

ANNEXURE A: WHO NEEDS TO APPLY FOR A THERAPEUTIC USE EXEMPTION (TUE) IN ADVANCE?¹

The International Standard for TUEs (ISTUE) is the reference standard for the South African Institute for Drug-Free Sport's (SAIDS) TUE application process. The definitions outlined below comply with the ISTUE.

What Level Athlete am I?

The athlete's level i.e., whether he/she is an **"National Level"**, or **"International Level"** Athlete is important in determining **when*** they need to apply for a Therapeutic Use Exemption (TUE) – *in advance (before taking part in an event) or retroactively (post-event, should they get tested and the test returns an adverse analytical finding).

Athletes who meet the SAIDS criteria for **National Level Athletes** (or the **International Level Athlete** criteria set by their sport's International Federation) need to apply for a TUE **before** they take a medication or method which is prohibited in sport (unless it is a medical emergency, in which case a retroactive application will apply).

You can use the SAIDS's online Medication Check Tool to check whether the substances or methods included in your medication are included in the Prohibited List: <http://www.drugfreesport.org.za/online-medication-check/>. Remember, it is your responsibility, in the context of anti-doping, for what you ingest and use.

If you are elevated to the status of a **National Level Athlete**, you need to check the status of any medication you are using **immediately** as this means that you need to apply for a TUE if you are using a prohibited medication and/or a prohibited method.

It is therefore important for athletes to understand whether they are classified as a **National, International Level Athlete** or **Other Athlete**.

National Level Athletes

SAIDS determines the criteria for a **National Level Athlete** (in accordance with the World Anti-Doping Code and the SAIDS Anti-Doping Rules). If you meet any of the below mentioned criteria you shall be deemed a **National Level Athlete** and you need to request a TUE in advance:

- a. Athletes who hold a professional South African licence to compete.
- b. Athletes in the SAIDS Registered Testing Pool, Testing Pool or other pool, if any.
- c. Athletes that participate in National Competitions or Events or in selection events for National Competitions or Events in the sports identified in the following table.
- d. Athletes that represent South Africa internationally but are not in an International Federation's Registered Testing Pool.

¹Applicable as of 1st January 2021

But if any such Athletes are classified by their respective International Federations as International-Level Athletes then they shall be considered International-Level Athletes (and not National-Level Athletes).

With reference to point c, athletes who compete in the competitions, events and/or are selected for the senior national teams as specified in the sport codes and disciplines below need to apply for a TUE in advance.

Sport Code	Competition	Other Criteria
Athletics	Athletes who compete at the senior national track and field, race walking, cross country and road running championships and who are entered in the elite category at the following AIMS identified marathons on the Athletics South Africa events calendar: Two Oceans Marathon, Comrades Marathon and Cape Town City Marathon.	Athletes selected to represent the senior national team at a continental or world championships.
Aquatics	Athletes who compete in the open age category at the senior national swimming championship events (includes short course, long course and open water).	Athletes selected to represent the senior national men's and women's swimming teams at a continental or world championships (includes short course, long course and open water).
Basketball	Athletes who compete in the men's Professional Basketball League.	Athletes selected to represent the senior men's national team at a continental or world championships.
Boxing	Athletes who compete at the senior national men's Amateur Boxing Championships. Athletes who are national champions and are ranked in the top 10 of their various categories in Professional Boxing.	Athletes (SANABO) selected to represent the senior men's national team at an Amateur Boxing (AIBA) continental or world championships.
Canoeing	Athletes who compete in the elite category at the senior national sprint and marathon championships and the elite category at the Dusi and Berg River Marathons.	Athletes selected to represent the senior national sprint and marathon teams at continental or world championships.
Cricket	Athletes who compete in the national four-day, one day and T20 men's competition.	Athletes selected for the under 19 national men's team and senior national men's and women's team in the following formats: tests, one day and T20.

Cycling	Athletes who compete in the elite category at the senior national championship events (includes road, track, mountain bike and BMX championships). Additional events include athletes entered in the elite category of the Cape Epic, Joberg2C, Sani2C, Cape Pioneer, Trailseeker and National Mountain Bike series.	Athletes selected to represent the senior national team to compete at a continental or world championship event (includes road, track, mountain bike and BMX).
Football	Athletes who compete in the Premier Soccer League.	Athletes selected to represent the senior and under 20 national men's and women's team to compete at a continental or world championships.
Golf	Athletes who compete in the senior men's and women's amateur and interprovincial championships.	Athletes selected to represent the senior national men's and women's team at a continental or world championships.
Hockey	Athletes who compete in the senior men's and women's national interprovincial championships and the Premier Hockey League.	Athletes selected to represent the senior national men's and women's team at a continental or world championships.
Judo	Athletes who compete in the elite men's and women's senior national championships (all weight categories).	Athletes selected to represent the senior national men's and women's team at a continental or world championships.
Mixed Martial Arts (MMA)	Athletes who compete in the EFC Championships.	Not Applicable.
Netball	Athletes who compete in the National Netball League.	Athletes selected for the senior women's national teams.
Powerlifting	Athletes who compete in the elite men's and women's senior national championships (all weight categories and disciplines e.g., bench press, squat).	Athletes selected to represent the senior national men's and women's team at a continental or world championships.
ParaSport	Not Applicable.	Athletes selected to represent South Africa at the World Championships in track and field, cycling and aquatics.
Rowing	Athletes who compete in the elite men's and women's senior national championships.	Athletes selected to represent the senior national men's and women's team at a continental or world championships.
Rugby	Athletes who compete in the senior Currie Cup and Pro-16 competition.	Athletes selected in the national under 20 team and senior male and female national teams (sevens and fifteens).

Shooting	Athletes who compete in shooting disciplines for selection to the Commonwealth and Olympic Games.	Athletes selected in national teams for shooting disciplines that form part of an upcoming Commonwealth and Olympic Games.
Triathlon	Athletes who compete in the elite (standard, long and ultra-distance) category at the senior national championships and at the Ironman events.	Athletes who are selected as part of the TSA high performance squads. Athletes who are licensed to compete in world cup or professional ironman triathlon events
Wrestling	Athletes who compete in the elite men's and women's category at the senior national championships (all weight categories).	Athletes selected to represent the senior national men's and women's team at a continental or world championships.

Please note the following:

- a. If you are competing in an **event that qualifies you as a National Level Athlete**, you should have a **TUE in place** seven (7) days prior to the event start date and it should last at least for the duration of the event.
- b. If you are **selected in a national team** as stipulated under the criteria section of the specific code in the above table, and you need to take a prohibited medication or use a prohibited method for therapeutic reasons, then you should apply for a TUE **as soon as you are selected**. If you lose your place in the team due to injury or performance, you still qualify as a National Level Athlete for this period i.e., for the calendar year in which you were part of the team and you must have a TUE in place as you could still be tested during this time.

International Level Athletes

- a. The criteria for an International Level Athlete is determined by a sport's International Federation (IF).
- b. One of the potential criteria is your inclusion in your International Federation's RTP. Your IF will inform you of your inclusion in their RTP.
- c. Another potential criterion is your participation at your IF's highest-level International Events. You may check with your IF, either directly or via your National Federation whether you are considered to be an International Level Athlete.
- d. If you are competing at an IF's International Event, and you need to use a prohibited medication or method for therapeutic reasons, and you already have a TUE granted by SAIDS, you should check with your IF whether it will be recognised automatically, or you will need to apply for its recognition. If you don't have a TUE granted by SAIDS, you should check with your IF whether you are considered to be an International Level Athlete for the purposes of that International Event

Other Athletes

All other athletes (including Recreational Athletes) qualify for a **Retroactive TUE**, which means you only need to apply if you are tested and you are using a prohibited medication or method for therapeutic reasons.

A retroactive application only allows you the opportunity to apply for a TUE. In order to be granted a Retroactive TUE, the SAIDS TUE Commission must be satisfied that all the criteria set out in the ISTUE are met. SAIDS recommends that you gather the relevant medical information in advance, to be prepared, in case you need to apply for a Retroactive TUE.

If you are unsure what level athlete, you are or have other questions please contact SAIDS at 021 686 1634 or e-mail the TUE Administrator at rado-tue@suids.org.za