

**A COMPERATIVE STUDY OF ANTI-DOPING LAW ON
ATHLETES IN MALAYSIA AND THE UNITED STATES.**

By

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Submitted in Partial Fulfilment of the Requirement
For the Bachelor in Legal Studies

**Universiti Teknologi MARA
Faculty of Law**

June 2013

The students/authors confirm that the work submitted is their own and that appropriate Credit has been given where references has been made to the work of others.

Acknowledgement

In the Name of Allah Most Merciful Most Compassionate.

All praise to Allah the all Mighty and peace be upon the holy Prophet Muhammad S.A.W. Alhamdulillah, thank you to Allah S.W.T for the blessing and the strength to complete this project successfully within the allocation of time given.

We would like to express our sincere gratitude to our parents who had helped a lot, for their endless support and encouragement during the process of completing this research. We would like to express our appreciation and gratitude to Madam Wan Rosalili binti Wan Rosli for her patience as our supervisor in this research. Her guidance, advices and encouragement are vital for us to ensure the success of this research. Special thanks to Tan Sri Dr Jegathesan, Dr Zaidi Hassim, Dr Goh Siew Li, Roslinda binti Samsu and Norjannah Hafiszah binti Jamaludin for their valuable time spent with us during the interviews.

We also want to thank all of our friends for moral support, criticism and assistance that we will never forget, perhaps for the rest of our life. Hopefully all of the good deeds will be returned with multiple blessings. Last but not least, we would like to thank everyone who was involved in assisting us, directly or indirectly upon completing this research. We sincerely hope that this research will provide benefits for the betterment of all.

Thank you.

Abstract

Doping is defined as the use of banned performance enhancing drugs, commonly happened in the area of sports. Most international sports organizations, especially the International Olympic Committee considered doping as an unethical practise. However, based on the arguments of the ethicists, this definition is a little bit different from the use of new materials that are included in the construction of suits and sporting equipment, although there is similarity in terms of the function which is to aid performance and give competitors the unfair advantage.

The problem that we are facing now in Malaysia is that we do not have specific law to assist the area of anti-doping that concerns athletes, in a standardized manner. The athletes received lack of exposure from the authorities where some of them think that the substances that they bought online were legal. Furthermore, the revision of a specific law also cannot be traced either in the present or the law that is going to be enacted in future. A new law responsible to review, draft and make law should be established by our country for the process to be equitable, fair and efficient.

Due to the above problem, this research is conducted to review the existing rules made by the World Anti-Doping Agencies. Then we will evaluate the adequacy of existing regulations in Malaysia regarding anti-doping. From the research that we had conducted we want to develop the possible future law of anti-doping in Malaysia by comparing the anti-doping law in Malaysia and in The United States.

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CHAPTER ONE

INTRODUCTION

1.0 Background of Study

The topic of the research is “Regulating The Anti-Doping Law of Athletes in Malaysia”.

Doping practice is against the fundamental principle of ethics in sports. Essential integrity of sports has been threatened by doping practice and it may cause serious destruction if not being prevented. Besides, physical and mental health of these athletes might also be endangered and this will demoralize the entire sports community. On July 12 during Malaysia Games in Kuantan, a silver medallist which was still reeling from two drugs scandals from Perak had been tested positive for an illegal substance.¹ Firdaus James, the discus thrower as young as 18 years old failed a drug test when traces of an unidentified banned substance were found in his urine sample. He faced the prospect of being suspended for a minimum of two years and his medal being stripped off. They submitted a report to Malaysian Athletic Union and the Malaysia Games Supreme Council together with the athlete’s explanation however, stated that ‘it is up to them to take whatever action they want’. This showed non-standardization to compare with another case about Yunus Saleh who was a relay sprinter in Sea Games 2011. In that case, he was tested positive for the anabolic steroid metandienone and resulting his 4x400m gold medal being stripped off.² Another case is about six national sprinters who skipped drug tests, allegedly after being told to do so by the then-national coach Harun Rasheed. All seven of them faced charges brought by the World Anti-Doping Agency (WADA) in the Court of Arbitration of Sports. Their future has been claimed ‘uncertain’ as they had to wait for the outcome of the inquiry into the scandals.

¹ http://article.wn.com/view/2012/09/21/ATHLETICS_Firdaus_future_in_doubt/

² <http://www.malaysiandigest.com/top-news/40124-mwf-sets-up-committee-to-investigate-firdaus-dope-case.html>