAF website.

16. Anti-doping Committee Meetings and Procedure

16.1 Work: The Anti-doping Committee shall undertake its work at meetings of the Committee and in between meetings by telephone, email and other means of communication as is necessary to fulfil its responsibilities.

16.2 Meetings: The Anti-doping Committee shall meet in person once each year. The dates and venue are to be agreed by the Chair and the Chief Executive Officer. As much notice as possible, usually at least two months' notice, will be given to all Committee Members of the date, time and venue for any meeting.

16.3 Agenda and meeting documents: The Chair shall prepare an agenda for each meeting in consultation with the Staff Liaison. Committee Members may submit items for the agenda through the Chair. All documents must be submitted to the committee Secretary no later than eight working days prior to the forthcoming meeting. Except with the express permission of the Chair, late documents will not be accepted. Responsibility for ensuring appropriate records management for the committee rests with the Staff Liaison under the direction of the Chair. The agenda, together with relevant papers, will be distributed to all Committee Members by IMMAF Staff Liaison prior to each Committee meeting (10 days prior).

16.4 Chair: The Chair will chair all meetings, unless he or she is unavailable in which case the Chief Executive Officer will designate a replacement.

16.5 Attendees: In addition to Committee Members:

- a. Other persons and experts may be invited by the Chair to attend meetings to provide information or advice on a specific item of business at a meeting, with the prior approval of the Chief Executive Officer;

16.6 Meetings using Technology: Anti-doping Committee meetings may be held by telephone, through video or internet conference facilities or in combination with a meeting held in person provided that prior notice of the meeting is given to all Committee Members and all persons participating in the meeting are able to hear each other effectively and simultaneously. Participation by any Committee Member in this manner at a

meeting shall constitute the presence of that member at that meeting.

16.7 Remote Decisions: In addition to discussions and decisions made in meetings of the Anti-doping Committee, discussions may be held between members via email and other social media and messaging platforms, provided that any resolutions or decisions of the Committee which follows such discussion, shall only be valid if decided by email in the manner prescribed by the Chair and Chief Executive Officer.

16.8 Voting: Decisions of the Anti-doping Committee shall generally be made by consensus. If a consensus cannot be reached and a vote is required, each Anti-doping Committee Member shall have one (1) vote. Voting by proxy is not permitted. Where members are attending a meeting using technology, they may vote by email in accordance with the procedures prescribed by IMMAF. Except to the extent specified in these Terms of Reference, a majority in favour of an action by those Anti-doping Committee Members present at a meeting is required for it to be passed.

A member who attends a meeting via telephone or video or other conference facility shall be regarded as being present. In the event of an equality of votes, the Chair may cast a casting vote.

13.11 Minutes: Minutes of each meeting of the Anti-doping Committee shall be taken. The Chair will be responsible for designating whether the IMMAF Staff Liaison or another person takes minutes during the meeting. The minutes will be finalised in consultation with the Chair and sent to the Anti-doping Committee members within a maximum of one (1) month of the meeting. Any amendments to the Minutes will be agreed at the next meeting of the Anti-doping Committee and noted accordingly.

13.12 Confidentiality: All meetings and the work of the Anti-doping Committee and IMMAF Arbitration Panels are confidential.

No documents, information, discussion, recommendations or decisions made at an Anti-doping Committee meeting or IMMAF Arbitration Panel Hearing in connection with the work of the Anti-doping Committee, shall be disclosed to any other person unless:

- a. the President, Chief Executive Officer or Anti-doping Committee Chair authorises such disclosure;

- b. the Anti-doping Committee agrees that such disclosure is necessary or desirable to advance its work;
- c. the matter is in the public domain; or
- d. such disclosure is required by law or any applicable authority, including the IMMAF Anti-doping Committee, IMMAF Arbitration Panel or another Disciplinary Tribunal.

14. Administration

14.1 Expenses: Anti-doping Committee Members act as such in a voluntary capacity and will not be compensated for their work as a Committee Member. IMMAF will reimburse expenses and pay a per diem for each Anti-doping Committee Member in accordance with IMMAF policy.

14.2 Administration: IMMAF will arrange travel, accommodation and insurance for Anti-doping Committee meetings in accordance with IMMAF policy.

14.3 Documents: IMMAF will provide the Anti-doping Committee with all documents held by IMMAF relevant to the Anti-doping Committee's work. All records, minutes and notes will be stored in the IMMAF Head Office

15. Review

The Committee shall review its Terms of Reference every two years and provide a report, including any recommendations, to the IMMAF Board.