

ANTI-DOPING IN SPORT ACT

CHAPTER 40:56

Act
10 of 2013
Amended by
7 of 2023

UNOFFICIAL

Current Authorised Pages

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Note on Subsidiary Legislation

This Chapter contains no Subsidiary Legislation.

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CHAPTER 40:56

ANTI-DOPING IN SPORT ACT

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CHAPTER 40:56

ANTI-DOPING IN SPORT ACT

An Act to provide for the implementation of the UNESCO International Convention against Doping in Sport, the establishment of the Trinidad and Tobago Anti-Doping Organisation, the Trinidad and Tobago Anti-Doping Disciplinary Panel and the Trinidad and Tobago Anti-Doping Appeal Panel, the promotion of an anti-doping environment which encourages positive behaviour among participants in sport and dissuades them from using prohibited substances and prohibited methods and for other related matters. 10 of 2013.

*[ASSENTED TO 10TH JULY 2013]

WHEREAS a Convention entitled “the International Convention against Doping in Sport” (“the UNESCO International Convention”) was adopted by the UNESCO General Conference in Paris, France on 19th October 2005; Preamble. [7 of 2023].

And whereas the World Anti-Doping Agency adopted “the World Anti-Doping Code” in Copenhagen, Denmark on 5th March 2003 and approved and adopted revisions thereof with effect from 1st January 2009, 1st January 2015 and 1st January 2021;

And whereas the UNESCO International Convention was ratified by Trinidad and Tobago on 9th March 2007;

And whereas it is necessary and expedient to give effect to the UNESCO International Convention;

And whereas it is enacted by section 13(1) of the Constitution of the Republic of Trinidad and Tobago (“the Constitution”) that an Act of Parliament to which that section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and, if any Act does so declare, it shall have effect accordingly;

And whereas it is provided in section 13(2) of the Constitution that an Act of Parliament to which that section

*See section 2 for Commencement date.

applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House;

And whereas it is necessary and expedient that the provisions of this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution:

PART I

PRELIMINARY

- Short title. **1.** This Act may be cited as the Anti-Doping in Sport Act.
- Commencement.
106/2015. **2.** This Act came into operation on 1st June 2015.
- Act inconsistent
with Constitution. **3.** This Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution.
- Interpretation.
[7 of 2023]. **4.** (1) In this Act—
“ADAMS” has the meaning assigned to it in the Code;
“Adverse Analytical Finding” means a report from a WADA-accredited or other WADA-approved laboratory that, consistent with the International Standard for Laboratories, establishes in a sample the presence of a prohibited substance or its metabolites or markers or evidence of the use of a prohibited method;
“anti-doping organisation” has the meaning assigned to it in the Code;
“Anti-Doping Rules” means Rules made under section 26;
“anti-doping rule violation” shall be construed in accordance with Article 2 of the Code;
“Appeal Panel” means the Trinidad and Tobago Anti-Doping Appeal Panel established under section 31;
“athlete” means any person who participates in a sport at the—
 (a) international level, as defined by each International Federation; or

- (b) national level, as defined by each National Anti-Doping Organisation,
or any other competitor in sports who otherwise satisfies the requirements to be considered as an athlete pursuant to the Code;
- “athlete support personnel” means any coach, trainer, manager, agent, team staff, official, medical or paramedical personnel, parent or any other person working with, treating or assisting an athlete participating in or preparing for sports competition;
- “atypical finding” means a report from a WADA-accredited laboratory or any other WADA-approved laboratory which requires further investigation as provided by the International Standards for Laboratories or related Technical Documents prior to the determination of an Adverse Analytical Finding;
- “Chairman” means the person appointed as Chairman of the Board under section 8;
- “chaperone” means a doping control officer or a person appointed by TTADO as a chaperone;
- “Code” means the World Anti-Doping Code set out in Schedule 1;
- “competition” means a sporting activity consisting of a single race, match, game or athletic contest;
- “country” includes territory or jurisdiction;
- “Court of Arbitration for Sport” means the Court of Arbitration for Sport located in Lausanne, Switzerland and established by the International Olympic Committee, and whose statutes came into force on 30th June 1984;
- “disqualification”, in relation to an athlete, means that the results of the athlete in a particular competition or event are invalidated with all resulting consequences, including forfeiture of any medals, points or prizes;
- “doping” means any violation of the Anti-Doping Rules;
- “doping control” means all the steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of consequences, including all

steps in between, including but not limited to testing, investigations, whereabouts, sample collection and handling, laboratory analysis, Therapeutic Use Exemptions, results management and investigations or proceedings relating to violations of Article 10.14 of the Code (Status during Ineligibility or Provisional Suspension);

“event” includes a series of individual competitions conducted together under one ruling body;

“In-Competition” means the period commencing at 11.59 p.m. on the day before a competition in which the athlete is scheduled to participate through the end of such competition and the sample collection process related to such competition;

“international event” means an event or competition where the International Olympic Committee, the International Paralympic Committee, an International Federation, a major event organisation or another international sporting organisation is the ruling body for the event or competition or appoints technical officials for the event or competition;

“international-level athlete” means an athlete who competes in sport at the international level, as defined by each International Federation, consistent with the International Standard for Testing and Investigations;

“International Federation” means a sporting organisation, whether or not its sport is on the Olympic programme, that is recognised by the International Olympic Committee as having the authority to administer and govern on a global scale, the sport it represents;

“International Standard” has the meaning assigned to it in the Code;

“medical practitioner” means a person registered under the Medical Board Act;

Ch. 29:50.

“Minister” means the Minister to whom the responsibility for sport is assigned;

“National Anti-Doping Organisation” means an entity designated by a country as possessing the primary authority and responsibility to—

- (a) adopt and implement, in that country, rules which are equivalent to the Anti-Doping Rules;
- (b) direct the collection of samples; and
- (c) manage test results and conduct results management at the national level,

or where such designation has not been made, the National Olympic Committee of that country or an entity designated by that Committee;

“national event” means a sporting event or competition involving international-level or national-level athletes that is not an international event;

“national governing body”, in relation to a particular sport, means—

- (a) in respect of any country, a sporting organisation that is recognised by the relevant International Federation as being the organisation responsible for administering the affairs of the sport in that country;
- (b) in respect of Trinidad and Tobago, where there is no International Federation in relation to the sport, a sporting organisation that is recognised by the Government of Trinidad and Tobago as being responsible for all or a substantial part or section of the sport in Trinidad and Tobago;
- (c) in respect of a country other than Trinidad and Tobago, where there is no International Federation in relation to the sport, a sporting organisation that is generally recognised as being responsible for administering the affairs of the sport, or of a substantial part or section of the sport, in that country;

“national-level athlete” means a person, other than an international-level athlete, who is designated by TTADO, or the national anti-doping organisation of a country other than

Trinidad and Tobago, as being an athlete that competes in sport at the national level, consistent with the International Standard for Testing and Investigations;

“out-of-competition” means any period which is not in-competition;

“Prohibited List” means the WADA Prohibited List identifying the prohibited substances and prohibited methods as amended from time to time and which is published and revised by WADA as described in Article 4 of the Code;

“prohibited method” means any method so described on the Prohibited List;

“prohibited substance” means any substance identified in the Prohibited List;

“quarter” means a period of three months beginning 1st January, 1st April, 1st July or 1st October in each year;

“Registered Testing Pool” has the meaning assigned to it in the Code;

“sample or specimen” means any biological material collected for the purposes of doping control;

“Therapeutic Use Exemption” has the meaning assigned to it in the Code;

“World Anti-Doping Agency” or “WADA” means the body founded by the International Olympic Committee and constituted as a foundation in Lausanne, Switzerland by an instrument of foundation signed on 10th November 1999.

(2) *(Repealed by Act No. 7 of 2023).*

(3) For the purposes of this Act, a person is a resident of—

(a) Trinidad and Tobago if he is a person referred to in section 5(1) of the Immigration Act;

(b) a country, other than Trinidad and Tobago, if he is recognised as the holder of resident status by that country.

Ch. 18:01.

Application.

5. This Act applies to—

(a) athletes who are—

(i) citizens or residents of Trinidad and Tobago;

- (ii) in or outside of Trinidad and Tobago; and
- (iii) in-competition or out-of-competition;
- (b) athlete support personnel who are citizens or residents of Trinidad and Tobago when they are in Trinidad and Tobago or when they are outside of Trinidad and Tobago for the purpose of supporting an athlete;
- (c) athletes who are not citizens or residents of Trinidad and Tobago when they are training or competing in Trinidad and Tobago;
- (d) athlete support personnel who are not citizens or residents of Trinidad and Tobago when they are in Trinidad and Tobago for the purpose of supporting an athlete;
- (e) national governing bodies and their affiliate members, clubs, teams, associations or leagues; and
- (f) sporting organisations not affiliated with a national governing body.

6. This Act binds the State.

Act binds the State.

PART II

THE TRINIDAD AND TOBAGO ANTI-DOPING ORGANISATION

7. (1) There is established a body corporate to be known as “the Trinidad and Tobago Anti-Doping Organisation” or “TTADO”.

Establishment and functions of TTADO. [7 of 2023].

(2) TTADO shall perform the following functions:

- (a) planning, implementing and directing a National Anti-Doping Programme aimed at informing or educating athletes, athlete support personnel, the media and the general public in Trinidad and Tobago about anti-doping matters, including—
 - (i) the health consequences of doping, including the use of anabolic steroids in fitness centres;

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- (ii) the harm of doping to the ethical values of sport;
 - (iii) prohibited substances and prohibited methods;
 - (iv) therapeutic use exemptions;
 - (v) nutritional supplements;
 - (vi) doping control procedures; and
 - (vii) the rights and responsibilities of athletes and the consequences of committing an anti-doping rule violation;
- (b) facilitating the sharing of information among national governing bodies, sporting organisations and other relevant agencies to reduce the prevalence and availability of prohibited substances and methods;
- (c) facilitating the access of national governing bodies to laboratories accredited by WADA for doping control analysis;
- (d) entering into reciprocal testing agreements with national anti-doping organisations outside Trinidad and Tobago;
- (e) consulting with, advising and assisting Government departments and agencies, local authorities, the Trinidad and Tobago Olympic Committee, national governing bodies, sporting organisations and other bodies and persons on anti-doping matters;
- (f) advising the Minister on anti-doping matters;
- (g) making recommendations pursuant to section 37;
- (h) initiating and supporting rehabilitation programmes for athletes who have used prohibited substances;
- (i) performing such other functions as are necessary to implement or facilitate effective anti-doping measures; and
- (j) generally taking all steps necessary or expedient to achieve the purposes of this Act.

- (3) In the performance of its functions, TTADO—
- (a) shall comply with the Code and International Standards;
 - (b) shall establish, for its use and the use of its committees, procedures that are appropriate and fair, including procedures to—
 - (i) address the needs of athletes who have not attained the age of eighteen; and
 - (ii) take into account any disabilities or other special needs or concerns of athletes;
 - (c) may impose fees or charges for the provision of information, advice or other services requested of TTADO, other than information relating to an athlete and requested by that athlete.

(4) TTADO shall comply with operational independence requirements referred in Article 20.5.1 of the Code.

8. (1) TTADO shall be managed by a Board (hereinafter referred to as “the Board”).

Board of
TTADO.
[7 of 2023].

(2) The Board shall comprise a Chairman, a Vice-Chairman and not less than five nor more than eleven other members, all of whom shall be appointed by the President on the advice of the Minister, in consultation with the relevant professional bodies, from among the following persons:

- (a) a person who has qualifications or experience in sports medicine or pharmacology;
- (b) a person who has experience in dealing with doping or substance abuse prevention matters;
- (c) a former athlete;
- (d) a former coach;
- (e) a former sports administrator who has served in that capacity for at least four years;
- (f) a person who has qualifications or experience in marketing or public relations;

- (g) a person who has qualifications or experience in financial accounting;
- (h) a person who has qualifications or experience in human resources or management;
- (i) an Attorney-at-law of at least five years standing;
- (j) a person nominated by the Tobago House of Assembly with sporting experience; and
- (k) any other persons who by virtue of their skill or experience can contribute meaningfully to the work of the Board.

(3) Members of the Board shall be appointed on such terms and conditions as are determined by the Minister provided that they satisfy, and continue to satisfy, the operational independence requirements indicated in Article 20.5.1 of the Code.

(4) The Minister shall cause the appointment of members of the Board to be published in the *Gazette*.

(5) Subject to the provisions of subsections (6), (7) and (8), the members of the Board shall hold office for a period not exceeding four years and shall be eligible for reappointment.

(6) The President may terminate the appointment of a member of the Board where that member—

- (a) behaves in such a way as is likely to bring TTADO into disrepute;
- (b) fails, without reasonable excuse, to carry out any of his duties in a responsible or timely manner;
- (c) is unable by reason of physical or mental incapacity to perform his duties or is otherwise unable or unfit to perform his duties;
- (d) becomes bankrupt or compounds with his creditors; or
- (e) fails to comply with the operational independence requirements referred in Article 20.5.1 of the Code.

(7) A member of the Board, other than the Chairman, may resign his office by instrument in writing addressed to the Chairman, who shall immediately cause it to be forwarded to the President, whereas the Chairman may resign his office by instrument in writing addressed to the President.

(8) A member of the Board shall be deemed to have vacated his office if he fails to attend three consecutive statutory meetings of the Board or, without leave of absence from the Board, fails to attend a minimum of three statutory meetings of the Board in any year.

(9) Where any member of the Board is temporarily prevented by illness or other cause from exercising his functions, the President may, on the advice of the Minister, appoint some other person eligible for such appointment under the Act, to act in his stead for the period of illness or incapacity.

(10) The appointment of a person as a member of the Board to fill a vacancy occurring under subsection (6), (7) or (8), shall be for the unexpired portion of the term of the member to whose office that person has been appointed and such a person is eligible for reappointment.

9. (1) TTADO shall have a seal which shall be kept in the custody of the Secretary of the Board. Seal of TTADO.

(2) The seal of TTADO shall be attested by the signature of the Secretary and either the Chairman or a member of the Board duly authorised by the Board to act on behalf of the Chairman.

(3) All documents, other than those required by any written law to be under seal and all decisions of the Board shall be signified under the hand of the Chairman, the Secretary or a member duly authorised by the Board.

10. The Board shall make arrangements for— Functions of the Board.
(a) the supervision of the administrative operations of TTADO;

- (b) ensuring that correct protocols are followed in the process of securing samples;
- (c) ensuring that the rights of everyone involved in the doping control procedures are respected;
- (d) ensuring that TTADO receives and manages funds in a prudent manner; and
- (e) undertaking anything incidental or conducive to the performance of any of the foregoing functions.

Meetings of the Board.

11. (1) The Board shall meet as often as necessary for the performance of its functions and in any event not less than once every month.

(2) The quorum for meetings of the Board shall be no less than a majority of all the members of the Board.

(3) Where the Chairman is absent at any meeting, the Vice-Chairman shall preside.

(4) Where both the Chairman and the Vice-Chairman are absent from any meeting, the members present shall appoint a member from amongst themselves to preside at that meeting.

Staff of TTADO. [7 of 2023].

12. (1) The Board shall employ such members of staff as are required for the performance of the functions of TTADO on such terms and conditions as are agreed upon between the employee and the Board.

(2) The Board may, on such terms and conditions as it thinks fit, engage on contract any suitably qualified person to provide TTADO with such services as the Board considers necessary for the due performance of its functions.

(3) For the purpose of employing or engaging doping control officers and chaperones, TTADO shall comply with the selection criteria for those offices specified in the WADA Models of Best Practice and Guidelines, or any other relevant and applicable WADA document.

Funds.

13. (1) The funds of TTADO shall include—

- (a) such sums as may be appropriated by Parliament for the purposes of TTADO;

- (b) all sums collected by virtue of donations or grants from national and international organisations;
- (c) revenue from fees charged in the provision of its services; and
- (d) such sums as TTADO may, with the approval of the Minister with responsibility for finance, in accordance with the Exchequer and Audit Act, Ch. 69:01, borrow for the purpose of meeting its obligations or discharging its functions.

(2) The Minister with responsibility for finance may guarantee, in such manner and on such conditions as he thinks fit, the payment of the principal and interest in respect of any borrowing of TTADO under subsection (1)(d).

14. (1) TTADO shall keep proper accounts of its receipts, payments, credits, liabilities and all other records in relation to its business. Accounts and audit.

(2) The accounts of TTADO shall be public accounts for the purposes of section 116 of the Constitution.

15. (1) TTADO shall submit to the Minister within three months from the end of each financial year, a report of its operations for that year. Annual reports and estimates.

(2) A copy of the report referred to in subsection (1) shall be laid in Parliament within three months from the date of its receipt by the Minister.

(3) TTADO shall submit its estimates of revenue and expenditure in respect of each financial year to the Minister.

16. (1) TTADO shall establish a Registered Testing Pool. Registered Testing Pool.

(2) TTADO shall, in accordance with the Anti-Doping Rules, publish the criteria for the inclusion of the name of an athlete in its Registered Testing Pool.

(3) TTADO shall notify an athlete, in writing, of the inclusion of his name in its Registered Testing Pool.

Therapeutic
Use Exemption
Committee.
[7 of 2023].

17. (1) TTADO shall establish a Therapeutic Use Exemption Committee (hereinafter referred to as “TUEC”) in accordance with the International Standard for Therapeutic Use Exemption, comprising at least three, but not more than five, medical practitioners with at least five years experience, one of whom shall have qualifications in pharmacology.

(2) TUEC shall perform the following functions:

- (a) the receiving and examination of applications from athletes for Therapeutic Use Exemptions, made in accordance with section 20;
- (b) the granting, denial, monitoring and revocation of Therapeutic Use Exemptions, as the case may require; and
- (c) the performance of any other functions that are conferred or imposed on it by this Act, the Anti-Doping Rules or the International Standard for Therapeutic Use Exemption.

Schedule 4.

(3) In furtherance of its functions, the members of TUEC shall—

- (a) adhere to the International Standards;
- (b) be familiar with the updated Prohibited List; and
- (c) act independently of TTADO and shall not have any other official responsibility within TTADO.

(4) TUEC shall immediately notify TTADO of its decision to grant or deny a Therapeutic Use Exemption and TTADO shall, upon receipt of such notification, notify WADA and the athlete of the grant or denial.

(5) TTADO shall be responsible for uploading each decision of TUEC to grant or deny a Therapeutic Use Exemptions onto ADAMS in accordance with the International Standard for Therapeutic Exemption.

Appeals from
decisions of
TUEC.
[7 of 2023].

18. (1) WADA may, at the request of an athlete or on its own initiative, review the grant or denial of a Therapeutic Use Exemption and where WADA determines that the granting or

denial of such Therapeutic Use Exemption did not comply with the International Standard for Therapeutic Use Exemptions, WADA may reverse the decision to grant or deny the Therapeutic Use Exemption.

(2) Any decision by WADA reversing the grant or denial of a Therapeutic Use Exemption may be appealed directly by the athlete or TTADO and/or the International Federation to the Court of Arbitration for Sport.

(3) Where an international-level athlete has made an application for a Therapeutic Use Exemption and the International Federation has denied the grant of such Therapeutic Use Exemption, the athlete may appeal to the Court of Arbitration for Sport.

(4) Where TUEC has denied the grant of a Therapeutic Use Exemption to a national-level athlete, the athlete may appeal to the Appeal Panel under section 33.

(5) The Appeal Panel's decision regarding an appeal of the TUEC's decision may be appealed by WADA, the relevant International Federation and, where applicable, the International Olympic Committee or International Paralympic Committee to the Court of Arbitration for Sport.

19. (1) TTADO shall establish a Results Management Committee comprising at least three, but no more than five persons among whom shall be two medical practitioners and one Attorney-at-law, preferably with experience in anti-doping matters.

Results Management Committee. [7 of 2023].

(2) The members of the Results Management Committee shall possess training in dealing appropriately with results of doping control procedures, including where the results are negative or of an adverse nature.

(3) The Results Management Committee shall—

(a) notify an athlete of the result of his test;

(aa) comply with any requirements indicated in the International Standard for Results Management;

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- (b) refer Adverse Analytical Findings to the Disciplinary Panel and notify the athlete of such referral; and
- (c) maintain a database on doping control procedures and identify any situations that may be suspicious.

PART III

ANTI-DOPING

Application for
Therapeutic
Use Exemption.
[7 of 2023].

20. (1) An athlete, other than an international-level athlete, with a medical condition requiring the use of a prohibited substance or prohibited method for therapeutic reasons, may, in accordance with the provisions of this Act, the Anti-Doping Rules and the International Standard for Therapeutic Use Exemptions, apply to TUEC for a Therapeutic Use Exemption.

(2) An international-level athlete, or an athlete who participates in an international event, with a medical condition requiring the use of a prohibited substance or prohibited method for therapeutic reasons who does not already have a therapeutic use exemption granted by TTADO, may apply for a Therapeutic Use Exemption in accordance with the International Standard for Therapeutic Use Exemptions to the relevant International Federation for a Therapeutic Use Exemption.

(3) *(Repealed by Act No. 7 of 2023).*

Responsibility
of athletes.
[7 of 2023].

21. (1) It shall be an anti-doping rule violation for an athlete to use or possess a prohibited substance or a prohibited method unless he has obtained a Therapeutic Use Exemption in respect of that substance or method.

(2) An athlete shall—

- (a) be knowledgeable of, and comply with, the Anti-Doping Rules;
- (b) be responsible for ensuring that no prohibited substance enters his body;
- (c) inform medical personnel of his obligation not to use prohibited substances and prohibited methods;

- (d) be available for, and submit to, in-competition and out-of-competition testing at any time and place, with or without advance notice; and
- (e) be responsible for any prohibited substance or its metabolites or markers found to be present in his bodily specimen.

22. Athlete support personnel shall—

- (a) be knowledgeable of, and comply with, the Anti-Doping Rules;
- (b) co-operate with the Athlete Testing Programme; and
- (c) use their influence to foster anti-doping attitudes among athletes.

Responsibility of athlete support personnel.

23. (1) A national-level athlete and an international-level athlete in the Registered Testing Pool of TTADO shall, before the beginning of each quarter, submit to TTADO through ADAMS, a quarterly whereabouts filing that provides accurate and complete information about the whereabouts of the athlete during that quarter, including information specifying—

Whereabouts requirements. [7 of 2023].

- (a) where he will, on a daily basis, be living, training and competing during that quarter so that he can be located for testing at any time during that quarter;
- (b) for each day in that quarter, one hour when he will be available at a specified location for testing; and
- (c) any other whereabouts information required by the International Standard for Testing and Investigations.

(2) Where any change in circumstances means that the information in a whereabouts filing is no longer accurate or complete as required by the International Standard for Testing and Investigations, the athlete shall file an update as soon as possible after he becomes aware of the change in circumstance and in any event prior to the next one-hour period specified in the filing under subsection (1)(b) for the relevant day.

(3) *(Repealed by Act No. 7 of 2023).*

(4) Subject to the Anti-Doping Rules, an athlete who does not comply with subsection (1) or (2) shall be—

- (a) ineligible for financial or other support from the Government upon recommendation from TTADO;
- (b) prohibited from participating in national and international competitions as may be provided in the Anti-Doping Rules; and
- (c) such other sanctions as may be provided for in the Anti-Doping Rules.

Analysis of samples.
[7 of 2023].

24. (1) A sample taken from an athlete shall be analysed at a laboratory accredited by WADA to detect prohibited substances and prohibited methods.

(2) A sample may, with the written consent of the athlete, also be used to assist TTADO or national governing bodies in profiling relevant parameters in blood, urine or other matrix for DNA or genomic profiling, or for any other legitimate anti-doping purpose.

(3) A sample shall not be analysed for a purpose other than under subsection (1) or (2), unless—

- (a) the athlete consents in writing; and
- (b) any means of identification are removed to ensure that the sample cannot be traced back to the athlete.

(4) The results of in-competition testing or out-of-competition testing shall be forwarded to the Results Management Committee.

Recognition of results of other anti-doping organisations.

25. TTADO shall recognise the results of laboratory analysis by other anti-doping organisations, if the analysis was conducted in accordance with the International Standard for Laboratories and in accordance with the Code.

Anti-Doping Rules.
[7 of 2023].

26. (1) TTADO shall make Rules consistent with the Code for the prevention of doping in sport.

(2) Rules made under subsection (1) shall prohibit anti-doping violations as specified in Article 2 of the Code.

(3) Rules made under subsection (1) shall provide that any person who commits an anti-doping rule violation may be subject to one or more of the following sanctions in accordance with the Rules and the Code:

- (a) disqualification from a particular competition or event;
- (b) ineligibility for participation in any competition or other activity for a specified period of time;
- (c) ineligibility for funding for a specified period of time; or
- (d) suspension from participating in any competition prior to the final decision of the Disciplinary Panel.

(4) Rules made under subsection (1) may provide that a person who fails to comply with any sanction lawfully imposed in relation to an anti-doping rule violation may be subject to one or more of the sanctions mentioned in the Rules and the Code.

(5) Rules made under subsection (1) shall be published in such form as TTADO may determine.

PART IV

THE TRINIDAD AND TOBAGO ANTI-DOPING DISCIPLINARY PANEL

27. There is established a Disciplinary Panel to be known as “the Trinidad and Tobago Anti-Doping Disciplinary Panel”.

Establishment
of the
Disciplinary
Panel.

28. (1) The Disciplinary Panel shall comprise nine members appointed by the President on the advice of the Minister as follows:

Composition
and
appointment of
the Disciplinary
Panel.
[7 of 2023].

- (a) a Chairman, a First Vice-Chairman and a Second Vice-Chairman who shall be Attorneys-at-law of not less than seven years standing;
- (b) three medical practitioners of not less than five years standing; and

(c) three persons selected from among persons who are—

- (i) former sports administrators and who served as sports administrators for not less than five years; or
- (ii) former international-level athletes or former national-level athletes.

(2) A member of the Disciplinary Panel shall hold office for a period of four years as specified in his instrument of appointment and is eligible for reappointment.

(3) Members of the Disciplinary Panel shall be appointed on such terms and conditions as are determined by the President.

(3A) The Disciplinary Panel shall comply with the requirements indicated in the definition of “operational independence” in the Code and the International Standard for Results Management.

(4) The President shall cause the appointment of members of the Disciplinary Panel to be published in the *Gazette*.

(5) In the absence of the Chairman, the functions of the Chairman shall be performed by the First Vice-Chairman and in the absence of both the Chairman and the First Vice-Chairman, the functions of the Chairman shall be performed by the Second Vice-Chairman.

(6) Where a member is absent or temporarily unable to perform his duties, the President may appoint a person to act for that member.

(7) A member of the Disciplinary Panel may resign his office by instrument in writing addressed to the Chairman, who shall forthwith cause it to be forwarded to the President, and the Chairman may resign his office by instrument in writing addressed to the President.

(8) The President may terminate the appointment of a member of the Disciplinary Panel where that member—

- (a) behaves in such a way as is likely to bring the Disciplinary Panel into disrepute;

- (b) fails, without reasonable excuse, to carry out any of his duties in a responsible or timely manner;
- (c) is unable by reason of physical or mental incapacity to perform his duties or is otherwise unable or unfit to perform his duties;
- (d) becomes bankrupt or compounds with his creditors; or
- (e) fails to comply with the requirements indicated in the definition of “operational independence” in the Code and the International Standard for Results Management.

(9) Where a vacancy in the Disciplinary Panel arises, the President may, on the advice of the Minister, appoint a person to fill the vacancy.

29. (1) The Disciplinary Panel shall—

- (a) receive written references from the Results Management Committee alleging the commission of an anti-doping rule violation;
- (b) receive and examine evidence relating to alleged anti-doping rule violations;
- (c) conduct disciplinary hearings relating to alleged anti-doping rule violations in accordance with the Code and the International Standard for Results Management;
- (d) determine whether an anti-doping rule violation has been committed;
- (e) impose sanctions for anti-doping rule violations; and
- (f) perform such other functions that may be conferred on it by this Act.

Functions of
the Disciplinary
Panel.
[7 of 2023].

(2) ***(Repealed by Act No. 7 of 2023).***

(3) ***(Repealed by Act No. 7 of 2023).***

(4) A matter that is referred to the Disciplinary Panel shall be heard and determined by three members as follows:

- (a) the Chairman, or one Vice-Chairman designated by the Chairman, who shall preside at the hearing;
- (b) one member appointed under section 28(1)(b) and designated by the Chairman; and
- (c) one member appointed under section 28(1)(c) and designated by the Chairman.

Appeal from
decision of the
Disciplinary
Panel.
[7 of 2023].

30. (1) Subject to subsection (2), an appeal from a decision of the Disciplinary Panel shall lie to the Appeal Panel, with a further appeal to the Court of Arbitration for Sport, but only for those parties that have a right to appeal to the Court of Arbitration for Sport pursuant to Article 13.2.3.2 of the Code.

(2) An appeal from a decision of the Disciplinary Panel in respect of an international event, or a case involving an international-level athlete, shall lie to the Court of Arbitration for Sport.

(3) A decision of the Disciplinary Panel may, in accordance with the Anti-Doping Rules, be appealed by—

- (a) an athlete or other person who is the subject of the decision being appealed;
- (b) any other party to the case in which the decision was rendered;
- (c) TTADO;
- (d) the relevant national governing body;
- (e) the relevant International Federation;
- (f) the International Olympic or Paralympic Committee, in relation to an international-level athlete, where the decision may have an effect in relation to the Olympic Games and Paralympic Games; or
- (g) WADA,

within twenty-one days after receipt of the written reasons of the Disciplinary Panel.

(3A) Notwithstanding subsection (3), WADA may appeal as specified in Article 13.2.3.5 of the Code.

(4) The decision of the Disciplinary Panel shall remain in effect until the determination of the appeal, unless the appellate body orders otherwise.

PART V

**THE TRINIDAD AND TOBAGO
ANTI-DOPING APPEAL PANEL**

31. There is established an Appeal Panel to be known as “the Trinidad and Tobago Anti-Doping Appeal Panel”. Establishment of the Appeal Panel.

32. (1) The Appeal Panel shall comprise seven members appointed by the President acting in his own discretion, as follows: Composition and appointment of the Appeal Panel. [7 of 2023].

- (a) a Chairman, being a person who has served as a Judge of the Supreme Court of Judicature and two Vice-Chairmen, both of whom shall be Attorneys-at-law of not less than ten years standing;
- (b) two medical practitioners of not less than ten years standing and who possess experience in sports medicine;
- (c) a former sports administrator of not less than ten years standing; and
- (d) a former international-level athlete or a former national-level athlete.

(2) A member of the Appeal Panel shall hold office for a period of four years as specified in his instrument of appointment and is eligible for reappointment.

(3) Members of the Appeal Panel shall be appointed on such terms and conditions as are determined by the President.

(3A) The Appeal Panel shall maintain institutional independence as defined in the Code and shall comply with—

- (a) the requirements indicated in the definitions of “operational independence” and “institutional independence” in the Code; and
- (b) the International Standard for Results Management.

(4) The President shall cause the appointment of members of the Appeal Panel to be published in the *Gazette*.

(5) In the absence of the Chairman, the functions of the Chairman shall be performed by a Vice-Chairman.

(6) Where a member is absent or temporarily unable to perform his duties, the President acting in his own discretion may appoint a person to act for that member.

(7) A member of the Appeal Panel may resign his office by instrument in writing addressed to the Chairman, who shall forthwith cause it to be forwarded to the President, and the Chairman may resign his office by instrument in writing addressed to the President.

(8) The President acting in his own discretion may terminate the appointment of a member of the Appeal Panel where that member—

- (a) behaves in such a way as is likely to bring the Appeal Panel into disrepute;
- (b) fails, without reasonable excuse, to carry out any of his duties in a responsible or timely manner;
- (c) is unable by reason of physical or mental incapacity to perform his duties or is otherwise unable or unfit to perform his duties;
- (d) becomes bankrupt or compounds with his creditors; or
- (e) fails to comply with the requirements indicated in the definitions of “operational independence” and “institutional independence” in the Code or the International Standard for Results Management.

(9) Where a vacancy in the Appeal Panel arises, the President acting in his own discretion, may, appoint a person to fill the vacancy.

(10) Three members shall form a quorum for the Appeal Panel.

- 33. (1)** The Appeal Panel shall hear and determine—
- (a) appeals from a decision of the Disciplinary Panel—
- (i) that an anti-doping rule violation was committed;
- (ii) imposing sanctions for an anti-doping rule violation;
- (iii) that no anti-doping rule violation was committed; or
- (iv) that an anti-doping rule violation proceeding cannot go forward for procedural reasons;
- (b) appeals from a decision to impose sanctions referred to in section 26(3);
- (c) appeals from a decision of TUEC to grant or refuse a Therapeutic Use Exemption to a national-level athlete;
- (d) appeals from a decision of an anti-doping organisation on the grounds that it lacks jurisdiction to rule on an alleged anti-doping rule violation or on the imposition of sanctions in relation thereto;
- (e) appeals from a decision by an anti-doping organisation not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation or a possible anti-doping rule violation, as the case may be;
- (f) appeals from a decision by an anti-doping organisation or other body not to go forward with a possible anti-doping rule violation after an investigation required under the Anti-Doping Rules;
- (g) appeals from a decision to impose a provisional suspension as a result of a provisional hearing or a decision concerning the violation of a provisional suspension; or

Functions of
the Appeal
Panel.
[7 of 2023].

- (h) any other decision specified in Article 13.2 of the Code.
- (2) Upon the lodging of an appeal, the Appeal Panel shall—
 - (a) receive, hear and examine the evidence relating to the appeal within twenty-one days;
 - (b) issue a written decision within seven days after the conclusion of the hearing; and
 - (c) issue written reasons for any decision within fourteen days after the written decision has been issued.

Powers of the Appeal Panel. [7 of 2023].

34. On the hearing of an appeal from a decision, the Appeal Panel may—

- (a) confirm, vary, amend or set aside the decision;
- (b) make any such decision as the Disciplinary Panel or other body from whose decision the appeal is brought might have made;
- (c) make any decision which ought to have been made as provided for in the Anti-Doping Rules and the Code; or
- (d) make such further or other decision as the nature of the case may require.

PART VI

MISCELLANEOUS

Conflict of interest.

35. (1) In any matter in relation to which he is required to make or participate in the making of a decision, a person exercising a function under this Act shall declare any direct or indirect interest that he has, or ought to reasonably know that he has, and shall cease to participate in the decision-making process.

(2) A person who fails to make a declaration in accordance with subsection (1) commits an offence and is liable, on summary conviction, to a fine of twenty-five thousand dollars.

Confidentiality.

36. (1) Every—

- (a) member of TTADO;

- (b) officer or employee of TTADO;
- (c) expert retained by TTADO;
- (d) member of TUEC; and
- (e) member of the Results Management Committee,

shall keep secret and confidential all information coming to his knowledge in the course of the administration of this Act, except in so far as the disclosure of such information is authorised by TTADO, an order of Court or any written law.

(2) Every member, officer or employee of the Disciplinary Panel or the Appeal Panel shall keep secret and confidential all information coming to his knowledge in the course of the administration of this Act, except in so far as the disclosure of such information is required for the exercise of his functions or is authorised by an order of Court or any written law.

(3) A person who contravenes this section commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars.

37. Where a national governing body does not comply with the provisions of this Act, TTADO may make recommendations to the Minister to withhold, in whole or in part, financial or non-financial support from the national governing body.

Sanctions
against national
governing
bodies.

38. The Minister may make Regulations subject to the negative resolution of Parliament for the better administration of this Act.

Regulations.

39. Where an amendment of the Code or International Standard is adopted by WADA, the Minister shall, by Order, amend the applicable Schedule for the purpose of including therein that amendment.

Amendment
of Schedule.
[7 of 2023].

Section 4.
[7 of 2023].

SCHEDULE 1

WORLD ANTI-DOPING CODE

ARTICLE I

DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11 of the *Code*.

ARTICLE II

ANTI-DOPING RULE VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

Athletes or other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*.

The following constitute anti-doping rule violations:

2.1 Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*

2.1.1 It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies. *Athletes* 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 *Athlete's* part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or where the *Athlete's A* or *B Sample* is split into

two parts and the analysis of the confirmation part 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 *Athlete* waives analysis of the confirmation part of the split *Sample*.

2.1.3 Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.

2.1.4 As an exception to the general rule of Article 2.1, the *Prohibited List*, *International Standards*, or *Technical Documents* may establish special criteria for reporting or the evaluation of certain *Prohibited Substances*.

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method

2.2.1 It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies and that no *Prohibited Method* is *Used*. Accordingly, it is not necessary that intent, *Fault*, *Negligence* or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

2.2.2 The success or failure of the *Use* or *Attempted 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.

2.3 Evading, Refusing or Failing to Submit to Sample Collection by an Athlete

Evading *Sample* collection; or refusing or failing to submit to *Sample* collection without compelling justification after notification by a duly authorized *Person*.

2.4 Whereabouts Failures by an Athlete

Any combination of three missed tests and/or filing failures, as defined in the *International Standard for Results Management*, within a twelve-month period by an *Athlete* in a *Registered Testing Pool*.

2.5 Tampering or Attempted Tampering with any Part of Doping Control by an Athlete or Other Person

2.6 Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Person

2.6.1 Possession by an Athlete In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition unless the Athlete establishes that the Possession is consistent with a Therapeutic Use Exemption ("TUE") granted in accordance with Article 4.4 or other acceptable justification.

2.6.2 Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification.

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Other Person

2.8 Administration or Attempted Administration by an Athlete or Other Person to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is Prohibited Out-of-Competition

2.9 Complicity or Attempted Complicity by an Athlete or Other Person

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or Attempted complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.14.1 by another Person.

2.10 Prohibited Association by an Athlete or Other Person

2.10.1 Association by an Athlete or other Person subject to the authority of an Anti-Doping Organization in a professional or sport-related capacity with any Athlete Support Person who:

2.10.1.1 If subject to the authority of an Anti-Doping Organization, is serving a period of Ineligibility; or

2.10.1.2 If not subject to the authority of an *Anti-Doping Organization*, and where *Ineligibility* has not been addressed in a *Results Management* process pursuant to the *Code*, 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 *Code-compliant* rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.1.3 Is serving as a front or intermediary for an individual described in Article 2.10.1.1 or 2.10.1.2.

2.10.2 To establish a violation of Article 2.10, an *Anti-Doping Organization* must establish that the *Athlete* or other *Person* knew of the *Athlete Support Person's* disqualifying status.

The burden shall be on the *Athlete* or other *Person* to establish that any association with an *Athlete Support Person* described in Article 2.10.1.1 or 2.10.1.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

Anti-Doping Organizations that are aware of *Athlete Support Personnel* who meet the criteria described in Article 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to *WADA*.

2.11 Acts by an *Athlete* or Other *Person* to Discourage or Retaliate Against Reporting to Authorities

Where such conduct does not otherwise constitute a violation of Article 2.5:

2.11.1 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 or alleged non-compliance with the *Code* to *WADA*, an *Anti-Doping Organization*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for *WADA* or an *Anti-Doping Organization*.

2.11.2 Retaliation against a *Person* who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation or alleged non-compliance with the *Code* to *WADA*, an *Anti-Doping Organization*, law enforcement, regulatory or professional disciplinary

body, hearing body or *Person* conducting an investigation for WADA or an Anti-Doping Organization.

For purposes of Article 2.11, 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.

ARTICLE III

PROOF OF DOPING

3.1 Burdens and Standards of Proof

The *Anti-Doping Organization* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the *Anti-Doping Organization* has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where the *Code* places the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, except as provided in Articles 3.2.2 and 3.2.3, the standard of proof shall be by a balance of probability.

3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

3.2.1 Analytical methods or *Decision Limits* approved by WADA after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. The initial hearing body, appellate body or CAS, on its own initiative, may also inform WADA of any such challenge. Within ten (10) days of WADA's receipt of such notice and the case file related to such challenge, WADA shall also have the right to intervene as a party, appear as *amicus curiae* or otherwise provide evidence in such proceeding. In cases before CAS, at WADA's request, the CAS panel

shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

- 3.2.2 *WADA*-accredited laboratories, and other laboratories approved by *WADA*, are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard for Laboratories*. The *Athlete* or other *Person* 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*.

If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard for Laboratories* occurred which could reasonably have caused the *Adverse Analytical Finding*, then the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

- 3.2.3 Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or in an *Anti-Doping Organization's* rules shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defense to an anti-doping rule violation; provided, however, if the *Athlete* or other *Person* establishes that a departure from one of the specific *International Standard* provisions listed below could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or whereabouts failure, then the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or whereabouts failure:

- (i) a departure from the *International Standard for Testing and Investigations* related to *Sample* collection or *Sample* handling which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
- (ii) a departure from the *International Standard for Results Management* or *International Standard for Testing and Investigations* related to an *Adverse Passport Finding* which could reasonably have caused an anti-doping rule violation, in which case the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the anti-doping rule violation;

- (iii) a departure from the *International Standard for Results Management* related to the requirement to provide notice to the *Athlete* of the B Sample opening which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
 - (iv) a departure from the *International Standard for Results Management* related to *Athlete* notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the whereabouts failure.
- 3.2.4 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.
- 3.2.5 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the *Anti-Doping Organization* asserting the anti-doping rule violation.

ARTICLE IV

THE PROHIBITED LIST

4.1 Publication and Revision of the *Prohibited List*

WADA shall, as often as necessary and no less often than annually, publish the *Prohibited List* as an *International Standard*. The proposed content of the *Prohibited List* and all revisions shall be provided in writing promptly to all *Signatories* and governments for comment and consultation. Each annual version of the *Prohibited List* and all revisions shall be distributed promptly by *WADA* to each *Signatory*, *WADA*-accredited or approved laboratory, and government, and shall be published on *WADA's* website, and each *Signatory* shall take appropriate steps to distribute the *Prohibited List* to its members and

constituents. The rules of each *Anti-Doping Organization* shall specify that, unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions shall go into effect under the *Anti-Doping Organization's* rules three (3) months after publication of the *Prohibited List* by WADA without requiring any further action by the *Anti-Doping Organization*.

4.2 *Prohibited Substances and Prohibited Methods Identified on the Prohibited List*

4.2.1 *Prohibited Substances and Prohibited Methods*

The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited as doping at all times (both *In-Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Competitions* or their masking potential, and those substances and methods which are prohibited *In-Competition* only. The *Prohibited List* may be expanded by WADA for a particular sport. *Prohibited Substances* and *Prohibited Methods* may be included in the *Prohibited List* by general category (e.g., anabolic agents) or by specific reference to a particular Substance or Method.

4.2.2 *Specified Substances or Specified Methods*

For purposes of the application of Article 10, all *Prohibited Substances* shall be *Specified Substances* except as identified on the *Prohibited List*. No *Prohibited Method* shall be a *Specified Method* unless it is specifically identified as a *Specified Method* on the *Prohibited List*.

4.2.3 *Substances of Abuse*

For purposes of applying Article 10, *Substances of Abuse* shall include those *Prohibited Substances* which are specifically identified as *Substances of Abuse* on the *Prohibited List* because they are frequently abused in society outside of the context of sport.

4.2.4 *New Classes of Prohibited Substances or Prohibited Methods*

In the event WADA expands the *Prohibited List* by adding a new class of *Prohibited Substances* or *Prohibited Methods* in accordance with Article 4.1, WADA's Executive Committee shall determine whether any or all *Prohibited Substances* or *Prohibited Methods* within the new class shall be considered *Specified Substances* or *Specified Methods* under Article 4.2.2 or *Substances of Abuse* under Article 4.2.3.

4.3 Criteria for Including Substances and Methods on the *Prohibited List*

WADA shall consider the following criteria in deciding whether to include a substance or method on the *Prohibited List*:

- 4.3.1 A substance or method shall be considered for inclusion on the *Prohibited List* if *WADA*, in its sole discretion, determines that the substance or method meets any two of the following three criteria:
 - 4.3.1.1 Medical or other scientific evidence pharmacological effect or experience that the substance or method, alone or in combination with other substances or methods, has the potential to enhance or enhances sport performance;
 - 4.3.1.2 Medical or other scientific evidence, pharmacological effect or experience that the *Use* of the substance or method represents an actual or potential health risk to the *Athlete*;
 - 4.3.1.3 *WADA's* determination that the *Use* of the substance or method violates the spirit of sport described in the introduction to the *Code*.
- 4.3.2 A substance or method shall also be included on the *Prohibited List* if *WADA* determines there is medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to mask the *Use* of other *Prohibited Substances* or *Prohibited Methods*.
- 4.3.3 *WADA's* determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List*, the classification of substances into categories on the *Prohibited List*, the classification of a substance as prohibited at all times or *In-Competition* only, the classification of a substance or method as a *Specified Substance*, *Specified Method* or *Substance of Abuse* is final and shall not be subject to any challenge by an *Athlete* or other *Person* including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

4.4 Therapeutic Use Exemptions ("TUEs")

- 4.4.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use* or *Attempted Use*, *Possession* or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method* shall not be considered an anti-doping rule violation if it is

consistent with the provisions of a *TUE* granted in accordance with the *International Standard for Therapeutic Use Exemptions*.

- 4.4.2 *Athletes* who are not *International-Level Athletes* shall apply to their *National Anti-Doping Organization* for a *TUE*. If the *National Anti-Doping Organization* denies the application, the *Athlete* may appeal exclusively to the appellate body described in Article 13.2.2.
- 4.4.3 *Athletes* who are *International-Level Athletes* shall apply to their *International Federation*.
- 4.4.3.1 Where the *Athlete* already has a *TUE* granted by their *National Anti-Doping Organization* for the substance or method in question, if that *TUE* meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, then the *International Federation* must recognize it. If the *International Federation* considers that the *TUE* does not meet those criteria and so refuses to recognize it, it must notify the *Athlete* and the *Athlete's National Anti-Doping Organization* promptly, with reasons. The *Athlete* or the *National Anti-Doping Organization* shall have twenty-one (21) days from such notification to refer the matter to *WADA* for review. If the matter is referred to *WADA* for review, the *TUE* granted by the *National Anti-Doping Organization* remains valid for national level *Competition* and *Out-of-Competition Testing* (but is not valid for international level *Competition*) pending *WADA's* decision. If the matter is not referred to *WADA* for review within the twenty-one-day deadline, the *Athlete's National Anti-Doping Organization* must determine whether the original *TUE* granted by that *National Anti-Doping Organization* should nevertheless remain valid for national level *Competition* and *Out-of-Competition Testing* (provided that the *Athlete* ceases to be an *International-Level Athlete* and does not participate in international level *Competition*). Pending the *National Anti-Doping Organization's* decision, the *TUE* remains valid for national-level *Competition* and *Out-of-Competition Testing* (but is not valid for international level *Competition*).
- 4.4.3.2 If the *Athlete* does not already have a *TUE* granted by their *National Anti-Doping Organization* for the substance or method in question, the *Athlete* must apply directly to the *Athlete's International Federation* for a *TUE* as soon as the need arises. If the *International Federation* (or the *National Anti-Doping Organization*, where it has agreed to consider the application on behalf of the *International Federation*)

denies the *Athlete's* application, it must notify the *Athlete* promptly, with reasons. If the International Federation grants the *Athlete's* application, it must notify not only the *Athlete* but also the *Athlete's National Anti-Doping Organization*, and if the *National Anti-Doping Organization* considers that the *TUE* does not meet the criteria set out in the *International Standard for Therapeutic Use Exemptions*, it has twenty-one (21) days from such notification to refer the matter to *WADA* for review. If the *National Anti-Doping Organization* refers the matter to *WADA* for review, the *TUE* granted by the International Federation remains valid for international-level *Competition* and *Out-of-Competition Testing* (but is not valid for national-level *Competition*) pending *WADA's* decision. If the *National Anti-Doping Organization* does not refer the matter to *WADA* for review, the *TUE* granted by the International Federation becomes valid for national-level *Competition* as well when the twenty-one (21) day review deadline expires.

4.4.4 A *Major Event Organization* may require *Athletes* to apply to it for a *TUE* if they wish to *Use a Prohibited Substance* or a *Prohibited Method* in connection with the *Event*. In that case:

4.4.4.1 The *Major Event Organization* must ensure a process is available for an *Athlete* to apply for a *TUE* if he or she does not already have one. If the *TUE* is granted, it is effective for its *Event* only.

4.4.4.2 Where the *Athlete* already has a *TUE* granted by the *Athlete's National Anti-Doping Organization* or International Federation, if that *TUE* meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, the *Major Event Organization* must recognize it. If the *Major Event Organization* decides the *TUE* does not meet those criteria and so refuses to recognize it, it must notify the *Athlete* promptly, explaining its reasons.

4.4.4.3 A decision by a *Major Event Organization* not to recognize or not to grant a *TUE* may be appealed by the *Athlete* exclusively to an independent body established or appointed by the *Major Event Organization* for that purpose. If the *Athlete* does not appeal (or the appeal is unsuccessful), the *Athlete* may not *Use* the substance or method in question in connection with the *Event*, but any *TUE* granted by the *Athlete's National Anti-Doping Organization* or International

Federation for that substance or method remains valid outside of that *Event*.

- 4.4.5 If an *Anti-Doping Organization* chooses to collect a *Sample* from an *Athlete* who is not an *International-Level Athlete* or *National-Level Athlete*, and that *Athlete* is *Using a Prohibited Substance* or *Prohibited Method* for therapeutic reasons, the *Anti-Doping Organization* must permit the *Athlete* to apply for a retroactive *TUE*.
- 4.4.6 *WADA* must review an International Federation's decision not to recognize a *TUE* granted by the *National Anti-Doping Organization* that is referred to it by the *Athlete* or the *Athlete's National Anti-Doping Organization*. In addition, *WADA* must review an International Federation's decision to grant a *TUE* that is referred to it by the *Athlete's National Anti-Doping Organization*. *WADA* may review any other *TUE* decisions at any time, whether upon request by those affected or on its own initiative. If the *TUE* decision being reviewed meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, *WADA* will not interfere with it. If the *TUE* decision does not meet those criteria, *WADA* will reverse it.
- 4.4.7 Any *TUE* decision by an International Federation (or by a *National Anti-Doping Organization* where it has agreed to consider the application on behalf of an International Federation) that is not reviewed by *WADA*, or that is reviewed by *WADA* but is not reversed upon review, may be appealed by the *Athlete* and/or the *Athlete's National Anti-Doping Organization*, exclusively to *CAS*.
- 4.4.8 A decision by *WADA* to reverse a *TUE* decision may be appealed by the *Athlete*, the *National Anti-Doping Organization* and/or the International Federation affected, exclusively to *CAS*.
- 4.4.9 A failure to render a decision within a reasonable time on a properly submitted application for grant/recognition of a *TUE* or for review of a *TUE* decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

4.5 Monitoring Program

WADA, in consultation with *Signatories* and governments, shall establish a monitoring program regarding substances which are not on the *Prohibited List*, but which *WADA* wishes to monitor in order to detect potential patterns of misuse in sport. In addition, *WADA* may include in the monitoring program substances that are on the *Prohibited List*, but which are to be monitored under certain circumstances—e.g., *Out-of-Competition Use* of some substances prohibited *In-Competition* only or the combined *Use* of multiple substances at

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low doses (“stacking”)—in order to establish prevalence of *Use* or to be able to implement adequate decisions in regards to their analysis by laboratories or their status within the *Prohibited List*.

WADA shall publish the substances that will be monitored. Laboratories will report the instances of reported *Use* or detected presence of these substances to *WADA*. *WADA* shall make available to International Federations and *National Anti-Doping Organizations*, on at least an annual basis, aggregate information by sport regarding the monitored substances. Such monitoring program reports shall not contain additional details that could link the monitoring results to specific *Samples*. *WADA* shall implement measures to ensure that strict anonymity of individual *Athletes* is maintained with respect to such reports. The reported *Use* or detected presence of a monitored substance shall not constitute an anti-doping rule violation.

ARTICLE V

TESTING AND INVESTIGATIONS

5.1 Purpose of Testing and Investigations

Testing and investigations may be undertaken for any anti-doping purpose.

5.1.1 *Testing* shall be undertaken to obtain analytical evidence as to whether the *Athlete* has violated Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*) or Article 2.2 (*Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*) of the *Code*.

5.2 Authority to Test

Any *Athlete* may be required to provide a *Sample* at any time and at any place by any *Anti-Doping Organization* with *Testing* authority over him or her. Subject to the limitations for *Event Testing* set out in Article 5.3:

5.2.1 Each *National Anti-Doping Organization* shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* who are nationals, residents, license-holders or members of sport organizations of that country or who are present in that *National Anti-Doping Organization's* country.

5.2.2 Each International Federation shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* who are subject to its rules, including those who participate in *International Events* or who participate in *Events* governed by the rules of that International

Federation, or who are members or license holders of that International Federation or its member National Federations, or their members.

- 5.2.3 Each *Major Event Organization*, including the International Olympic Committee and the International Paralympic Committee, shall have *In-Competition Testing* authority for its *Events* and *Out-of-Competition Testing* authority over all *Athletes* entered in one of its future *Events* or who have otherwise been made subject to the *Testing* authority of the *Major Event Organization* for a future *Event*.
- 5.2.4 WADA shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.10.
- 5.2.5 *Anti-Doping Organizations* may test any *Athlete* over whom they have *Testing* authority who has not retired, including *Athletes* serving a period of *Ineligibility*.
- 5.2.6 If an International Federation or *Major Event Organization* delegates or contracts any part of *Testing* to a *National Anti-Doping Organization* directly or through a National Federation, that *National Anti-Doping Organization* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at the *National Anti-Doping Organization's* expense. If additional *Samples* are collected or additional types of analysis are performed, the International Federation or *Major Event Organization* shall be notified.

5.3 *Event Testing*

- 5.3.1 Except as otherwise provided below, only a single organization shall have authority to conduct *Testing* at *Event Venues* during an *Event Period*. At *International Events*, the international organization which is the ruling body for the *Event* (e.g., the International Olympic Committee for the Olympic Games, the International Federation for a World Championship and Panam Sports for the Pan American Games) shall have authority to conduct *Testing*. At *National Events*, the *National Anti-Doping Organization* of that country shall have authority to conduct *Testing*. At the request of the ruling body for an *Event*, any *Testing* during the *Event Period* outside of the *Event Venues* shall be coordinated with that ruling body.
- 5.3.2 If an *Anti-Doping Organization*, which would otherwise have *Testing* authority but is not responsible for initiating and directing *Testing* at an *Event*, desires to conduct *Testing* of *Athletes* at the *Event Venues* during the *Event Period*, the *Anti-Doping Organization* shall first confer with the ruling body of the *Event* to obtain permission to conduct and coordinate such *Testing*. If the *Anti-Doping Organization*

is not satisfied with the response from the ruling body of the *Event*, the *Anti-Doping Organization* may, in accordance with procedures described in the *International Standard for Testing and Investigations*, ask *WADA* for permission to conduct *Testing* and to determine how to coordinate such *Testing*. *WADA* shall not grant approval for such *Testing* before consulting with and informing the ruling body for the *Event*. *WADA*'s decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct *Testing*, such tests shall be considered *Out-of-Competition* tests. *Results Management* for any such test shall be the responsibility of the *Anti-Doping Organization* initiating the test unless provided otherwise in the rules of the ruling body of the *Event*.

5.4 Testing Requirements

- 5.4.1 *Anti-Doping Organizations* shall conduct test distribution planning and *Testing* as required by the *International Standard for Testing and Investigations*.
- 5.4.2 Where reasonably feasible, *Testing* shall be coordinated through *ADAMS* in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*.

5.5 Athlete Whereabouts Information

Athletes who have been included in a *Registered Testing Pool* by their *International Federation* and/or *National Anti-Doping Organization* shall provide whereabouts information in the manner specified in the *International Standard for Testing and Investigations* and shall be subject to *Consequences* for Article 2.4 violations as provided in Article 10.3.2. The *International Federations* and *National Anti-Doping Organizations* shall coordinate the identification of such *Athletes* and the collection of their whereabouts information. Each *International Federation* and *National Anti-Doping Organization* shall make available through *ADAMS* a list which identifies those *Athletes* included in its *Registered Testing Pool* by name. *Athletes* shall be notified before they are included in a *Registered Testing Pool* and when they are removed from that pool. The whereabouts information they provide while in the *Registered Testing Pool* will be accessible through *ADAMS* to *WADA* and to other *Anti-Doping Organizations* having authority to test the *Athlete* as provided in Article 5.2. Whereabouts information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting *Doping Control*, providing information relevant to the *Athlete Biological Passport* or other analytical results, to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with

the International Standard for the Protection of Privacy and Personal Information.

Anti-Doping Organizations may, in accordance with the *International Standard for Testing and Investigations*, collect whereabouts information from *Athletes* who are not included within a *Registered Testing Pool* and impose appropriate and proportionate non-Code Article 2.4 consequences under their own rules.

5.6 Retired Athletes Returning to Competition

5.6.1 If an *International- or National-Level Athlete* in a *Registered Testing Pool* retires and then wishes to return to active participation in sport, the *Athlete* shall not compete in *International Events* or *National Events* until the *Athlete* has made himself or herself available for *Testing*, by giving six-months prior written notice to their International Federation and *National Anti-Doping Organization*. WADA, in consultation with the relevant International Federation and *National Anti-Doping Organization*, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to an *Athlete*. This decision may be appealed under Article 13.

5.6.1.1 Any competitive results obtained in violation of Article 5.6.1 shall be *Disqualified* unless the *Athlete* can establish that he or she could not have reasonably known that this was an *International Event* or a *National Event*.

5.6.2 If an *Athlete* retires from sport while subject to a period of *Ineligibility*, the *Athlete* must notify the *Anti-Doping Organization* that imposed the period of *Ineligibility* in writing of such retirement. If the *Athlete* then wishes to return to active competition in sport, the *Athlete* shall not compete in *International Events* or *National Events* until the *Athlete* has made himself or herself available for *Testing* by giving six-month prior written notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than six (6) months) to the *Athlete's* International Federation and *National Anti-Doping Organization*.

5.7 Investigations and Intelligence Gathering

Anti-Doping Organizations shall have the capability to conduct, and shall conduct, investigations and gather intelligence as required by the *International Standard for Testing and Investigations*.

ARTICLE VI

ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited, Approved Laboratories and Other Laboratories

For purposes of directly establishing an *Adverse Analytical Finding* under Article 2.1, *Samples* shall be analyzed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the *Sample* analysis shall be determined exclusively by the *Anti-Doping Organization* responsible for *Results Management*.

6.1.1 As provided in Article 3.2, facts related to anti-doping rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of WADA-accredited or approved laboratories.

6.2 Purpose of Analysis of Samples and Data

Samples and related analytical data or *Doping Control* information shall be analyzed to detect *Prohibited Substances and Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to Article 4.5, or to assist an *Anti-Doping Organization* in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping purpose.

6.3 Research on Samples and Data

Samples, related analytical data and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Athlete's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes shall first be processed in such a manner as to prevent *Samples* and related analytical data or *Doping Control* information being traced back to a particular *Athlete*. Any research involving *Samples* and related analytical data or *Doping Control* information shall adhere to the principles set out in Article 19.

6.4 Standards for *Sample* Analysis and Reporting

Laboratories shall analyze *Samples* and report results in conformity with the *International Standard for Laboratories*.

6.4.1 Laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu, or as requested by the *Anti-Doping Organization* that initiated and directed *Sample* collection. Results from any such analysis shall be reported to that *Anti-Doping Organization* and have the same validity and *Consequences* as any other analytical result.

6.5 Further Analysis of a *Sample* Prior to or During *Results Management*

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a *Sample* prior to the time an *Anti-Doping Organization* notifies an *Athlete* that the *Sample* is the basis for an Article 2.1 anti-doping rule violation charge. If after such notification the *Anti-Doping Organization* wishes to conduct additional analysis on that *Sample*, it may do so with the consent of the *Athlete* or approval from a hearing body.

6.6 Further Analysis of a *Sample* After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge

After a laboratory has reported a *Sample* as negative, or the *Sample* has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of either the *Anti-Doping Organization* that initiated and directed *Sample* collection or *WADA*. Any other *Anti-Doping Organization* with authority to test the *Athlete* that wishes to conduct further analysis on a stored *Sample* may do so with the permission of the *Anti-Doping Organization* that initiated and directed *Sample* collection or *WADA*, and shall be responsible for any follow-up *Results Management*. Any *Sample* storage or further analysis initiated by *WADA* or another *Anti-Doping Organization* shall be at *WADA*'s or that organization's expense. Further analysis of *Samples* shall conform with the requirements of the *International Standard* for Laboratories.

6.7 Split of A or B *Sample*

Where *WADA*, an *Anti-Doping Organization* with *Results Management* authority and/or a *WADA*-accredited laboratory (with approval from *WADA* or the *Anti-Doping Organization* with *Results Management* authority) wishes to split an A or B *Sample* for the purpose of using the first part of the split *Sample* for an A *Sample* analysis and the second part of the split *Sample* for confirmation, then the procedures set forth in the *International Standard* for Laboratories shall be followed.

6.8 *WADA*'s Right to Take Possession of *Samples* and Data

WADA may, in its sole discretion at any time, with or without prior notice, take physical possession of any *Sample* and related analytical data or information in the possession of a laboratory or *Anti-Doping Organization*. Upon request by *WADA*, the laboratory or *Anti-Doping Organization* in possession of the *Sample* or data shall immediately grant access to and enable *WADA* to take physical possession of the *Sample* or data. If *WADA* has not provided prior notice to the laboratory or *Anti-Doping Organization* before taking possession of a *Sample* or data, it shall provide such notice to the laboratory and to each *Anti-Doping Organization* whose *Samples* or data have been taken by *WADA* within a reasonable time after taking possession. After analysis and any investigation of a seized *Sample* or data, *WADA* may direct another *Anti-Doping Organization* with authority to test the *Athlete* to assume *Results Management* responsibility for the *Sample* or data if a potential anti-doping rule violation is discovered.

ARTICLE VII

RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS

Results Management under the *Code* (as set forth in Articles 7, 8 and 13) establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner. Each *Anti-Doping Organization* conducting *Results Management* shall establish a process for the pre-hearing administration of potential anti-doping rule violations that respects the principles set forth in this Article. While each *Anti-Doping Organization* is permitted to adopt and implement its own *Results Management* process, *Results Management* for every *Anti-Doping Organization* shall at a minimum meet the requirements set forth in the *International Standard for Results Management*.

7.1 Responsibility for Conducting *Results Management*

Except as otherwise provided in Articles 6.6, 6.8 and 7.1.3 through 7.1.5 below, *Results Management* shall be the responsibility of, and shall be governed by, the procedural rules of the *Anti-Doping Organization* that initiated and directed *Sample* collection (or, if no *Sample* collection is involved, the *Anti-Doping Organization* which first provides notice to an *Athlete* or other *Person* of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation). Regardless of which organization conducts *Results Management*, it shall respect the *Results Management* principles set forth in this Article, Article 8, Article 13 and the *International Standard for Results Management*, and each *Anti-Doping Organization's* rules shall incorporate and implement the rules identified in Article 23.2.2 without substantive change.

- 7.1.1 If a dispute arises between *Anti-Doping Organizations* over which *Anti-Doping Organization* has *Results Management* responsibility, *WADA* shall decide which organization has such responsibility. *WADA's* decision may be appealed to *CAS* within seven (7) days of notification of the *WADA* decision by any of the *Anti-Doping Organizations* involved in the dispute. The appeal shall be dealt with by *CAS* in an expedited manner and shall be heard before a single arbitrator. Any *Anti-Doping Organization* seeking to conduct *Results Management* outside of the authority provided in this [Article 7.1](#) may seek approval to do so from *WADA*.
- 7.1.2 Where a *National Anti-Doping Organization* elects to collect additional *Samples* pursuant to [Article 5.2.6](#), then it shall be considered the *Anti-Doping Organization* that initiated and directed *Sample* collection. However, where the *National Anti-Doping Organization* only directs the laboratory to perform additional types of analysis at the *National Anti-Doping Organization's* expense, then the *International Federation* or *Major Event Organization* shall be considered the *Anti-Doping Organization* that initiated and directed *Sample* collection.
- 7.1.3 In circumstances where the rules of a *National Anti-Doping Organization* do not give the *National Anti-Doping Organization* authority over an *Athlete* or other *Person* who is not a national, resident, license holder, or member of a sport organization of that country, or the *National Anti-Doping Organization* declines to exercise such authority, *Results Management* shall be conducted by the applicable *International Federation* or by a third party with authority over the *Athlete* or other *Person* as directed by the rules of the *International Federation*. For *Results Management* purposes, for a test or a further analysis conducted by *WADA* on its own initiative, or an anti-doping rule violation discovered by *WADA*, *WADA* shall designate an *Anti-Doping Organization* with authority over the *Athlete* or other *Person*.
- 7.1.4 For *Results Management* relating to a *Sample* initiated and taken during an *Event* conducted by a *Major Event Organization*, or an anti-doping rule violation occurring during such *Event*, the *Major Event Organization* for that *Event* shall assume *Results Management* responsibility to at least the limited extent of conducting a hearing to determine whether an anti-doping rule violation was committed and, if so, the applicable *Disqualifications* under [Articles 9](#) and [10.1](#), any forfeiture of any medals, points, or prizes from that *Event*, and any recovery of costs applicable to the anti-doping rule violation. In the event the *Major Event Organization* assumes only limited *Results*

Management responsibility, the case shall be referred by the *Major Event Organization* to the applicable International Federation for completion of *Results Management*.

7.1.5 *WADA* may direct an *Anti-Doping Organization* with *Results Management* authority to conduct *Results Management* in a particular case. If that *Anti-Doping Organization* refuses to conduct *Results Management* within a reasonable deadline set by *WADA*, such refusal shall be considered an act of non-compliance, and *WADA* may direct another *Anti-Doping Organization* with authority over the *Athlete* or other *Person*, that is willing to do so, to take *Results Management* responsibility in place of the refusing *Anti-Doping Organization* or, if there is no such *Anti-Doping Organization*, any other *Anti-Doping Organization* that is willing to do so. In such case, the refusing *Anti-Doping Organization* shall reimburse the costs and attorney fees of conducting *Results Management* to the other *Anti-Doping Organization* designated by *WADA*, and a failure to reimburse costs and attorney's fees shall be considered an act of noncompliance.

7.1.6 *Results Management* in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by the International Federation or the *National Anti-Doping Organization* with whom the *Athlete* in question files whereabouts information, as provided in the *International Standard for Results Management*. The *Anti-Doping Organization* that determines a filing failure or a missed test shall submit that information to *WADA* through *ADAMS*, where it will be made available to other relevant *Anti-Doping Organizations*.

7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

Review and notification with respect to a potential anti-doping rule violation shall be carried out in accordance with the *International Standard for Results Management*.

7.3 Identification of Prior Anti-Doping Rule Violations

Before giving an *Athlete* or other *Person* notice of a potential anti-doping rule violation as provided above, the *Anti-Doping Organization* shall refer to *ADAMS* and contact *WADA* and other relevant *Anti-Doping Organizations* to determine whether any prior anti-doping rule violation exists.

7.4 Principles Applicable to Provisional Suspensions

7.4.1 *Mandatory Provisional Suspension after an Adverse Analytical Finding or Adverse Passport Finding*

The *Signatories* described below in this paragraph shall adopt rules providing that when an Adverse Analytical Finding or Adverse Passport Finding (upon completion of the *Adverse Passport Finding* review process) is received for a *Prohibited Substance* or a *Prohibited Method*, other than a *Specified Substance* or *Specified Method*, a Provisional Suspension shall be imposed promptly upon or after the review and notification required by Article 7.2: where the *Signatory* is the ruling body of an *Event* (for application to that *Event*); where the *Signatory* is responsible for team selection (for application to that team selection); where the *Signatory* is the applicable International Federation; or where the *Signatory* is another *Anti-Doping Organization* which has *Results Management* authority over the alleged anti-doping rule violation. A mandatory *Provisional Suspension* may be eliminated if: (i) the *Athlete* demonstrates to the hearing panel that the violation is likely to have involved a *Contaminated Product*, or (ii) the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of Ineligibility under Article 10.2.4.1. A hearing body's decision not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

7.4.2 *Optional Provisional Suspension Based on an Adverse Analytical Finding for Specified Substances, Specified Methods, Contaminated Products, or Other Anti-Doping Rule Violations.*

A *Signatory* may adopt rules, applicable to any *Event* for which the *Signatory* is the ruling body or to any team selection process for which the *Signatory* is responsible or where the *Signatory* is the applicable International Federation or has *Results Management* authority over the alleged anti-doping rule violation, permitting *Provisional Suspensions* to be imposed for anti-doping rule violations not covered by Article 7.4.1 prior to analysis of the *Athlete's* B Sample or final hearing as described in Article 8.

7.4.3 *Opportunity for Hearing or Appeal*

Notwithstanding Articles 7.4.1 and 7.4.2, a *Provisional Suspension* may not be imposed unless the rules of the *Anti-Doping Organization* provide the *Athlete* or other *Person* with: (a) an opportunity for a *Provisional Hearing*, either before the imposition of the *Provisional Suspension* or on a timely basis after the imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after imposition of a *Provisional Suspension*. The rules of the *Anti-Doping Organization*

shall also provide an opportunity for an expedited appeal against the imposition of a *Provisional Suspension*, or the decision not to impose a *Provisional Suspension*, in accordance with Article 13.

7.4.4 Voluntary Acceptance of *Provisional Suspension*

Athletes on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of ten (10) days from the report of the *B Sample* (or waiver of the *B Sample*) or ten (10) days from the notice of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notice. Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension* if done so within ten (10) days from the notice of the anti-doping rule violation. Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 7.4.1 or 7.4.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

7.4.5 If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and a subsequent *B Sample* analysis (if requested by the *Athlete* or *Anti-Doping Organization*) does not confirm the *A Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1. In circumstances where the *Athlete* (or the *Athlete's* team as may be provided in the rules of the applicable *Major Event Organization* or *International Federation*) has been removed from an *Event* based on a violation of Article 2.1 and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, if, without otherwise affecting the *Event*, it is still possible for the *Athlete* or team to be reinserted, the *Athlete* or team may continue to take part in the *Event*.

7.5 Results Management Decisions

7.5.1 *Results Management* decisions or adjudications by *Anti-Doping Organizations*, must not purport to be limited to a particular geographic area or sport and shall address and determine without limitation the following issues: (i) whether an anti-doping rule violation was committed or a *Provisional Suspension* should be imposed, the factual basis for such determination, and the specific *Code* Articles violated, and (ii) all *Consequences* flowing from the anti-doping rule violation(s), including applicable *Disqualifications* under Articles 9 and 10.10, any forfeiture of medals or prizes, any

period of *Ineligibility* (and the date it begins to run) and any *Financial Consequences*, except that *Major Event Organizations* shall not be required to determine *Ineligibility* or *Financial Consequences* beyond the scope of their *Event*.

- 7.5.2 A *Results Management* decision or adjudication by a *Major Event Organization* in connection with one of its *Events* may be limited in its scope but shall address and determine, at a minimum, the following issues: (i) whether an anti-doping rule violation was committed, the factual basis for such determination, and the specific *Code Articles* violated, and (ii) applicable *Disqualifications* under Articles 9 and 10.1, with any resulting forfeiture of medals, points and prizes. In the event a *Major Event Organization* accepts only limited responsibility for *Results Management* decisions, it must comply with Article 7.1.4.

7.6 Notification of Results Management Decisions

Athletes, other *Persons*, *Signatories* and *WADA* shall be notified of *Results Management* decisions as provided in Article 14 and the *International Standard for Results Management*.

7.7 Retirement from Sport

If an *Athlete* or other *Person* retires while a *Results Management* process is underway, the *Anti-Doping Organization* conducting the *Results Management* process retains authority to complete its *Results Management* process. If an *Athlete* or other *Person* retires before any *Results Management* process has begun, the *Anti-Doping Organization* which would have had *Results Management* authority over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, has authority to conduct *Results Management*.

ARTICLE VIII

RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION

8.1 Fair Hearings

For any *Person* who is asserted to have committed an anti-doping rule violation, the *Anti-Doping Organization* with responsibility for *Results Management* shall provide, at a minimum, a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent* hearing panel in

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compliance with the *WADA International Standard for Results Management*. A timely reasoned decision specifically including an explanation of the reason(s) for any period of *Ineligibility and Disqualification* of results under Article 10.10 shall be *Publicly Disclosed* as provided in Article 14.3.

8.2 Event Hearings

Hearings held in connection with *Events* may be conducted by an expedited process as permitted by the rules of the relevant *Anti-Doping Organization* and the hearing panel.

8.3 Waiver of Hearing

The right to a hearing may be waived either expressly or by the *Athlete's* or other *Person's* failure to challenge an *Anti-Doping Organization's* assertion that an anti-doping rule violation has occurred within the specific time period provided in the *Anti-Doping Organization's* rules.

8.4 Notice of Decisions

The reasoned hearing decision, or in cases where the hearing has been waived, a reasoned decision explaining the action taken, shall be provided by the *Anti-Doping Organization with Results Management* responsibility to the *Athlete* and to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3 as provided in Article 14 and published in accordance with Article 14.3.

8.5 Single Hearing Before CAS

Anti-doping rule violations asserted against *International-Level Athletes*, *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other *Person*, the *Anti-Doping Organization with Results Management* responsibility, and *WADA*, be heard in a single hearing directly at *CAS*.

ARTICLE IX

AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

An anti-doping rule violation in *Individual Sports* in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition* with all resulting *Consequences*, including forfeiture of any medals, points and prizes.

ARTICLE X

SANCTIONS ON INDIVIDUALS

10.1 *Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs*

An anti-doping rule violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.

10.1.1 If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified*, unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

10.2 *Ineligibility for Presence, Use or Attempted Use or Possession of a Prohibited Substance or Prohibited Method*

The period of *Ineligibility* for a violation of Article 2.1, 2.2 or 2.6 shall be as follows, subject to potential elimination, reduction or suspension pursuant to Article 10.5, 10.6 or 10.7:

10.2.1 The period of *Ineligibility*, subject to Article 10.2.4, shall be four (4) years where:

10.2.1.1 The anti-doping rule violation does not involve a *Specified Substance* or a *Specified Method*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.

10.2.1.2 The anti-doping rule violation involves a *Specified Substance* or a *Specified Method* and the *Anti-Doping Organization* can establish that the anti-doping rule violation was intentional.

10.2.2 If Article 10.2.1 does not apply, subject to Article 10.2.4.1, the period of *Ineligibility* shall be two (2) years.

10.2.3 As used in Article 10.2, the term “intentional” is meant to identify those *Athletes* or other *Persons* who engage in conduct which they knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall be rebuttably presumed to be not “intentional” if the substance is a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was Used *Out-of-Competition*. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered “intentional” if the substance is not a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was Used *Out-of-Competition* in a context unrelated to sport performance.

10.2.4 Notwithstanding any other provision in Article 10.2, where the anti-doping rule violation involves a *Substance of Abuse*:

10.2.4.1 If the *Athlete* can establish that any ingestion or *Use* occurred *Out-of-Competition* and was unrelated to sport performance, then the period of *Ineligibility* shall be three (3) months *Ineligibility*.

In addition, the period of *Ineligibility* calculated under this Article 10.2.4.1 may be reduced to one (1) month if the *Athlete* or other *Person* satisfactorily completes a *Substance of Abuse* treatment program approved by the *Anti-Doping Organization* with *Results Management* responsibility. The period of *Ineligibility* established in this Article 10.2.4.1 is not subject to any reduction based on any provision in Article 10.6.

10.2.4.2 If the ingestion, *Use* or *Possession* occurred *In-Competition*, and the *Athlete* can establish that the context of the ingestion, *Use* or *Possession* was unrelated to sport performance, then the ingestion, *Use* or *Possession* shall not be considered intentional for purposes of Article 10.2.1 and shall not provide a basis for a finding of *Aggravating Circumstances* under Article 10.4.

10.3 Ineligibility for Other Anti-Doping Rule Violations

The period of *Ineligibility* for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Article 10.6 or 10.7 are applicable:

- 10.3.1 For violations of Article 2.3 or 2.5, the period of *Ineligibility* shall be four (4) years except: (i) in the case of failing to submit to *Sample* collection, if the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional, the period of *Ineligibility* shall be two (2) years; (ii) in all other cases, if the *Athlete* or other *Person* can establish exceptional circumstances that justify a reduction of the period of *Ineligibility*, the period of *Ineligibility* shall be in a range from two (2) years to four (4) years depending on the *Athlete* or other *Person's* degree of *Fault*; or (iii) in a case involving a *Protected Person* or *Recreational Athlete*, the period of *Ineligibility* shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.
- 10.3.2 For violations of Article 2.4, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete's* degree of *Fault*. The flexibility between two (2) years and one (1) year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for Testing.
- 10.3.3 For violations of Article 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four (4) years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a *Protected Person* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.
- 10.3.4 For violations of Article 2.9, the period of *Ineligibility* imposed shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation.
- 10.3.5 For violations of Article 2.10, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year.

depending on the Athlete or other Person's degree of Fault and other circumstances of the case.

10.3.6 For violations of Article 2.11, the period of Ineligibility shall be a minimum of two (2) years, up to lifetime Ineligibility, depending on the seriousness of the violation by the Athlete or other Person.

10.4 Aggravating Circumstances which may Increase the Period of Ineligibility

If the Anti-Doping Organization establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (Trafficking or Attempted Trafficking), 2.8 (Administration or Attempted Administration), 2.9 (Complicity or Attempted Complicity) or 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting) that Aggravating Circumstances are present which justify the imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased by an additional period of Ineligibility of up to two (2) years depending on the seriousness of the violation and the nature of the Aggravating Circumstances, unless the Athlete or other Person can establish that he or she did not knowingly commit the anti-doping rule violation.

10.5 Elimination of the Period of Ineligibility where there is No Fault or Negligence

If an Athlete or other Person establishes in an individual case that he or she bears No Fault or Negligence, then the otherwise applicable period of Ineligibility shall be eliminated.

10.6 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence

10.6.1 Reduction of Sanctions in Particular Circumstances for Violations of Article 2.1, 2.2 or 2.6.

All reductions under Article 10.6.1 are mutually exclusive and not cumulative.

10.6.1.1 Specified Substances or Specified Methods

Where the anti-doping rule violation involves a Specified Substance (other than a Substance of Abuse) or Specified Method, and the Athlete or other Person can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no

period of Ineligibility, and at a maximum, two (2) years of Ineligibility, depending on the Athlete's or other Person's degree of Fault.

10.6.1.2 Contaminated Products

In cases where the Athlete or other Person can establish both No Significant Fault or Negligence and that the detected Prohibited Substance (other than a Substance of Abuse) came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years Ineligibility, depending on the Athlete or other Person's degree of Fault.

10.6.1.3 Protected Persons or Recreational Athletes

Where the anti-doping rule violation not involving a Substance of Abuse is committed by a Protected Person or Recreational Athlete, and the Protected Person or Recreational Athlete can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years Ineligibility, depending on the Protected Person or Recreational Athlete's degree of Fault.

10.6.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.6.1

If an Athlete or other Person establishes in an individual case where Article 10.6.1 is not applicable, that he or she bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of Ineligibility may be reduced based on the Athlete or other Person's degree of Fault, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight (8) years.

10.7 Elimination, Reduction, or Suspension of Period of Ineligibility or Other Consequences for Reasons Other than Fault

10.7.1 Substantial Assistance in Discovering or Establishing Code Violations

10.7.1.1 An Anti-Doping Organization with Results Management responsibility for an anti-doping rule violation may, prior to an appellate decision under Article 13 or the expiration of the

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time to appeal, suspend a part of the Consequences (other than Disqualification and mandatory Public Disclosure) imposed in an individual case where the Athlete or other Person has provided Substantial Assistance to an Anti-Doping Organization, criminal authority or professional disciplinary body which results in: (i) the Anti-Doping Organization discovering or bringing forward an anti-doping rule violation by another Person; or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to the Anti-Doping Organization with Results Management responsibility; or (iii) which results in WADA initiating a proceeding against a Signatory, WADA-accredited laboratory or Athlete passport management unit (as defined in the International Standard for Laboratories) for non-compliance with the Code, International Standard or Technical Document; or (iv) with the approval by WADA, which results in a criminal or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping. After an appellate decision under Article 13 or the expiration of time to appeal, an Anti-Doping Organization may only suspend a part of the otherwise applicable Consequences with the approval of WADA and the applicable International Federation.

The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the Athlete or other Person and the significance of the Substantial Assistance provided by the Athlete or other Person to the effort to eliminate doping in sport, non-compliance with the Code and/ or sport integrity violations. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Article must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of Ineligibility shall not include any period of Ineligibility that could be added under Article 10.9.3.2.

If so requested by an Athlete or other Person who seeks to provide Substantial Assistance, the Anti-Doping Organization with Results Management responsibility shall

allow the Athlete or other Person to provide the information to the Anti-Doping Organization subject to a Without Prejudice Agreement.

If the Athlete or other Person fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of Consequences was based, the Anti-Doping Organization that suspended Consequences shall reinstate the original Consequences. If an Anti-Doping Organization decides to reinstate suspended Consequences or decides not to reinstate suspended Consequences that decision may be appealed by any Person entitled to appeal under Article 13.

10.7.1.2 To further encourage Athletes and other Persons to provide Substantial Assistance to Anti-Doping Organizations, at the request of the Anti-Doping Organization conducting Results Management or at the request of the Athlete or other Person who has, or has been asserted to have, committed an anti-doping rule violation, or other violation of the Code, WADA may agree at any stage of the Results Management process, including after an appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of Ineligibility and other Consequences. In exceptional circumstances, WADA may agree to suspensions of the period of Ineligibility and other Consequences for Substantial Assistance greater than those otherwise provided in this Article, or even no period of Ineligibility, no mandatory Public Disclosure and/or no return of prize money or payment of fines or costs. WADA's approval shall be subject to reinstatement of Consequences, as otherwise provided in this Article. Notwithstanding Article 13, WADA's decisions in the context of this Article 10.7.1.2 may not be appealed.

10.7.1.3 If an Anti-Doping Organization suspends any part of an otherwise applicable sanction because of Substantial Assistance, then notice providing justification for the decision shall be provided to the other Anti-Doping Organizations with a right to appeal under Article 13.2.3 as provided in Article 14.

In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize an Anti-Doping Organization to enter into

appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

10.7.2 Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

Where an Athlete or other Person voluntarily admits the commission of an anti-doping rule violation before having received notice of a Sample collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced, but not below one-half of the period of Ineligibility otherwise applicable.⁶⁹

10.7.3 Application of Multiple Grounds for Reduction of a Sanction

Where an Athlete or other Person establishes entitlement to reduction in sanction under more than one provision of Article 10.5, 10.6 or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.2, 10.3, 10.5, and 10.6. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.7, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

10.8 Results Management Agreements

10.8.1 One-Year Reduction for Certain Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction

Where an Athlete or other Person, after being notified by an Anti-Doping Organization of a potential anti-doping rule violation that carries an asserted period of Ineligibility of four (4) or more years (including any period of Ineligibility asserted under Article 10.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the Athlete or other Person may receive a one-year reduction in the period of Ineligibility asserted by the Anti-Doping Organization. Where the Athlete or other Person receives the one-year reduction in the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.

10.8.2 Case Resolution Agreement

Where the Athlete or other Person admits an anti-doping rule violation after being confronted with the anti-doping rule violation by an Anti-Doping Organization and agrees to Consequences acceptable to the Anti-Doping Organization and WADA, at their sole discretion, then: (a) the Athlete or other Person may receive a reduction in the period of Ineligibility based on an assessment by the Anti-Doping Organization and WADA of the application of Articles 10.1 through 10.7 to the asserted anti-doping rule violation, the seriousness of the violation, the Athlete or other Person's degree of Fault and how promptly the Athlete or other Person admitted the violation; and (b) the period of Ineligibility may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the Athlete or other Person shall serve at least one-half of the agreed-upon period of Ineligibility going forward from the earlier of the date the Athlete or other Person accepted the imposition of a sanction or a Provisional Suspension which was subsequently respected by the Athlete or other Person. The decision by WADA and the Anti-Doping Organization to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of the period of Ineligibility, are not matters for determination or review by a hearing body and are not subject to appeal under Article 13.

If so requested by an Athlete or other Person who seeks to enter into a case resolution agreement under this Article, the Anti-Doping Organization with Results Management responsibility shall allow the Athlete or other Person to discuss an admission of the anti-doping rule violation with the Anti-Doping Organization subject to a Without Prejudice Agreement.

10.9 Multiple Violations

10.9.1 Second or Third Anti-Doping Rule Violation

- 10.9.1.1 For an Athlete or other Person's second anti-doping rule violation, the period of Ineligibility shall be the greater of:
- (a) A six-month period of Ineligibility; or
 - (b) A period of Ineligibility in the range between:
 - (i) the sum of the period of Ineligibility imposed for the first anti-doping rule violation plus the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, and

- (ii) twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

The period of Ineligibility within this range shall be determined based on the entirety of the circumstances and the Athlete or other Person's degree of Fault with respect to the second violation.

10.9.1.2 A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfills the condition for elimination or reduction of the period of Ineligibility under Article 10.5 or 10.6, or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight (8) years to lifetime Ineligibility.

10.9.1.3 The period of Ineligibility established in Articles 10.9.1.1 and 10.9.1.2 may then be further reduced by the application of Article 10.7.

10.9.2 An anti-doping rule violation for which an Athlete or other Person has established No Fault or Negligence shall not be considered a violation for purposes of Article 10.9. In addition, an anti-doping rule violation sanctioned under Article 10.2.4.1 shall not be considered a violation for purposes of Article 10.9.

10.9.3 Additional Rules for Certain Potential Multiple Violations

10.9.3.1 For purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.3.2 and 10.9.3.3, an anti-doping rule violation will only be considered a second violation if the Anti-Doping Organization can establish that the Athlete or other Person committed the additional anti-doping rule violation after the Athlete or other Person received notice pursuant to Article 7, or after the Anti-Doping Organization made reasonable efforts to give notice of the first anti-doping rule violation. If the Anti-Doping Organization cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction, including the application of Aggravating Circumstances. Results in all Competitions dating back to the earlier anti-doping rule violation will be Disqualified as provided in Article 10.10.

10.9.3.2 If the Anti-Doping Organization establishes that an Athlete or other Person committed an additional anti-doping rule violation prior to notification, and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of Ineligibility for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of Ineligibility is served consecutively, rather than concurrently, with the period of Ineligibility imposed for the earlier-noticed violation. Where this Article 10.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.3 If the Anti-Doping Organization establishes that an Athlete or other Person committed a violation of Article 2.5 in connection with the Doping Control process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated as a stand-alone first violation and the period of Ineligibility for such violation shall be served consecutively, rather than concurrently, with the period of Ineligibility, if any, imposed for the underlying anti-doping rule violation. Where this Article 10.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.4 If an Anti-Doping Organization establishes that an Athlete or other Person has committed a second or third anti-doping rule violation during a period of Ineligibility, the periods of Ineligibility for the multiple violations shall run consecutively, rather than concurrently.

10.9.4 Multiple Anti-Doping Rule Violations during Ten-Year Period

For purposes of Article 10.9, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

10.10 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation

In addition to the automatic Disqualification of the results in the Competition which produced the positive Sample under Article 9, all other competitive results of the Athlete obtained from the date a positive Sample was collected (whether In-Competition or Out-of-Competition), or other anti-doping rule violation occurred, through the commencement of any Provisional Suspension or Ineligibility period, shall, unless fairness requires otherwise,

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be Disqualified with all of the resulting Consequences including forfeiture of any medals, points and prizes.

10.11 Forfeited Prize Money

An Anti-Doping Organization or other Signatory that has recovered prize money forfeited as a result of an anti-doping rule violation shall take reasonable measures to allocate and distribute this prize money to the Athletes who would have been entitled to it had the forfeiting Athlete not competed. An International Federation may provide in its rules whether or not the redistributed prize money shall be considered for purposes of its ranking of Athletes.

10.12 Financial Consequences

Anti-Doping Organizations may, in their own rules, provide for proportionate recovery of costs or financial sanctions on account of anti-doping rule violations. However, Anti-Doping Organizations may only impose financial sanctions in cases where the maximum period of Ineligibility otherwise applicable has already been imposed. Financial sanctions may only be imposed where the principle of proportionality is satisfied. No recovery of costs or financial sanction may be considered a basis for reducing the Ineligibility or other sanction which would otherwise be applicable under the Code.

10.13 Commencement of Ineligibility Period

Where an Athlete is already serving a period of Ineligibility for an anti-doping rule violation, any new period of Ineligibility shall commence on the first day after the current period of Ineligibility has been served. Otherwise, except as provided below, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived or there is no hearing, on the date Ineligibility is accepted or otherwise imposed.

10.13.1 Delays Not Attributable to the Athlete or other Person

Where there have been substantial delays in the hearing process or other aspects of Doping Control, and the Athlete or other Person can establish that such delays are not attributable to the Athlete or other Person, the body imposing the sanction may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection 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.

10.13.2 Credit for Provisional Suspension or Period of Ineligibility Served

10.13.2.1 If a Provisional Suspension is respected by the Athlete or other Person, then the Athlete or other Person shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed. If the Athlete or other Person does not respect a Provisional Suspension, then the Athlete or other Person shall receive no credit for any period of Provisional Suspension served. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Athlete or other Person shall receive a credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal.

10.13.2.2 If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing from an Anti-Doping Organization with Results Management authority and thereafter respects the Provisional Suspension, the Athlete or other Person shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. A copy of the Athlete or other Person's voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.

10.13.2.3 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Athlete elected not to compete or was suspended by a team.

10.13.2.4 In Team Sports, where a period of Ineligibility is imposed upon a team, unless fairness requires otherwise, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearings waived, on the date Ineligibility is accepted or otherwise imposed. Any period of team Provisional Suspension (whether

imposed or voluntarily accepted) shall be credited against the total period of Ineligibility to be served.

10.14 Status during Ineligibility or Provisional Suspension

10.14.1 Prohibition against Participation during Ineligibility or Provisional Suspension

No Athlete or other Person who has been declared Ineligible or is subject to a Provisional Suspension may, during a period of Ineligibility or Provisional Suspension, participate in any capacity in a Competition or activity (other than authorized anti-doping Education or rehabilitation programs) authorized or organized by any Signatory, Signatory's member organization, or a club or other member organization of a Signatory's member organization, or in Competitions authorized or organized by any professional league or any international- or national-level Event organization or any elite or national-level sporting activity funded by a governmental agency.

An Athlete or other Person subject to a period of Ineligibility longer than four (4) years may, after completing four (4) years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the authority of a Code Signatory or member of a Code Signatory, but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event, and does not involve the Athlete or other Person working in any capacity with Protected Persons.

An Athlete or other Person subject to a period of Ineligibility shall remain subject to Testing and any requirement by an Anti-Doping Organization to provide whereabouts information.

10.14.2 Return to Training

As an exception to [Article 10.14.1](#), an Athlete may return to train with a team or to use the facilities of a club or other member organization of a Signatory's member organization during the shorter of: (1) the last two (2) months of the Athlete's period of Ineligibility, or (2) the last one quarter of the period of Ineligibility imposed.

10.14.3 Violation of the Prohibition of Participation during Ineligibility or Provisional Suspension

Where an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.14.1, the results of such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility, including a reprimand and no period of Ineligibility, may be adjusted based on the Athlete or other Person's degree of Fault and other circumstances of the case. The determination of whether an Athlete or other Person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organization whose Results Management led to the imposition of the initial period of Ineligibility. This decision may be appealed under Article 13.

An Athlete or other Person who violates the prohibition against participation during a Provisional Suspension described in Article 10.14.1 shall receive no credit for any period of Provisional Suspension served and the results of such participation shall be Disqualified.

Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility or a Provisional Suspension, an Anti-Doping Organization with authority over such Athlete Support Person or other Person shall impose sanctions for a violation of Article 2.9 for such assistance.

10.14.4 Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.5 or 10.6, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by Signatories, Signatories' member organizations and governments.

10.15 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Article 14.3.

ARTICLE XI

CONSEQUENCES TO TEAMS

11.1 Testing of Team Sports

Where more than one member of a team in a Team Sport has been notified of an anti-doping rule violation under Article 7 in connection with an Event, the ruling body for the Event shall conduct appropriate Target Testing of the team during the Event Period.

11.2 Consequences for Team Sports

If more than two members of a team in a Team Sport are found to have committed an anti-doping rule violation during an Event Period, the ruling body of the Event shall impose an appropriate sanction on the team (e.g., loss of points, Disqualification from a Competition or Event, or other sanction) in addition to any Consequences imposed upon the individual Athletes committing the anti-doping rule violation.

11.3 Event Ruling Body or International Federation may Establish Stricter Consequences for Team Sports

The ruling body for an Event may elect to establish rules for the Event which impose Consequences for Team Sports stricter than those in [Article 11.2](#) for purposes of the Event. Similarly, an International Federation may elect to establish rules imposing stricter Consequences for Team Sports within its authority than those in [Article 11.2](#).

ARTICLE XII

SANCTIONS BY SIGNATORIES AGAINST
OTHER SPORTING BODIES

Each Signatory shall adopt rules that obligate each of its member organizations and any other sporting body over which it has authority to comply with, implement, uphold and enforce the Code within that organization's or body's area of competence. When a Signatory becomes aware that one of its member organizations or other sporting body over which it has authority has failed to fulfill such obligation, the Signatory shall take appropriate action against such organization or body.⁸⁰ In particular, a Signatory's action and rules shall include the possibility of excluding all, or some group of, members of that organization or body from specified future Events or all Events conducted within a specified period of time.

ARTICLE XIII

**RESULTS MANAGEMENT:
APPEALS**

13.1 Decisions Subject to Appeal

Decisions made under the Code or under rules adopted pursuant to the Code may be appealed as set forth below in Articles 13.2 through 13.4 or as otherwise provided in the Code or International Standards. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

13.1.1 Scope of Review Not Limited

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. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.

13.1.2 CAS Shall Not Defer to the Findings Being Appealed

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

13.1.3 WADA Not Required to Exhaust Internal Remedies

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

13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority

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 5.6.1:

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a decision by WADA assigning Results Management under Article 7.1; a decision by an Anti-Doping Organization 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 in accordance with the International Standard for Results Management; a decision to impose, or lift, a Provisional Suspension as a result of a Provisional Hearing; an Anti-Doping Organization's failure to comply with Article 7.4; a decision that an Anti-Doping Organization lacks authority to rule on an alleged anti-doping rule violation or its Consequences; a decision to suspend, or not suspend, Consequences or to reinstate, or not reinstate, Consequences under Article 10.7.1; failure to comply with Articles 7.1.4 and 7.1.5; failure to comply with Article 10.8.1; a decision under Article 10.14.3; a decision by an Anti-Doping Organization not to implement another Anti-Doping Organization's decision under Article 15; and a decision under Article 27.3 may be appealed exclusively as provided in this Article 13.2.

13.2.1 Appeals Involving International-Level Athletes or International Events

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

13.2.2 Appeals Involving Other Athletes or Other Persons

In cases where Article 13.2.1 is not applicable, the decision may be appealed to an appellate body in accordance with rules established by the National Anti-Doping Organization. The rules for such appeal shall respect the following principles:

- a timely hearing;
- a fair, impartial, and Operationally Independent and Institutionally Independent hearing panel;
- the right to be represented by counsel at the Person's own expense; and
- a timely, written, reasoned decision.

If no such body as described above is in place and available at the time of the appeal, the Athlete or other Person shall have a right to appeal to CAS.

13.2.3 Persons Entitled to Appeal

13.2.3.1 Appeals Involving International-Level Athletes or International Events

In cases under Article 13.2.1, the following parties shall have the right to 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) 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.

13.2.3.2 Appeals Involving Other Athletes or Other Persons

In cases under Article 13.2.2, the parties having the right to appeal to the appellate body shall be as provided in the National Anti-Doping Organization's rules but, at a minimum, shall include the following parties: (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) 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. For cases under Article 13.2.2, 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 appellate body. 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.

13.2.3.3 Duty to Notify

All parties to any CAS appeal must ensure that WADA and all other parties with a right to appeal have been given timely notice of the appeal.

13.2.3.4 Appeal Deadline for Parties Other than WADA

The deadline to file an appeal for parties other than WADA shall be as provided in the rules of the Anti-Doping Organization conducting Results Management.

13.2.3.5 Appeal Deadline for WADA

The filing deadline for an appeal filed by WADA shall be the later of:

- (a) Twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed, or
- (b) Twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

13.2.3.6 Appeal from Imposition of Provisional Suspension

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

13.2.4 Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the Code are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

13.3 Failure to Render a Timely Decision by an Anti-Doping Organization

Where, in a particular case, an Anti-Doping Organization fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if the Anti-Doping Organization had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that

WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by the Anti-Doping Organization.

13.4 Appeals Relating to TUEs

TUE decisions may be appealed exclusively as provided in Article 4.4.

13.5 Notification of Appeal Decisions

Any Anti-Doping Organization that is a party to an appeal shall promptly provide the appeal decision to the Athlete or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.

13.6 Appeals from Decisions under Article 24.1

A notice that is not disputed and so becomes a final decision under Article 24.1, finding a Signatory noncompliant with the Code and imposing consequences for such non-compliance, as well as conditions for Reinstatement of the Signatory, may be appealed to CAS as provided in the International Standard for Code Compliance by Signatories.

13.7 Appeals from Decisions Suspending or Revoking Laboratory Accreditation

Decisions by WADA to suspend or revoke a laboratory's WADA accreditation may be appealed only by that laboratory with the appeal being exclusively to CAS.

ARTICLE XIV

CONFIDENTIALITY AND REPORTING

The principles of coordination of anti-doping results, public transparency and accountability and respect for the privacy of all Athletes or other Persons are as follows:

14.1 Information Concerning Adverse Analytical Findings, Atypical Findings, and other Asserted Anti-Doping Rule Violations

14.1.1 Notice of Anti-Doping Rule Violations to Athletes and other Persons

The form and manner of notice of an asserted anti-doping rule violation shall be as provided in the rules of the Anti-Doping Organization with Results Management responsibility.

14.1.2 Notice of Anti-Doping Rule Violations to National Anti-Doping Organizations, International Federations and WADA

The Anti-Doping Organization with Results Management responsibility shall also notify the Athlete's National Anti-Doping Organization, International Federation and WADA of the assertion of an anti-doping rule violation simultaneously with the notice to the Athlete or other Person.

14.1.3 Content of an Anti-Doping Rule Violation Notice

Notification shall include: the Athlete's or other Person's name, country, sport and discipline within the sport, the Athlete's competitive level, whether the test was In-Competition or Out of- Competition, the date of Sample collection, the analytical result reported by the laboratory and other information as required by the International Standard for Results Management, or, for anti-doping rule violations other than Article 2.1, the rule violated and the basis of the asserted violation.

14.1.4 Status Reports

Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 14.1.1, the Anti-Doping Organizations referenced in Article 14.1.2 shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

14.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those Persons with a need to know (which would include the appropriate personnel at the applicable National Olympic Committee, National Federation, and team in a Team Sport) until the Anti-Doping Organization with Results Management responsibility has made Public Disclosure as permitted by Article 14.3.

14.2 Notice of Anti-Doping Rule Violation or Violations of Ineligibility or Provisional Suspension Decisions and Request for Files

- 14.2.1 Anti-doping rule violation decisions or decisions related to violations of Ineligibility or Provisional Suspension rendered pursuant to Article 7.6, 8.4, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, the Anti-Doping Organization shall provide an English or French summary of the decision and the supporting reasons.
- 14.2.2 An Anti-Doping Organization having a right to appeal a decision received pursuant to Article 14.2.1 may, within fifteen (15) days of receipt, request a copy of the full case file pertaining to the decision.

14.3 Public Disclosure

- 14.3.1 After notice has been provided to the Athlete or other Person in accordance with the International Standard for Results Management, and to the applicable Anti-Doping Organizations in accordance with Article 14.1.2, the identity of any Athlete or other Person who is notified of a potential anti-doping rule violation, the Prohibited Substance or Prohibited Method and nature of the violation involved, and whether the Athlete or other Person is subject to a Provisional Suspension may be Publicly Disclosed by the Anti-Doping Organization with Results Management responsibility.
- 14.3.2 No later than twenty (20) days after it has been determined in an appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, or a new period of Ineligibility, or reprimand, has been imposed under Article 10.14.3, the Anti-Doping Organization responsible for Results Management must Publicly Disclose the disposition of the anti-doping matter including the sport, the anti-doping rule violated, the name of the Athlete or other Person committing the violation, the Prohibited Substance or Prohibited Method involved (if any) and the Consequences imposed. The same Anti-Doping Organization must also Publicly Disclose within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.
- 14.3.3 After an anti-doping rule violation has been determined to have been committed in an appellate decision under Article 13.2.1 or 13.2.2 or

such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, the Anti-Doping Organization responsible for Results Management may make public such determination or decision and may comment publicly on the matter.

14.3.4 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the fact that the decision has been appealed may be Publicly Disclosed. However, the decision itself and the underlying facts may not be Publicly Disclosed except with the consent of the Athlete or other Person who is the subject of the decision. The Anti-Doping Organization with Results Management responsibility shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.

14.3.5 Publication shall be accomplished at a minimum by placing the required information on the Anti-Doping Organization's website and leaving the information up for the longer of one (1) month or the duration of any period of Ineligibility.

14.3.6 Except as provided in Articles 14.3.1 and 14.3.3, no Anti-Doping Organization or WADA-accredited laboratory, or official of either, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by the Athlete, other Person or their entourage or other representatives.

14.3.7 The mandatory Public Disclosure required in 14.3.2 shall not be required where the Athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor, Protected Person or Recreational Athlete. Any optional Public Disclosure in a case involving a Minor, Protected Person or Recreational Athlete shall be proportionate to the facts and circumstances of the case.

14.4 Statistical Reporting

Anti-Doping Organizations shall, at least annually, publish publicly a general statistical report of their Doping Control activities, with a copy provided to WADA. Anti-Doping Organizations may also publish reports showing the name of each Athlete tested and the date of each Testing. WADA shall, at least annually, publish statistical reports summarizing the

information that it receives from Anti-Doping Organizations and laboratories.

14.5 Doping Control Information Database and Monitoring of Compliance

To enable WADA to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable Doping Control information among Anti-Doping Organizations, WADA shall develop and manage a Doping Control information database, such as ADAMS, and Anti-Doping Organizations shall report to WADA through such database Doping Control-related information, including, in particular,

- a) Athlete Biological Passport data for International-Level Athletes and National-Level Athletes,
- b) Whereabouts information for Athletes including those in Registered Testing Pools,
- c) TUE decisions, and
- d) Results Management decisions,

as required under the applicable International Standard(s).

14.5.1 To facilitate coordinated test distribution planning, avoid unnecessary duplication in Testing by various Anti-Doping Organizations, and to ensure that Athlete Biological Passport profiles are updated, each Anti-Doping Organization shall report all In-Competition and Out-of-Competition tests to WADA by entering the Doping Control forms into ADAMS in accordance with the requirements and timelines contained in the International Standard for Testing and Investigations.

14.5.2 To facilitate WADA's oversight and appeal rights for TUEs, each Anti-Doping Organization shall report all TUE applications, decisions and supporting documentation using ADAMS in accordance with the requirements and timelines contained in the International Standard for Therapeutic Use Exemptions.

14.5.3 To facilitate WADA's oversight and appeal rights for Results Management, Anti-Doping Organizations shall report the following information into ADAMS in accordance with the requirements and timelines outlined in the International Standard for Results Management:

- (a) notifications of anti-doping rule violations and related decisions for Adverse Analytical Findings;
- (b) notifications and related decisions for other anti-doping rule violations that are not Adverse Analytical Findings; (c) whereabouts failures; and
- (c) any decision imposing, lifting or reinstating a Provisional Suspension.

- 14.5.4 The information described in this Article will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete's National Anti-Doping Organization and International Federation, and any other Anti-Doping Organizations with Testing authority over the Athlete.

14.6 Data Privacy

Anti-Doping Organizations may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate and International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information), and in compliance with applicable law.

ARTICLE XV

IMPLEMENTATION OF DECISIONS

15.1 Automatic Binding Effect of Decisions by Signatory Anti-Doping Organizations

15.1.1 A decision of an anti-doping rule violation made by a Signatory Anti-Doping Organization, an appellate body (Article 13.2.2) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon every Signatory in every sport with the effects described below:

15.1.1.1 A decision by any of the above-described bodies imposing a Provisional Suspension (after a Provisional Hearing has occurred or the Athlete or other Person has either accepted the Provisional Suspension or has waived the right to a Provisional Hearing, expedited hearing or expedited appeal offered in accordance with Article 7.4.3) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory during the Provisional Suspension.

15.1.1.2 A decision by any of the above described bodies imposing a period of Ineligibility (after a hearing has occurred or been waived) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory for the period of Ineligibility.

15.1.1.3 A decision by any of the above described bodies accepting an anti-doping rule violation automatically binds all Signatories.

15.1.1.4 A decision by any of the above-described bodies to Disqualify results under Article 10.10 for a specified period automatically Disqualifies all results obtained within the authority of any Signatory during the specified period.

15.1.2 Each Signatory is under the obligation to recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date the Signatory receives actual notice of the decision or the date the decision is placed into ADAMS.

15.1.3 A decision by an Anti-Doping Organization, an appellate body or CAS to suspend, or lift, Consequences shall be binding upon each Signatory without any further action required, on the earlier of the date the Signatory receives actual notice of the decision or the date the decision is placed into ADAMS.

15.1.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a Major Event Organization made in an expedited process during an Event shall not be binding on other Signatories unless the rules of the Major Event Organization provide the Athlete or other Person with an opportunity to an appeal under non-expedited procedures.

15.2 Implementation of Other Decisions by Anti-Doping Organizations

Signatories may decide to implement other anti-doping decisions rendered by Anti-Doping Organizations not described in Article 15.1.1 above, such as a Provisional Suspension prior to a Provisional Hearing or acceptance by the Athlete or other Person.

15.3 Implementation of Decisions by Body that is not a Signatory

An anti-doping decision by a body that is not a Signatory to the Code shall be implemented by each Signatory if the Signatory finds that the decision purports to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the Code.

ARTICLE XVI

DOPING CONTROL FOR ANIMALS COMPETING IN SPORT

- 16.1** In any sport that includes animals in Competition, the International Federation for that sport shall establish and implement anti-doping rules for the animals included in that sport. The anti-doping rules shall include a list of Prohibited Substances, appropriate Testing procedures and a list of approved laboratories for Sample analysis.
- 16.2** With respect to determining anti-doping rule violations, Results Management, fair hearings, Consequences, and appeals for animals involved in sport, the International Federation for that sport shall establish and implement rules that are generally consistent with Articles 1, 2, 3, 9, 10, 11, 13 and 17 of the Code.

ARTICLE XVII

STATUTE OF LIMITATIONS

No anti-doping rule violation proceeding may be commenced against an *Athlete* or other *Person* unless he or she has been notified of the anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten (10) years from the date the violation is asserted to have occurred.

PART TWO

EDUCATION AND RESEARCH

ARTICLE XVIII

EDUCATION

18.1 Principles

Education programs are central to ensure harmonized, coordinated and effective anti-doping programs at the international and national level. They are intended to preserve the spirit of sport and the protection of *Athletes'* health and right to compete on a doping free level playing field as described in the Introduction to the *Code*.

Education programs shall raise awareness, provide accurate information and develop decision-making capability to prevent intentional and unintentional anti-doping rule violations and other breaches of the *Code*. *Education*

programs and their implementation shall instill personal values and principles that protect the spirit of sport.

All *Signatories* shall, within their scope of responsibility and in cooperation with each other, plan, implement, monitor, evaluate and promote *Education* programs in line with the requirements set out in the *International Standard for Education*.

18.2 Education Program and Plan by Signatories

Education programs as outlined in the *International Standard for Education* shall promote the spirit of sport and have a positive and long-term influence on the choices made by *Athletes* and other *Persons*.

Signatories shall develop an *Education* plan as required in the *International Standard for Education*. Prioritization of target groups or activities shall be justified based on a clear rationale of the *Education* Plan.

Signatories shall make their *Education* plans available to other *Signatories* upon request in order to avoid duplication of efforts where possible and to support the recognition process outlined in the *International Standard for Education*.

An *Anti-Doping Organization's Education* program shall include the following awareness, information, values based and *Education* components which shall at a minimum be available on a website.

- Principles and values associated with clean sport
- *Athletes'*, *Athlete Support Personnel's* and other groups' rights and responsibilities under the *Code*
- The principle of *Strict Liability*
- Consequences of doping, for example, physical and mental health, social and economic effects, and sanctions
- Anti-doping rule violations
- Substances and Methods on the *Prohibited List*
- Risks of supplement use
- *Use* of medications and *Therapeutic Use Exemptions*
- *Testing* procedures, including urine, blood and the *Athlete Biological Passport*
- Requirements of the *Registered Testing Pool*, including whereabouts and the use of *ADAMS*
- Speaking up to share concerns about doping

18.2.1 *Education* Pool and Target Groups Established by *Signatories*

18.2.1 *Education Pool and Target Groups Established by Signatories*

Signatories shall identify their target groups and form an *Education pool* in line with the minimum requirements outlined in the *International Standard for Education*.

18.2.2 *Education Program Implementation by Signatories*

Any *Education* activity directed at the *Education pool* shall be delivered by a trained and authorized *Person* according to the requirements set out in the *International Standard for Education*.

18.2.3 *Coordination and Cooperation*

WADA shall work with relevant stakeholders to support the implementation of the *International Standard for Education* and act as a central repository for information and *Education* resources and/or programs developed by *WADA* or *Signatories*. *Signatories* shall cooperate with each other and governments to coordinate their efforts.

On a national level, *Education* programs shall be coordinated by the *National Anti-Doping Organization*, working in collaboration with their respective national sports federations, *National Olympic Committee*, *National Paralympic Committee*, governments and *Educational* institutions. This coordination shall maximize the reach of *Education* programs across sports, *Athletes* and *Athlete Support Personnel* and minimize duplication of effort.

Education programs aimed at *International-Level Athletes* shall be the priority for *International Federations*. *Event-based Education* shall be a mandatory element of any anti-doping program associated with an *International Event*.

All *Signatories* shall cooperate with each other and governments to encourage relevant sports organizations, *Educational* institutions, and professional associations to develop and implement appropriate *Codes of Conduct* that reflect good practice and ethics related to sport practice regarding anti-doping. Disciplinary policies and procedures shall be clearly articulated and communicated, including sanctions which are consistent with the *Code*. Such *Codes of Conduct* shall make provision for appropriate disciplinary action to be taken by sports bodies to either support the implementation of any doping sanctions, or for an organization to take its own disciplinary action should insufficient evidence prevent an anti-doping rule violation being brought forward.

ARTICLE XIX

RESEARCH

19.1 Purpose and Aims of Anti-Doping Research

Anti-doping research contributes to the development and implementation of efficient programs within *Doping Control* and to information and *Education* regarding doping-free sport.

All *Signatories* and *WADA* shall, in cooperation with each other and governments, encourage and promote such research and take all reasonable measures to ensure that the results of such research are used for the promotion of the goals that are consistent with the principles of the *Code*.

19.2 Types of Research

Relevant anti-doping research may include, for example, sociological, behavioral, juridical and ethical studies in addition to scientific, medical, analytical, statistical and physiological investigation. Without limiting the foregoing, studies on devising and evaluating the efficacy of scientifically-based physiological and psychological training programs that are consistent with the principles of the *Code* and respectful of the integrity of the human subjects, as well as studies on the *Use* of emerging substances or methods resulting from scientific developments should be conducted.

19.3 Coordination of Research and Sharing of Results

Coordination of anti-doping research through *WADA* is essential. Subject to intellectual property rights, the results of such anti-doping research shall be provided to *WADA* and, where appropriate, shared with relevant *Signatories* and *Athletes* and other stakeholders.

19.4 Research Practices

Anti-doping research shall comply with internationally recognized ethical practices.

19.5 Research Using *Prohibited Substances* and *Prohibited Methods*

Research efforts should avoid the *Administration of Prohibited Substances* or *Prohibited Methods* to *Athletes*.

19.6 Misuse of Results

Adequate precautions should be taken so that the results of anti-doping research are not misused and applied for doping purposes.

PART THREE

ROLES AND RESPONSIBILITIES

ARTICLE XX

ADDITIONAL ROLES AND RESPONSIBILITIES
OF SIGNATORIES AND WADA

Each *Anti-Doping Organization* may delegate aspects of *Doping Control* or anti-doping *Education* for which it is responsible but remains fully responsible for ensuring that any aspect it delegates is performed in compliance with the *Code*. To the extent such delegation is made to a *Delegated Third Party* that is not a *Signatory*, the agreement with the *Delegated Third Party* shall require its compliance with the *Code* and *International Standards*.

20.1 Roles and Responsibilities of the International Olympic Committee

- 20.1.1 To adopt and implement anti-doping policies and rules for the Olympic Games which conform with the *Code* and the *International Standards*.
- 20.1.2 To require, as a condition of recognition by the International Olympic Committee, that International Federations and *National Olympic Committees* within the Olympic Movement are in compliance with the *Code* and the *International Standards*.
- 20.1.3 To withhold some or all Olympic funding and/ or other benefits from sport organizations that are not in compliance with the *Code* and/ or the *International Standards*, where required under Article 24.1.
- 20.1.4 To take appropriate action to discourage noncompliance with the *Code* and the *International Standards* (a) by *Signatories*, in accordance with Article 24.1 and the *International Standard* for *Code* Compliance by *Signatories*, and (b) by any other sporting body over which it has authority, in accordance with Article 12.
- 20.1.5 To authorize and facilitate the *Independent Observer Program*.
- 20.1.6 To require all *Athletes* preparing for or participating in the Olympic Games, and all *Athlete Support Personnel* associated with such *Athletes*, to agree to and be bound by anti-doping rules in conformity with the *Code* as a condition of such participation or involvement.

- 20.1.7 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, to agree to be bound by anti-doping rules as *Persons* in conformity with the *Code* for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the *Signatory*.
- 20.1.8 Subject to applicable law, to not knowingly employ a *Person* in any position involving *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the *Code* or, if a *Person* was not subject to the *Code*, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*.
- 20.1.9 To vigorously pursue all potential anti-doping rule violations within its authority including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.
- 20.1.10 To plan, implement, evaluate and promote anti-doping *Education* in line with the requirements of the *International Standard for Education*.
- 20.1.11 To accept bids for the Olympic Games only from countries where the government has ratified, accepted, approved or acceded to the *UNESCO Convention*, and (where required under [Article 24.1.9](#)) to not accept bids for *Events* from countries where the *National Olympic Committee*, the *National Paralympic Committee* and/or the *National Anti-Doping Organization* is not in compliance with the *Code* or the *International Standards*.
- 20.1.12 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.
- 20.1.13 To respect the operational independence of laboratories as provided in the *International Standard for Laboratories*.
- 20.1.14 To adopt a policy or rule implementing [Article 2.11](#).

20.2 Roles and Responsibilities of the International Paralympic Committee

- 20.2.1 To adopt and implement anti-doping policies and rules for the Paralympic Games which conform with the *Code* and the *International Standards*.
- 20.2.2 To require, as a condition of membership of the International Paralympic Committee, that International Federations and National Paralympic Committees within the Paralympic Movement are in compliance with the *Code* and the *International Standards*.
- 20.2.3 To withhold some or all Paralympic funding and/ or other benefits from sport organizations that are not in compliance with the *Code* and/or the *International Standards*, where required under Article 24.1.
- 20.2.4 To take appropriate action to discourage noncompliance with the *Code* and the *International Standards* (a) by *Signatories*, in accordance with Article 24.1 and the *International Standard for Code Compliance by Signatories*, and (b) by any other sporting body over which it has authority, in accordance with Article 12.
- 20.2.5 To authorize and facilitate the *Independent Observer Program*.
- 20.2.6 To require all *Athletes* preparing for or participating in the Paralympic Games, and all *Athlete Support Personnel* associated with such *Athletes*, to agree to and be bound by anti-doping rules in conformity with the *Code* as a condition of such participation or involvement.
- 20.2.7 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, to agree to be bound by anti-doping rules as *Persons* in conformity with the *Code* for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the *Signatory*.
- 20.2.8 Subject to applicable law, to not knowingly employ a *Person* in any position involving *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the *Code* or, if a *Person* was not subject to the *Code*, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code-compliant* rules had been applicable to such *Person*.

- 20.2.9 To plan, implement, evaluate and promote anti-doping *Education* in line with the requirements of the *International Standard for Education*.
- 20.2.10 To vigorously pursue all potential anti-doping rule violations within its authority including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.
- 20.2.11 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.
- 20.2.12 To respect the operational independence of laboratories as provided in the *International Standard for Laboratories*.

20.3 Roles and Responsibilities of International Federations

- 20.3.1 To adopt and implement anti-doping policies and rules which conform with the *Code* and *International Standards*.
- 20.3.2 To require, as a condition of membership, that the policies, rules and programs of their National Federations and other members are in compliance with the *Code* and the *International Standards*, and to take appropriate action to enforce such compliance; areas of compliance shall include but not be limited to: (i) requiring that their National Federations conduct *Testing* only under the documented authority of their International Federation and use their *National Anti-Doping Organization* or other *Sample* collection authority to collect *Samples* in compliance with the *International Standard for Testing and Investigations*; (ii) requiring that their National Federations recognize the authority of the *National Anti-Doping Organization* in their country in accordance with [Article 5.2.1](#) and assist as appropriate with the *National Anti-Doping Organization's* implementation of the national *Testing* program for their sport; (iii) requiring that their National Federations analyze all *Samples* collected using a WADA-accredited or WADA-approved laboratory in accordance with [Article 6.1](#); and (iv) requiring that any national level anti-doping rule violation cases discovered by their National Federations are adjudicated by an Operationally Independent hearing panel in accordance with [Article 8.1](#) and the *International Standard for Results Management*.
- 20.3.3 To require all Athletes preparing for or participating in a Competition or activity authorized or organized by the International Federation or one of its member organizations, and all Athlete Support Personnel

- associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.
- 20.3.4 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.
- 20.3.5 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.
- 20.3.6 To require Athletes who are not regular members of the International Federation or one of its member National Federations to be available for Sample collection and to provide accurate and up-to-date whereabouts information as part of the International Federation's Registered Testing Pool consistent with the conditions for eligibility established by the International Federation or, as applicable, the Major Event Organization.
- 20.3.7 To require each of their National Federations to establish rules requiring all Athletes preparing for or participating in a Competition or activity authorized or organized by a National Federation or one of its member organizations, and all Athlete Support Personnel associated with such Athletes, to agree to be bound by anti-doping rules and the Results Management authority of Anti-Doping Organization in conformity with the Code as a condition of such participation.
- 20.3.8 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their National Anti-Doping Organization and International Federation and to cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct the investigation.
- 20.3.9 To take appropriate action to discourage noncompliance with the Code and the International Standards (a) by Signatories, in

- accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which they have authority, in accordance with Article 12.
- 20.3.10 To authorize and facilitate the Independent Observer Program at International Events.
- 20.3.11 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the *Code* and/or the *International Standards*.
- 20.3.12 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping, to ensure proper enforcement of *Consequences*, and to conduct an automatic investigation of *Athlete Support Personnel* in the case of any anti-doping rule violation involving a *Protected Person* or *Athlete Support Person* who has provided support to more than one *Athlete* found to have committed an anti-doping rule violation.
- 20.3.13 To plan, implement, evaluate and promote anti-doping *Education* in line with the requirements of the *International Standard for Education*, including requiring National Federations to conduct anti-doping *Education* in coordination with the applicable *National Anti-Doping Organization*.
- 20.3.14 To accept bids for World Championships and other *International Events* only from countries where the government has ratified, accepted, approved or acceded to the *UNESCO Convention*, and (where required under Article 24.1.9) to not accept bids for *Events* from countries where the *National Olympic Committee*, the *National Paralympic Committee* and/or the *National Anti-Doping Organization* is not in compliance with the *Code* or the *International Standards*.
- 20.3.15 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.
- 20.3.16 To cooperate fully with *WADA* in connection with investigations conducted by *WADA* pursuant to Article 20.7.14.
- 20.3.17 To have disciplinary rules in place and require National Federations to have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to

Athletes within the International Federation's or National Federation's authority.

20.3.18 To respect the operational independence of laboratories as provided in the *International Standard for Laboratories*.

20.3.19 To adopt a policy or rule implementing Article 2.11.

20.4 Roles and Responsibilities of National Olympic Committees and National Paralympic Committees

20.4.1 To ensure that their anti-doping policies and rules conform with the *Code* and the *International Standards*.

20.4.2 To require, as a condition of membership, that the policies, rules and programs of their National Federations and other members are in compliance with the *Code* and the *International Standards*, and to take appropriate action to enforce such compliance.

20.4.3 To respect the autonomy of the *National Anti-Doping Organization* in their country and not to interfere in its operational decisions and activities.

20.4.4 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their *National Anti-Doping Organization* and International Federation and to cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.

20.4.5 To require, as a condition of participation in the Olympic Games and Paralympic Games that, at a minimum, *Athletes* who are not regular members of a National Federation be available for *Sample* collection and to provide whereabouts information as required by the *International Standard for Testing and Investigations* as soon as the *Athlete* is identified on the long list or subsequent entry document submitted in connection with the Olympic Games or Paralympic Games.

20.4.6 To cooperate with their *National Anti-Doping Organization* and to work with their government to establish a *National Anti-Doping Organization* where one does not already exist, provided that, in the interim, the *National Olympic Committee* or its designee shall fulfill the responsibility of a *National Anti-Doping Organization*. For those countries that are members of a *Regional Anti-Doping Organization*, the *National Olympic Committee*, in cooperation with the

- government, shall maintain an active and supportive role with their respective *Regional Anti-Doping Organization*.
- 20.4.7 To require each of their National Federations to establish rules (or other means) requiring all *Athletes* preparing for or participating in a *Competition* or activity authorized or organized by a National Federation or one of its member organizations, and all *Athlete Support Personnel* associated with such *Athletes*, to agree to and be bound by anti-doping rules and *Anti-Doping Organization Results Management* authority in conformity with the *Code* as a condition of such participation or involvement.
- 20.4.8 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, to agree to be bound by anti-doping rules as *Persons* in conformity with the *Code* for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the *Signatory*.
- 20.4.9 Subject to applicable law, to not knowingly employ a *Person* in any position involving *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the *Code* or, if a *Person* was not subject to the *Code*, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code-compliant* rules had been applicable to such *Person*.
- 20.4.10 To withhold some or all funding, during any period of *Ineligibility*, to any *Athlete* or *Athlete Support Person* who has violated anti-doping rules.
- 20.4.11 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the *Code* and/or the *International Standards*.
- 20.4.12 To plan, implement, evaluate and promote anti-doping *Education* in line with the requirements of the *International Standard for Education*, including requiring National Federations to conduct anti-doping *Education* in coordination with the applicable *National Anti-Doping Organization*.
- 20.4.13 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether *Athlete Support*

Personnel or other *Persons* may have been involved in each case of doping.

- 20.4.14 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.
- 20.4.15 To have disciplinary rules in place to prevent Athlete Support Personnel who are Using Prohibited Substances or Prohibited Methods without valid justification from providing support to Athletes within the National Olympic Committee's or National Paralympic Committee's authority.
- 20.4.16 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.
- 20.4.17 To adopt a policy or rule implementing Article 2.11.
- 20.4.18 To take appropriate action to discourage noncompliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories and (b) by any other sporting body over which it has authority, in accordance with Article 12.

20.5 Roles and Responsibilities of National Anti-Doping Organizations

- 20.5.1 To be independent in their operational decisions and activities from sport and government, including without limitation by prohibiting any involvement in their operational decisions or activities by any Person who is at the same time involved in the management or operations of any International Federation, National Federation, Major Event Organization, National Olympic Committee, National Paralympic Committee, or government department with responsibility for sport or anti-doping.
- 20.5.2 To adopt and implement anti-doping rules and policies which conform with the *Code* and the *International Standards*.
- 20.5.3 To cooperate with other relevant national organizations and agencies and other *Anti-Doping Organizations*.
- 20.5.4 To encourage reciprocal *Testing* between *Anti-Doping Organizations*.
- 20.5.5 To promote anti-doping research.

- 20.5.6 Where funding is provided, to withhold some or all funding, during any period of *Ineligibility*, to any *Athlete* or *Athlete Support Person* who has violated anti-doping rules.
- 20.5.7 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping and to ensure proper enforcement of *Consequences*.
- 20.5.8 To plan, implement, evaluate and promote anti-doping *Education* in line with the requirements of the *International Standard for Education*.
- 20.5.9 Each *National Anti-Doping Organization* shall be the authority on *Education* within their respective countries.
- 20.5.10 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, to agree to be bound by anti-doping rules as *Persons* in conformity with the *Code* for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the *Signatory*.
- 20.5.11 Subject to applicable law, to not knowingly employ a *Person* in any position involving *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the *Code* or, if a *Person* was not subject to the *Code*, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code-compliant* rules had been applicable to such *Person*.
- 20.5.12 To conduct an automatic investigation of *Athlete Support Personnel* within their authority in the case of any anti-doping rule violation by a *Protected Person* and to conduct an automatic investigation of any *Athlete Support Person* who has provided support to more than one *Athlete* found to have committed an anti-doping rule violation.
- 20.5.13 To cooperate fully with WADA in connection with investigations conducted by WADA pursuant to Article 20.7.14.
- 20.5.14 To respect the operational independence of laboratories as provided in the *International Standard for Laboratories*.
- 20.5.15 To adopt a policy or rule implementing Article 2.11.

- 20.5.16 To take appropriate action to discourage noncompliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories and (b) by any other sporting body over which it has authority, in accordance with Article 12.

20.6 Roles and Responsibilities of Major Event Organizations

- 20.6.1 To adopt and implement anti-doping policies and rules for its Events which conform with the Code and the International Standards.
- 20.6.2 To take appropriate action to discourage noncompliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which it has authority, in accordance with Article 12.
- 20.6.3 To authorize and facilitate the *Independent Observer Program*.
- 20.6.4 To require all *Athletes* preparing for or participating in the *Event*, and all *Athlete Support Personnel* associated with such *Athletes*, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.
- 20.6. Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, to agree to be bound by anti-doping rules as *Persons* in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the *Signatory*.
- 20.6.6 Subject to applicable law, to not knowingly employ a *Person* in any position involving *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the Code or, if a *Person* was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such *Person*.
- 20.6.7 To vigorously pursue all potential anti-doping rule violations within its authority including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of *doping*.

- 20.6.8 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.
- 20.6.9 To accept bids for Events only from countries where the government has ratified, accepted, approved or acceded to the UNESCO Convention, and (where required under Article 24.1.9) to not accept bids for Events from countries where the National Olympic Committee, the National Paralympic Committee and/or the National Anti-Doping Organization is not in compliance with the Code or the International Standards.
- 20.6.10 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.
- 20.6.11 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.
- 20.6.12 To adopt a policy or rule implementing Article 2.11.

20.7 Roles and Responsibilities of WADA

- 20.7.1 To accept the Code and commit to fulfill its roles and responsibilities under the Code through a declaration approved by WADA's Foundation Board.
- 20.7.2 To adopt and implement policies and procedures which conform with the Code and the International Standards.
- 20.7.3 To provide support and guidance to Signatories in their efforts to comply with the Code and the International Standards and monitor such compliance in accordance with Article 24.1 of the Code and the International Standard for Code Compliance by Signatories.
- 20.7.4 To approve *International Standards* applicable to the implementation of the *Code*.
- 20.7.5 To accredit and reaccredit laboratories to conduct *Sample* analysis or to approve others to conduct *Sample* analysis.
- 20.7.6 To develop and publish guidelines and models of best practice.
- 20.7.7 To submit to the *WADA* Executive Committee for approval, upon the recommendation of the *WADA Athletes* Committee the *Athletes' Anti-Doping Rights Act* which compiles in one place those *Athletes'*

rights which are specifically identified in the *Code* and *International Standards*, and other agreed upon principles of best practice with respect to the overall protection of *Athletes'* rights in the context of anti-doping.

- 20.7.8 To promote, conduct, commission, fund and coordinate anti-doping research and to promote anti-doping *Education*.
- 20.7.9 To design and conduct an effective *Independent Observer Program* and other types of *Event* advisory programs.
- 20.7.10 To conduct, in exceptional circumstances and at the direction of the *WADA* Director General, *Testing* on its own initiative or as requested by other *Anti-Doping Organizations*, and to cooperate with relevant national and international organizations and agencies, including but not limited to, facilitating inquiries and investigations.
- 20.7.11 To approve, in consultation with International Federations, *National Anti-Doping Organizations*, and *Major Event Organizations*, defined *Testing* and *Sample* analysis programs.
- 20.7.12 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*), who are involved in any aspect of *Doping Control*, to agree to be bound by anti-doping rules as *Persons* in conformity with the *Code* for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the *Signatory*.
- 20.7.13 Subject to applicable law, to not knowingly employ a *Person* in any position involving *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the *Code* or, if a *Person* was not subject to the *Code*, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*.
- 20.7.14 To initiate its own investigations of anti-doping rule violations, non-compliance of *Signatories* and *WADA*-accredited laboratories, and other activities that may facilitate doping.

20.8 Cooperation Regarding Third Party Regulations

Signatories shall cooperate with each other, *WADA* and governments to encourage professional associations and institutions with authority over *Athlete Support Personnel* who are otherwise not subject to the *Code* to implement regulations prohibiting conduct which would be considered an anti-doping rule violation if committed by *Athlete Support Personnel* who are subject to the *Code*.

ARTICLE XXI

ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS

21.1 Roles and Responsibilities of *Athletes*

- 21.1.1 To be knowledgeable of and comply with all applicable anti-doping policies and rules adopted pursuant to the *Code*.
- 21.1.2 To be available for *Sample* collection at all times.
- 21.1.3 To take responsibility, in the context of anti-doping, for what they ingest and *Use*.
- 21.1.4 To inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules adopted pursuant to the *Code*.
- 21.1.5 To disclose to their *National Anti-Doping Organization* and *International Federation* any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten (10) years.
- 21.1.6 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
- 21.1.7 To disclose the identity of their *Athlete Support Personnel* upon request by any *Anti-Doping Organization* with authority over the *Athlete*.

21.2 Roles and Responsibilities of Athlete Support Personnel

- 21.2.1 To be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the *Code* and which are applicable to them or the *Athletes* whom they support.
- 21.2.2 To cooperate with the *Athlete Testing* program.
- 21.2.3 To use their influence on *Athlete* values and behavior to foster anti-doping attitudes.
- 21.2.4 To disclose to their *National Anti-Doping Organization* and International Federation any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 21.2.5 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.¹¹⁰
- 21.2.6 *Athlete Support Personnel* shall not Use or Possess any Prohibited Substance or Prohibited Method without valid justification.

21.3 Roles and Responsibilities of Other Persons Subject to the Code

- 21.3.1 To be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the *Code* and which are applicable to them.
- 21.3.2 To disclose to their *National Anti-Doping Organization* and International Federation any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 21.3.3 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.

21.4 Roles and Responsibilities of Regional Anti-Doping Organizations

- 21.4.1 To ensure member countries adopt and implement rules, policies and programs which conform with the *Code*.
- 21.4.2 To require, as a condition of membership, that a member country sign an official *Regional Anti-Doping Organization* membership form which clearly outlines the delegation of anti-doping responsibilities to the *Regional Anti-Doping Organization*.
- 21.4.3 To cooperate with other relevant national and regional organizations and agencies and other *Anti-Doping Organizations*.

- 21.4.4 To encourage reciprocal *Testing* between *National Anti-Doping Organizations* and *Regional Anti-Doping Organizations*.
- 21.4.5 To promote and assist with capacity building among relevant *Anti-Doping Organizations*.
- 21.4.6 To promote anti-doping research.
- 21.4.7 To plan, implement, evaluate and promote anti-doping *Education* in line with the requirements of the *International Standard for Education*.

ARTICLE XXII

INVOLVEMENT OF GOVERNMENTS

Each government's commitment to the Code will be evidenced by its signing the Copenhagen Declaration on Anti-Doping in Sport of 3 March 2003, and by ratifying, accepting, approving or acceding to the UNESCO Convention.

The Signatories are aware that any action taken by a government is a matter for that government and subject to the obligations under international law as well as to its own laws and regulations. While governments are bound only by the requirements of the relevant international intergovernmental treaties (and notably of the UNESCO Convention), the following Articles set forth the expectations of the Signatories to support them in the implementation of the Code.

- 22.1 Each government should take all actions and measures necessary to comply with the UNESCO Convention.
- 22.2 Each government should put in place legislation, regulation, policies or administrative practices for: cooperation and sharing of information with Anti-Doping Organizations; sharing of data among Anti-Doping Organizations as provided in the Code; unrestricted transport of urine and blood Samples in a manner that maintains their security and integrity; and unrestricted entry and exit of Doping Control officials and unrestricted access for Doping Control officials to all areas where International-Level Athletes or National-Level Athletes live or train to conduct no advance notice Testing, subject to applicable border control, immigration and access requirements and regulations.
- 22.3 Each government should adopt rules, regulations or policies to discipline officials and employees who are involved in Doping Control, sport performance or medical care in a sport setting, including in a supervisory

capacity, for engaging in activities which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Persons.

- 22.4** Each government should not permit any Person to be involved in any position involving Doping Control, sport performance or medical care in a sport setting, including in a supervisory capacity, where such Person: (i) is serving a period of Ineligibility for an anti-doping rule violation under the Code, or (ii) if not subject to the authority of an Anti-Doping Organization, and where Ineligibility has not been addressed in a Results Management process pursuant to the Code, 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 Code-compliant rules had been applicable to such Person, in which case the disqualifying status of such Person should be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed.
- 22.5** Each government should encourage cooperation between all of its public services or agencies and Anti-Doping Organizations to timely share information with Anti-Doping Organizations which would be useful in the fight against doping and where to do so would not otherwise be legally prohibited.
- 22.6** Each government should respect arbitration as the preferred means of resolving doping-related disputes, subject to human and fundamental rights and applicable national law.
- 22.7** Each government that does not have a National Anti-Doping Organization in its country should work with its National Olympic Committee to establish one.
- 22.8** Each government should respect the autonomy of a National Anti-Doping Organization in its country or a Regional Anti-Doping Organization to which its country belongs and any WADA-accredited or approved laboratory in its country and not interfere in their operational decisions and activities.
- 22.9** Each government should not limit or restrict WADA's access to any doping Samples or anti-doping records or information held or controlled by any Signatory, member of a Signatory or WADA-accredited or approved laboratory.
- 22.10** Failure by a government to ratify, accept, approve or accede to the UNESCO Convention may result in ineligibility to bid for and/or host Events as provided in Articles 20.1.11, 20.3.14 and 20.6.9, and the failure by a

government to comply with the UNESCO Convention thereafter, as determined by UNESCO, may result in meaningful consequences by UNESCO and WADA as determined by each organization.

PART FOUR

ACCEPTANCE, COMPLIANCE, MODIFICATION AND INTERPRETATION

ARTICLE XXIII

ACCEPTANCE AND IMPLEMENTATION

23.1 Acceptance of the Code

- 23.1.1 The following entities may be *Signatories* to the *Code*: the International Olympic Committee, International Federations, the International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations* and other organizations having significant relevance in sport.
- 23.1.2 The International Olympic Committee; International Federations recognized by the International Olympic Committee; the International Paralympic Committee; *National Olympic Committees*; National Paralympic Committees; *National Anti-Doping Organizations*; and *Major Event Organizations* recognized by one or more of the aforementioned entities shall become *Signatories* by signing a declaration of acceptance or by another form of acceptance determined to be acceptable by *WADA*.
- 23.1.3 Any other entity described in Article 23.1.1 may submit an application to *WADA* to become a *Signatory* which will be reviewed under a policy adopted by *WADA*. *WADA's* acceptance of such applications shall be subject to conditions and requirements established by *WADA* in such policy.¹¹³ Upon acceptance of an application by *WADA*, the applicant's becoming a *Signatory* is subject to the applicant signing a declaration of acceptance of the *Code* and an acceptance of the conditions and requirements established by *WADA* for such applicant.
- 23.1.4 A list of all acceptances will be made public by *WADA*.

23.2 Implementation of the Code

23.2.1 The *Signatories* shall implement applicable *Code* provisions through policies, statutes, rules or regulations according to their authority and within their relevant spheres of responsibility.

23.2.2 The following Articles as applicable to the scope of the *Anti-Doping Activity* which the *Anti-Doping Organization* performs must be implemented by *Signatories* without substantive change (allowing for any non-substantive changes to the language in order to refer to the organization's name, sport, section numbers, etc.):

- Article 1 (Definition of Doping)
- Article 2 (Anti-Doping Rule Violations)
- Article 3 (Proof of Doping)
- Article 4.2.2 (*Specified Substances* or *Specified Methods*)
- Article 4.2.3 (*Substances of Abuse*)
- Article 4.3.3 (*WADA's Determination of the Prohibited List*)
- Article 7.7 (Retirement from Sport)
- Article 9 (Automatic *Disqualification* of Individual Results)
- Article 10 (Sanctions on Individuals)
- Article 11 (*Consequences* to Teams)
- Article 13 (Appeals) with the exception of 13.2.2, 13.6, and 13.7
- Article 15.1 (Automatic Binding Effect of Decisions)
- Article 17 (Statute of Limitations)
- Article 26 (Interpretation of the *Code*)
- Appendix 1 – Definitions

No additional provision may be added to a *Signatory's* rules which changes the effect of the Articles enumerated in this Article. A *Signatory's* rules must expressly acknowledge the Commentary of the *Code* and endow the Commentary with the same status that it has in the *Code*. However, nothing in the *Code* precludes a *Signatory* from having safety, medical, eligibility or Code of Conduct rules which are applicable for purposes other than anti-doping.

23.2.3 In implementing the *Code*, *Signatories* are encouraged to use the models of best practice recommended by *WADA*.

23.3 Implementation of Anti-Doping Programs

Signatories shall devote sufficient resources in order to implement anti-doping programs in all areas that are compliant with the *Code* and the *International Standards*.

ARTICLE XXIV

MONITORING AND ENFORCING COMPLIANCE WITH THE CODE AND UNESCO CONVENTION

24.1 Monitoring and Enforcing Compliance with the Code

- 24.1.1 Compliance by Signatories with the Code and the International Standards shall be monitored by WADA in accordance with the International Standard for Code Compliance by Signatories.
- 24.1.2 To facilitate such monitoring, each Signatory shall report to WADA on its compliance with the Code and the International Standards as and when required by WADA. As part of that reporting, the Signatory shall accurately provide all of the information requested by WADA and shall explain the actions it is taking to correct any Non-Conformities.
- 24.1.3 Failure by a Signatory to provide accurate information in accordance with Article 24.1.2 itself constitutes an instance of Non-Conformity with the Code, as does failure by a Signatory to submit accurate information to WADA where required by other Articles of the Code or by the International Standard for Code Compliance by Signatories or other International Standard.
- 24.1.4 In cases of Non-Conformity (whether with reporting obligations or otherwise), WADA shall follow the corrective procedures set out in the International Standard for Code Compliance by Signatories. If the Signatory or its delegate fails to correct the Non-Conformities within the specified timeframe, then (following approval of such course by WADA's Executive Committee) WADA shall send a formal notice to the Signatory, alleging that the Signatory is non-compliant, specifying the consequences that WADA proposes should apply for such non-compliance from the list of potential consequences set forth in Article 24.1.12, and specifying the conditions that WADA proposes the Signatory should have to satisfy in order to be Reinstated to the list of Code compliant Signatories. That notice will be publicly reported in accordance with the International Standard for Code Compliance by Signatories.

- 24.1.5 If the Signatory does not dispute WADA's allegation of non-compliance or the consequences or Reinstatement conditions proposed by WADA within twenty-one (21) days of receipt of the formal notice, the non-compliance alleged will be deemed admitted and the consequences and Reinstatement conditions proposed will be deemed accepted, the notice will automatically become and will be issued by WADA as a final decision, and (without prejudice to any appeal filed in accordance with [Article 13.6](#)) it will be enforceable with immediate effect in accordance with [Article 24.1.9](#). The decision will be publicly reported as provided in the International Standard for Code Compliance by Signatories or other International Standards.
- 24.1.6 If the Signatory wishes to dispute WADA's allegation of non-compliance, and/or the consequences and/or the Reinstatement conditions proposed by WADA, it must notify WADA in writing within twenty-one (21) days of its receipt of the notice from WADA. In that event, WADA shall file a formal notice of dispute with CAS, and that dispute will be resolved by the CAS Ordinary Arbitration Division in accordance with the International Standard for Code Compliance by Signatories. WADA shall have the burden of proving to the CAS Panel, on the balance of probabilities, that the Signatory is non-compliant (if that is disputed). If the CAS Panel decides that WADA has met that burden, and if the Signatory has also disputed the consequences and/or the Reinstatement conditions proposed by WADA, the CAS Panel will also decide, by reference to the relevant provisions of the International Standard for Code Compliance by Signatories: (a) what consequences should be imposed from the list of potential consequences set out in [Article 24.1.12](#) of the Code; and (b) what conditions the Signatory should be required to satisfy in order to be Reinstated.
- 24.1.7 WADA will publicly report the fact that the case has been referred to CAS for determination. Each of the following Persons shall have the right to intervene and participate as a party in the case, provided it gives notice of its intervention within ten (10) days of such publication by WADA:
- 24.1.7.1 the International Olympic Committee and/or the International Paralympic Committee (as applicable), and the National Olympic Committee and/or the National Paralympic Committee (as applicable), where the decision may have an effect in relation to the Olympic Games or Paralympic Games (including decisions

affecting eligibility to attend/ participate in the Olympic Games or Paralympic Games); and

- 24.1.7.2 an International Federation, where the decision may have an effect on participation in the International Federation's World Championships and/or other International Events and/ or on a bid that has been submitted for a country to host the International Federation's World Championships and/ or other International Events.

Any other Person wishing to participate as a party in the case must apply to CAS within ten (10) days of publication by WADA of the fact that the case has been referred to CAS for determination. CAS shall permit such intervention (i) if all other parties in the case agree; or (ii) if the applicant demonstrates a sufficient legal interest in the outcome of the case to justify its participation as a party.

- 24.1.8 CAS's decision resolving the dispute will be publicly reported by CAS and by WADA. Subject to the right under Swiss law to challenge that decision before the Swiss Federal Tribunal, the decision shall be final and enforceable with immediate effect in accordance with Article 24.1.9.
- 24.1.9 Final decisions issued in accordance with Article 24.1.5 or Article 24.1.8, determining that a Signatory is non-compliant, imposing consequences for such non-compliance, and/ or setting conditions that the Signatory has to satisfy in order to be Reinstated to the list of Code-compliant Signatories, and decisions by CAS further to Article 24.1.10, are applicable worldwide, and shall be recognized, respected and given full effect by all other Signatories in accordance with their authority and within their respective spheres of responsibility.
- 24.1.10 If a Signatory wishes to dispute WADA's allegation that the Signatory has not yet met all of the Reinstatement conditions imposed on it and therefore is not yet entitled to be Reinstated to the list of Code-compliant Signatories, the Signatory must advise WADA in writing within twenty-one (21) days of its receipt of the allegation from WADA. In that event, WADA shall file a formal notice of dispute with CAS, and the dispute will be resolved by the CAS Ordinary Arbitration Division in accordance with Articles 24.1.6 to 24.1.8. WADA shall have the burden to prove to the CAS Panel, on the balance of probabilities, that the Signatory has not yet met all of the Reinstatement conditions imposed on it and therefore

is not yet entitled to be Reinstated. Subject to the right under Swiss law to challenge CAS's decision before the Swiss Federal Tribunal, CAS's decision shall be final and enforceable with immediate effect in accordance with Article 24.1.9.

24.1.11 The various requirements imposed on Signatories by the Code and the International Standards shall be classified either as Critical, or as High Priority, or as General, in accordance with the International Standard for Code Compliance by Signatories, depending on their relative importance to the fight against doping in sport. That classification shall be a key factor in determining what consequences should be imposed in the event of non-compliance with such requirement(s), in accordance with Article 10 of the International Standard for Code Compliance by Signatories. The Signatory has the right to dispute the classification of the requirement, in which case CAS will decide on the appropriate classification.

24.1.12 The following consequences may be imposed, individually or cumulatively, on a Signatory that has failed to comply with the Code and/or the International Standards, based on the particular facts and circumstances of the case at hand, and the provisions of Article 10 of the International Standard for Code Compliance by Signatories:

24.1.12.1 Ineligibility or withdrawal of WADA privileges:

- (a) in accordance with the relevant provisions of WADA's Statutes, the Signatory's Representatives being ruled ineligible for a specified period to hold any WADA office or any position as a member of any WADA board or committee or other body (including but not limited to WADA's Foundation Board, the Executive Committee, and any Standing Committee) (although WADA may exceptionally permit Representatives of the Signatory to remain as members of WADA expert groups where there is no effective substitute available);
- (b) the Signatory being ruled ineligible to host any event organized or co-hosted or co-organized by WADA;
- (c) the Signatory's Representatives being ruled ineligible to participate in any WADA Independent Observer Program or WADA Outreach program or other WADA activities;

- (d) withdrawal of WADA funding to the Signatory (whether direct or indirect) relating to the development of specific activities or participation in specific programs; and
- 24.1.12.2 the Signatory's Representatives being ruled ineligible for a specified period to hold any office of or position as a member of the board or committees or other bodies of any other Signatory (or its members) or association of Signatories.
- 24.1.12.3 Special Monitoring of some or all of the Signatory's Anti-Doping Activities, until WADA considers that the Signatory is in a position to implement such Anti-Doping Activities in a compliant manner without such monitoring.
- 24.1.12.4 Supervision and/or Takeover of some or all of the Signatory's Anti-Doping Activities by an Approved Third Party, until WADA considers that the Signatory is in a position to implement such Anti-Doping Activities itself in a compliant manner without such measures:
- (a) If the non-compliance involves non-compliant rules, regulations and or legislation, then the Anti-Doping Activities in issue shall be conducted under other applicable rules (of one or more other Anti-Doping Organizations, e.g., International Federations or National Anti-Doping Organizations or Regional Anti-Doping Organizations) that are compliant, as directed by WADA. In that case, while the Anti-Doping Activities (including any Testing and Results Management) will be administered by the Approved Third Party under and in accordance with those other applicable rules at the cost of the non-compliant Signatory, any costs incurred by the Anti-Doping Organizations as a result of the use of their rules in this manner shall be reimbursed by the noncompliant Signatory.
 - (b) If it is not possible to fill the gap in the Signatory's Anti-Doping Activities in this way (for example, because national legislation prohibits it, and the National Anti-Doping Organization has not secured an amendment to that legislation or other solution), then it may be necessary as an alternative measure to

exclude Athletes who would have been covered by the Signatory's Anti-Doping Activities from participating in the Olympic Games/Paralympic Games/other Events, in order to protect the rights of clean Athletes and to preserve public confidence in the integrity of competition at those events.

24.1.12.5 A Fine.

24.1.12.6 Suspension or loss of eligibility to receive some or all funding and/or other benefits from the International Olympic Committee or the International Paralympic Committee or any other Signatory for a specified period (with or without the right to receive such funding and/or other benefits for that period retrospectively following Reinstatement).

24.1.12.7 Recommendation to the relevant public authorities to withhold some or all public and/or other funding and/or other benefits from the Signatory for a specified period (with or without the right to receive such funding and/or other benefits for that period retrospectively following Reinstatement).

24.1.12.8 Where the Signatory is a National Anti-Doping Organization or a National Olympic Committee acting as a National Anti-Doping Organization, the Signatory's country being ruled ineligible to host or co-host and/or to be awarded the right to host or co-host an International Event (e.g., Olympic Games, Paralympic Games, any other Major Event Organization's Event, World Championships, regional or continental championships, and/or any other International Event):

(a) If the right to host or co-host a World Championship and/or other International Event(s) has already been awarded to the country in question, the Signatory that awarded that right must assess whether it is legally and practically possible to withdraw that right and re-assign the Event to another country. If it is legally and practically possible to do so, then the Signatory shall do so.

(b) Signatories shall ensure that they have due authority under their statutes, rules and regulations, and/ or hosting agreements, to comply with this requirement

(including a right in any hosting agreement to cancel the agreement without penalty where the relevant country has been ruled ineligible to host the Event).

24.1.12.9 Where the Signatory is a National Anti-Doping Organization or a National Olympic Committee or a National Paralympic Committee, exclusion of the following Persons from participation in or attendance at the Olympic Games and the Paralympic Games and/or other specified Events, World Championships, regional or continental championships and/or any other International Events for a specified period:

- (a) the National Olympic Committee and/ or the National Paralympic Committee of the Signatory's country;
- (b) the Representatives of that country and/or of the National Olympic Committee and/or the National Paralympic Committee of that country; and/or
- (c) the Athletes and Athlete Support Personnel affiliated to that country and/ or to the National Olympic Committee and/or to the National Paralympic Committee and/or to the National Federation of that country.

24.1.12.10 Where the Signatory is an International Federation, exclusion of the following Persons from participation in or attendance at the Olympic Games and the Paralympic Games and/or other Events for a specified period: the Representatives of that International Federation and/or the Athletes and Athlete Support Personnel participating in the International Federation's sport (or in one or more disciplines of that sport).

24.1.12.11 Where the Signatory is a Major Event Organization:

- (a) Special Monitoring or Supervision or Takeover of the Major Event Organization's Anti-Doping Activities at the next edition(s) of its Event; and/or
- (b) Suspension or loss of eligibility to receive funding and other benefits from and/or the recognition/membership/ patronage (as applicable) of the International Olympic Committee, the International Paralympic Committee, the Association

of National Olympic Committees, or other patron body; and/or

(c) loss of recognition of its Event as a qualifying event for the Olympic Games or the Paralympic Games.

24.1.12.12 Suspension of recognition by the Olympic Movement and/or of membership of the Paralympic Movement.

24.1.13 Other Consequences Governments and Signatories and associations of Signatories may impose additional consequences within their respective spheres of authority for non-compliance by Signatories, provided that this does not compromise or restrict in any way the ability to apply consequences in accordance with this Article 24.1.

24.2 Monitoring Compliance with the UNESCO Convention

Compliance with the commitments reflected in the UNESCO Convention will be monitored as determined by the Conference of Parties to the UNESCO Convention, following consultation with the State Parties and WADA. WADA shall advise governments on the implementation of the Code by the Signatories and shall advise Signatories on the ratification, acceptance, approval or accession to the UNESCO Convention by governments.

ARTICLE XXV

MODIFICATION AND WITHDRAWAL

25.1 Modification

25.1.1 *WADA* shall be responsible for overseeing the evolution and improvement of the *Code*. *Athletes* and other stakeholders and governments shall be invited to participate in such process.

25.1.2 *WADA* shall initiate proposed amendments to the *Code* and shall ensure a consultative process to both receive and respond to recommendations and to facilitate review and feedback from *Athletes* and other stakeholders and governments on recommended amendments.

25.1.3 Amendments to the *Code* shall, after appropriate consultation, be approved by a two-thirds majority of the *WADA* Foundation Board including a majority of both the public sector and Olympic Movement members casting votes. Amendments shall, unless provided otherwise, go into effect three (3) months after such approval.

25.1.4 *Signatories* shall modify their rules to incorporate the 2021 *Code* on or before 1 January 2021, to take effect on 1 January 2021. *Signatories* shall implement any subsequent applicable amendment to the *Code* within one (1) year of approval by the *WADA* Foundation Board.

25.2 Withdrawal of Acceptance of the Code

Signatories may withdraw acceptance of the *Code* after providing *WADA* six-months written notice of their intent to withdraw. *Signatories* shall no longer be considered in compliance once acceptance has been withdrawn.

ARTICLE XXVI

INTERPRETATION OF THE CODE

- 26.1 The official text of the *Code* shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.
- 26.2 The comments annotating various provisions of the *Code* shall be used to interpret the *Code*.
- 26.3 The *Code* shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the *Signatories* or governments.
- 26.4 The headings used for the various Parts and Articles of the *Code* are for convenience only and shall not be deemed part of the substance of the *Code* or to affect in any way the language of the provisions to which they refer.
- 26.5 Where the term “days” is used in the *Code* or an *International Standard*, it shall mean calendar days unless otherwise specified.
- 26.6 The *Code* shall not apply retroactively to matters pending before the date the *Code* is accepted by a *Signatory* and implemented in its rules. However, pre-*Code* anti-doping rule violations would continue to count as “First violations” or “Second violations” for purposes of determining sanctions under Article 10 for subsequent post-*Code* violations.
- 26.7 The Purpose, Scope and Organization of the World Anti- Doping Program and the *Code* and Appendix 1, Definitions, shall be considered integral parts of the *Code*.

ARTICLE XXVII

TRANSITIONAL PROVISIONS

27.1 General Application of the 2021 Code

The 2021 Code shall apply in full as of 1 January 2021 (the “Effective Date”).

27.2 Non-Retroactive except for Articles 10.9.4 and 17 or Unless Principle of “Lex Mitior” Applies

Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set out in this 2021 Code, unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.4 and the statute of limitations set forth in Article 17 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in the 2021 Code (provided, however, that Article 17 shall only be Applied retroactively if the statute of limitations period has not already expired by the Effective Date).

27.3 Application to Decisions Rendered Prior to the 2021 Code

With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to the *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of the 2021 Code. Such application must be made before the period of *Ineligibility* has expired. The decision rendered by the *Anti-Doping Organization* may be appealed pursuant to Article 13.2. The 2021 Code shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.

27.4 Multiple Violations Where the First Violation Occurs Prior to 1 January 2021

For purposes of assessing the period of *Ineligibility* for a second violation under Article 10.9.1, where the sanction for the first violation was determined based on pre-2021 Code rules, the period of *Ineligibility* which would have

been assessed for that first violation had 2021 *Code* rules been applicable, shall be applied.

27.5 Additional Code Amendments

Any additional *Code* amendments shall go into effect as provided in Article 27.1.

27.6 Changes to the Prohibited List

Changes to the *Prohibited List* and *Technical Documents* relating to substances or methods on the *Prohibited List* shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a *Prohibited Substance* or *Prohibited Method* has been removed from the *Prohibited List*, an *Athlete* or other *Person* currently serving a period of *Ineligibility* on account of the formerly *Prohibited Substance* or *Prohibited Method* may apply to the *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of the removal of the substance or method from the *Prohibited List*.

DEFINITIONS

ADAMS: The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method Used* for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the *International Standard* for Laboratories, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

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

Aggravating Circumstances: Circumstances involving, or actions by, an *Athlete* or other *Person* which may justify the imposition of a period of *Ineligibility* greater than the standard sanction. Such circumstances and actions shall include, but are not limited to: the *Athlete* or other *Person* *Used* or *Possessed* multiple *Prohibited Substances* or *Prohibited Methods*, *Used* or *Possessed* a *Prohibited Substance* or *Prohibited Method* on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of *Ineligibility*; the *Athlete* or *Person* engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation; or the *Athlete* or other *Person* engaged in *Tampering* during *Results Management*. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of *Ineligibility*.

Anti-Doping Activities: Anti-doping *Education* and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organizing analysis of *Samples*, gathering of intelligence and conduct of investigations, processing of *TUE* applications, *Results Management*, monitoring and enforcing compliance with any *Consequences* imposed, and all other activities related to anti-doping to be carried out by or on behalf of an *Anti-Doping Organization*, as set out in the *Code* and/or the *International Standards*.

Anti-Doping Organization: *WADA* or a *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

Athlete: Any *Person* who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each *National Anti-Doping Organization*). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of “*Athlete*.” In relation to *Athletes* who are neither *International Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organization* has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the *Code* must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and *Education*, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard for Testing and Investigations* and *International Standard for Laboratories*.

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting an *Athlete* participating in or preparing for sports *Competition*.

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 *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory 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*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rule Violations ("Consequences"): An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14; (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Decision Limit: The value of the result for a threshold substance in a *Sample*, above which an *Adverse Analytical Finding* shall be reported, as defined in the *International Standard for Laboratories*.

Delegated Third Party: Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping *Educational* programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include *CAS*.

Disqualification: See *Consequences of Anti-Doping Rule Violations* above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of [Article 10.14](#) (*Status During Ineligibility or Provisional Suspension*).

Education: The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, World Championships of an International Federation, or Pan American Games).

Event Period: The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*.

Event Venues: Those venues so designated by the ruling body for the *Event*.

Fault: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete's* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Protected Person*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under [Article 10.6.1](#) or [10.6.2](#).

Financial Consequences: See *Consequences of Anti-Doping Rule Violations* above.

In-Competition: The period commencing at 11:59 p.m. on the day before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the

Sample collection process related to such *Competition*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

Independent Observer Program: A team of observers and/ or auditors, under the supervision of *WADA*, who observe and provide guidance on the *Doping Control* process prior to or during certain *Events* and report on their observations as part of *WADA*'s compliance monitoring program.

Individual Sport: Any sport that is not a *Team Sport*.

Ineligibility: See *Consequences of Anti-Doping Rule Violations* above.

Institutional Independence: Hearing panels on appeal shall be fully independent institutionally from the *Anti-Doping Organization* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

International Event: An *Event* or *Competition* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

International-Level Athlete: *Athletes* who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard for Testing and Investigations*.

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

Major Event Organizations: The continental associations of *National Olympic Committees* and other international multisport organizations that function as the ruling body for any continental, regional or other *International Event*.

Marker: A compound, group of compounds or biological variable(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Metabolite: Any substance produced by a biotransformation process.

Minimum Reporting Level: The estimated concentration of a *Prohibited Substance* or its *Metabolite(s)* or *Marker(s)* in a *Sample* below which *WADA*-accredited laboratories should not report that *Sample* as an *Adverse Analytical Finding*.

Minor: A natural *Person* who has not reached the age of eighteen years.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, manage test results and conduct *Results Management* at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event: A sport *Event* or *Competition* involving *International-* or *National-Level Athletes* that is not an *International Event*.

National-Level Athlete: *Athletes* who compete in sport at the national level, as defined by each *National Anti-Doping Organization*, consistent with the *International Standard for Testing and Investigations*.

National Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

No Fault or Negligence: The *Athlete* or other *Person's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method* or otherwise violated an anti-doping rule. Except in the case of a *Protected Person* or *Recreational Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

No Significant Fault or Negligence: The *Athlete* or other *Person's* establishing that any *Fault* or *Negligence*, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the anti-doping rule violation. Except in the case of a *Protected Person* or *Recreational Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

Out-of-Competition: Any period which is not *In-Competition*.

Participant: Any Athlete or Athlete Support Person.

Person: A natural Person or an organization or other entity.

Possession: The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited 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 Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organization. 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 Person who makes the purchase.

Prohibited List: The list identifying the Prohibited Substances and Prohibited Methods.

Prohibited Method: Any method so described on the Prohibited List.

Prohibited Substance: Any substance, or class of substances, so described on the Prohibited List.

Protected Person: An Athlete or other natural Person who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; (ii) has not reached the age of eighteen (18) years and is not included in any Registered Testing Pool and has never competed in any International Event in an open category; or (iii) for reasons other than age has been determined to lack legal capacity under applicable national legislation.

Provisional Hearing: For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the Athlete with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension: See *Consequences of Anti-Doping Rule Violations* above.

Publicly Disclose: See *Consequences of Anti-Doping Rule Violations* above.

Recreational Athlete: A natural Person who is so defined by the relevant National Anti-Doping Organization; provided, however, the term shall not include any Person who, within the five years (5) prior to committing any anti-doping rule violation, has been an International-Level Athlete (as defined by each International Federation consistent with the International Standard for Testing and Investigations) or National-Level Athlete (as defined by each National Anti-Doping Organization consistent with the International Standard for Testing and Investigations), has represented any country in an International Event in an open category or has been included within

any *Registered Testing Pool* or other whereabouts information pool maintained by any International Federation or *National Anti-Doping Organization*.

Regional Anti-Doping Organization: A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the adoption and implementation of anti-doping rules, the planning and collection of *Samples*, the management of results, the review of *TUEs*, the conduct of hearings, and the conduct of *Educational* programs at a regional level.

Registered Testing Pool: The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.5 and the *International Standard for Testing and Investigations*.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard for Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, whereabouts failure), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

Sample or Specimen: Any biological material collected for the purposes of *Doping Control*.

Signatories: Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23.

Specified Method: See Article 4.2.2.

Specified Substance: See Article 4.2.2.

Strict Liability: The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent, *Fault*, *Negligence*, or knowing *Use* on the *Athlete's* part be demonstrated by the *Anti-Doping Organization* in order to establish an anti-doping rule violation.

Substance of Abuse: See Article 4.2.3.

Substantial Assistance: For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if

no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.¹³¹

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard for Testing and Investigations*.

Team Sport: A sport in which the substitution of players is permitted during a *Competition*.

Technical Document: A document adopted and published by *WADA* from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

Testing: The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Therapeutic Use Exemption (TUE): A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to *Use* a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard for Therapeutic Use Exemptions* are met.

Trafficking: Selling, giving, transporting, sending, delivering or distributing (or *Possessing* for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Person* or any other *Person* subject to the authority of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance Used* for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

UNESCO Convention: The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO *General Conference* on 19 October 2005, including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

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

WADA: The World Anti-Doping Agency.

Without Prejudice Agreement: For purposes of Articles 10.7.1.1 and 10.8.2, a written agreement between an *Anti-Doping Organization* and an *Athlete* or other *Person* that allows the *Athlete* or other *Person* to provide information to the *Anti-Doping Organization* in a defined time-limited setting with the understanding that, if an agreement for *Substantial Assistance* or a case resolution agreement is not finalized, the information provided by the *Athlete* or other *Person* in this particular setting may not be used by the *Anti-Doping Organization* against the *Athlete* or other *Person* in any *Results Management* proceeding under the *Code*, and that the information provided by the *Anti-Doping Organization* in this particular setting may not be used by the *Athlete* or other *Person* against the *Anti-Doping Organization* in any *Results Management* proceeding under the *Code*. Such an agreement shall not preclude the *Anti-Doping Organization*, *Athlete* or other *Person* from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.

DEFINITIONS SPECIFIC TO ARTICLE 24.1

Aggravating Factors: This term encompasses a deliberate attempt to circumvent or undermine the *Code* or the *International Standards* and/or to corrupt the anti-doping system, an attempt to cover up non-compliance, or any other form of bad faith on the part of the *Signatory* in question; a persistent refusal or failure by the *Signatory* to make any reasonable effort to correct *Non-Conformities* that are notified to it by *WADA*; repeat offending; and any other factor that aggravates the *Signatory's* non-compliance.

Approved Third Party: One or more *Anti-Doping Organizations* and/or *Delegated Third Parties* selected or approved by *WADA*, following consultation with the non-compliant *Signatory*, to *Supervise* or *Takeover* some or all of that *Signatory's* *Anti-Doping Activities*. As a last resort, if there is no other suitable body available, then *WADA* may carry out this function itself.

Critical: A requirement that is considered to be *Critical* to the fight against doping in sport. See further Annex A of the *International Standard for Code Compliance by Signatories*.

Fine: Payment by the *Signatory* of an amount that reflects the seriousness of the non-compliance/*Aggravating Factors*, its duration, and the need to deter similar conduct in the future. In a case that does not involve non-compliance with any *Critical* requirements, the *Fine* shall not exceed the lower of (a) 10% of the *Signatory's* total annual budgeted expenditure; and (b) US \$100,000. The *Fine* will be applied by *WADA* to finance further *Code* compliance monitoring activities and/or anti-doping *Education* and/or anti-doping research.

General: A requirement that is considered to be important to the fight against doping in sport but does not fall into the categories of *Critical* or *High Priority*. See further Annex A of the *International Standard for Code Compliance by Signatories*.

High Priority: A requirement that is considered to be *High Priority* but not *Critical* in the fight against doping in sport. See further Annex A of the *International Standard for Code Compliance by Signatories*.

Non-Conformity: Where a *Signatory* is not complying with the *Code* and/or one or more *International Standards* and/or any requirements imposed by the *WADA Executive Committee*, but the opportunities provided in the *International Standard for Code Compliance by Signatories* to correct the *Non-Conformity/ Non-Conformities* have not yet expired and so *WADA* has not yet formally alleged that the *Signatory* is non-compliant.

Reinstatement: When a *Signatory* that was previously declared non-compliant with the *Code* and/or the *International Standards* is determined to have corrected that non-compliance and to have met all of the other conditions imposed in accordance with Article 11 of the *International Standard for Code Compliance by Signatories* for *Reinstatement* of its name to the list of *Code-compliant Signatories* (and *Reinstated* shall be interpreted accordingly).

Representatives: Officials, directors, officers, elected members, employees, and committee members of the *Signatory* or other body in question, and also (in the case of a *National Anti-Doping Organization* or a *National Olympic Committee* acting as a *National Anti-Doping Organization*) *Representatives* of the government of the country of that *National Anti-Doping Organization* or *National Olympic Committee*.

Special Monitoring: Where, as part of the consequences imposed on a non-compliant *Signatory*, *WADA* applies a system of specific and ongoing monitoring to some or all of the *Signatory's Anti-Doping Activities*, to ensure that the *Signatory* is carrying out those activities in a compliant manner.

Supervision: Where, as part of the consequences imposed on a non-compliant *Signatory*, an *Approved Third Party* oversees and supervises the *Signatory's Anti-Doping Activities*, as directed by *WADA*, at the *Signatory's* expense (and *Supervise* shall be interpreted accordingly). Where a *Signatory* has been declared non-compliant and has not yet finalized a *Supervision* agreement with the *Approved Third Party*, that *Signatory* shall not implement independently any *Anti-Doping Activity* in the area(s) that the *Approved Third Party* is to oversee and supervise without the express prior written agreement of *WADA*.

Takeover: Where, as part of the consequences imposed on a non-compliant *Signatory*, an *Approved Third Party* takes over all or some of the *Signatory's Anti-Doping Activities*, as directed by *WADA*, at the *Signatory's* expense. Where a *Signatory* has been declared non-compliant and has not yet finalized a *Takeover* agreement with the *Approved Third Party*, that *Signatory* shall not implement independently any *Anti-Doping Activity* in the area(s) that the *Approved Third Party* is to take over without the express prior written agreement of *WADA*.

Section 19.
[7 of 2023].

SCHEDULE 2
WORLD ANTI-DOPING CODE
INTERNATIONAL STANDARD
RESULTS MANAGEMENT

PART I

**INTRODUCTION, CODE PROVISIONS, INTERNATIONAL
STANDARD PROVISIONS AND DEFINITIONS**

1.0 Introduction and Scope

The *International Standard for Results Management* is a mandatory International Standard developed as part of the World Anti-Doping Program.

The purpose of the *International Standard for Results Management* is to set out the core responsibilities of *Anti-Doping Organizations* with respect to *Results Management*. In addition to describing certain general principles of Results Management (section 4), this *International Standard* also sets out the core obligations applicable to the various phases of Results Management from the initial review and notification of potential anti-doping rule violations (section 5), through Provisional Suspensions (section 6), the assertion of anti-doping rule violations and proposal of *Consequences* (section 7), the Hearing Process (section 8) until the issuance and notification of the decision (section 9) and appeal (section 10).

Notwithstanding the mandatory nature of this **International Standard** and the possibility that departures by *Anti-Doping Organizations* may give rise to compliance consequences under the *International Standard* for Code Compliance by **Signatories**, departures from this *International Standard* shall not invalidate analytical results or other evidence of an anti-doping rule violation and shall not constitute a defense to an anti-doping rule violation, except as expressly provided for under Code Article 3.2.3.

Terms used in this *International Standard* that are defined terms from the Code are italicized. Terms that are defined in this or another *International Standard* are underlined.

2.0 Code Provisions

The following articles in the *Code* are directly relevant to the *International Standard* for Results Management; they can be obtained by referring to the *Code* itself:

- *Code Article 2 Anti-Doping Rule Violations*
- *Code Article 3 Proof of Doping*
- *Code Article 5 Testing and Investigations*
- *Code Article 7 Results Management: Responsibility, Initial Review, Notice and Provisional Suspensions*
- *Code Article 8 Results Management: Right to a Fair Hearing and Notice of Hearing Decision*
- *Code Article 9 Automatic Disqualification of Individual Results*
- *Code Article 10 Sanctions on Individuals*
- *Code Article 11 Consequences to Teams*
- *Code Article 13 Results Management: Appeals*
- *Code Article 14 Confidentiality and Reporting*
- *Code Article 15 Implementation of Decisions*
- *Code Article 20 Additional Roles and Responsibilities of Signatories and WADA*

3.0 Definitions and Interpretation

3.1 Defined Terms from the Code that are used in the International Standard for Results Management

ADAMS: The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and *WADA* in their anti-doping operations in conjunction with data protection legislation.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the Use or *Attempted Use* by another Person of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method Used* for genuine and legal therapeutic purposes or other acceptable justification and shall

not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a WADA-accredited laboratory or other WADA approved laboratory that, consistent with the *International Standard for Laboratories*, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a **Prohibited Method**.

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

Anti-Doping Organization: WADA or a *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

Athlete: Any *Person* who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of "Athlete". In relation to *Athletes* who are neither *International Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organization* has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the Code must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and *Education*, any *Person* who

participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

[Comment to Athlete: Individuals who participate in sport may fall in one of five categories: 1) International-Level Athlete, 2) National-Level Athlete, 3) individuals who are not International or National-Level Athletes but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Athlete, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen to, exercise authority. All International and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.]

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard for Testing and Investigations* and *International Standard for Laboratories*.

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 Person renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory 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*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping *Code*.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rule Violations ("Consequences"): An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14.1; (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Delegated Third Parties: Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping educational programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee *Doping Control Officers* or chaperones). This definition does not include CAS.

Disqualification: See *Consequences of Anti-Doping Rule Violations* above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, World Championships of an International Federation, or Pan American Games).

Financial Consequences: See *Consequences of Anti-Doping Rule Violations* above.

In-Competition: The period commencing at 11:59 p.m. on the day before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

[Comment to In-Competition: Having a universally accepted definition for In-Competition provides greater harmonization among Athletes across all sports, eliminates or reduces confusion among Athletes about the relevant timeframe for In-Competition Testing, avoids inadvertent Adverse Analytical Findings in between Competitions during an Event and assists in preventing any potential performance enhancement benefits from substances prohibited Out-of-Competition being carried over to the Competition period.]

Ineligibility: See *Consequences of Anti-Doping Rule Violations* above.

Institutional Independence: Hearing panels on appeal shall be fully *Independent Institutionally* from the Anti-Doping

Organization responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

International Event: An *Event* or *Competition* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major *Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

International-Level Athlete: *Athletes* who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard for Testing and Investigations*.

[*Comment to International-Level Athlete: Consistent with the International Standard for Testing and Investigations, the International Federation is free to determine the criteria it will use to classify Athletes as International-Level Athletes, e.g., by ranking, by participation in particular International Events, by type of license, etc. However, it must publish those criteria in clear and concise form, so that Athletes are able to ascertain quickly and easily when they will become classified as International-Level Athletes. For example, if the criteria include participation in certain International Events, then the International Federation must publish a list of those International Events.*]

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

Major Event Organizations: The continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*.

Marker: A compound, group of compounds or biological variable(s) that indicates the *Use of a Prohibited Substance or Prohibited Method*.

Minor: A natural *Person* who has not reached the age of eighteen years.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, manage test results and conduct *Results Management* at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National-Level Athlete: *Athletes* who compete in sport at the national level, as defined by each *National Anti-Doping Organization*, consistent with the *International Standard for Testing and Investigations*.

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

Out-of-Competition: Any period which is not *In-Competition*.

Person: A natural *Person* or an organization or other entity.

Possession: The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise control

over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists); provided, however, that if the Person does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive *Possession* shall only be found if the Person knew about the presence of the *Prohibited Substance* or *Prohibited 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 Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organization*. 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 Person who makes the purchase.

[*Comment to Possession: Under this definition, anabolic steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the anabolic steroids and intended to have control over them. Similarly, in the example of anabolic steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the anabolic steroids were in the cabinet and that the Athlete intended to exercise control over them. The act of purchasing a Prohibited Substance alone constitutes Possession, even where, for example, the product does not arrive, is received by someone else, or is sent to a third-party address.*]

Prohibited List: The list identifying the *Prohibited Substances* and *Prohibited Methods*.

Prohibited Method: Any method so described on the *Prohibited List*.

Prohibited Substance: Any substance, or class of substances, so described on the *Prohibited List*.

Provisional Hearing: For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 10 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

[Comment to Provisional Hearing: A Provisional Hearing is only a preliminary proceeding which may not involve a full review of the facts of the case. Following a Provisional Hearing, the Athlete remains entitled to a subsequent full hearing on the merits of the case. By contrast, an "expedited hearing," as that term is used in Article 7.4.3, is a full hearing on the merits conducted on an expedited time schedule.]

Provisional Suspension: See Consequences of *Anti-Doping Rule Violations* above.

Publicly Disclose: See Consequences of *Anti-Doping Rule Violations* above.

Registered Testing Pool: The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition* Testing as part of that International Federation's or National Anti-Doping Organization's test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.5 and the International Standard for Testing and Investigations.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard for Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, *Whereabouts Failure*), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

Sample or Specimen: Any biological material collected for the purposes of *Doping Control*.

[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood Samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

Signatories: Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23.

Specified Method: See Article 4.2.2.

Specified Substance: See Article 4.2.2.

Substance of Abuse: See Article 4.2.3.

Substantial Assistance: For purposes of Article 10.7.1, a Person providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

[Comment to *Tampering*: For example, this Article would prohibit altering identification numbers on a *Doping Control* form during *Testing*, breaking the *B* bottle at the time of “*B*” *Sample* analysis, altering a *Sample* by the addition of a foreign substance, or intimidating or attempting to intimidate a potential witness or a witness who has provided testimony or information in the *Doping Control* process. *Tampering*

includes misconduct which occurs during the Results Management and hearing process. See Article 10.9.3.3. However, actions taken as part of a Person's legitimate defense to an anti-doping rule violation charge shall not be considered Tampering. Offensive conduct towards a Doping Control official or other Person involved in Doping Control which does not otherwise constitute Tampering shall be addressed in the disciplinary rules of sport organizations.]

Target Testing: Selection of specific *Athletes* for Testing based on criteria set forth in the *International Standard for Testing and Investigations*.

Technical Document: A document adopted and published by WADA from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

Testing: The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Therapeutic Use Exemption (TUE): A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to use a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard for Therapeutic Use Exemptions* are met.

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

WADA: The World Anti-Doping Agency, e or she possesses in relation to anti-doping rule violations or other proceeding.

3.2 Defined Terms from the International Standard for Testing and Investigations

Doping Control Officer (or DCO): An official who has been trained and authorized by the Sample Collection Authority to carry out the responsibilities given to DCOs in the *International Standard for Testing and Investigations*.

Sample Collection Authority: The organization that is responsible for the collection of *Samples* in compliance with the requirements of the *International Standard for Testing and*

Investigations, whether (1) the Testing Authority itself; or (2) a Delegated Third Party to whom the authority to conduct Testing has been granted or sub-contracted. The Testing Authority always remains ultimately responsible under the Code for compliance with the requirements of the *International Standard for Testing and Investigations* relating to collection of *Samples*.

Sample Collection Session: All of the sequential activities that directly involve the *Athlete* from the point that initial contact is made until the *Athlete* leaves the Doping Control Station after having provided their *Sample(s)*.

Testing Authority: The *Anti-Doping Organization* that authorizes *Testing* on *Athletes* it has authority over. It may authorize a Delegated Third Party to conduct *Testing* pursuant to the authority of and in accordance with the rules of the *Anti-Doping Organization*. Such authorization shall be documented. The *Anti-Doping Organization* authorizing *Testing* remains the Testing Authority and ultimately responsible under the Code to ensure the Delegated Third Party conducting the *Testing* does so in compliance with the requirements of the *International Standard for Testing and Investigations*.

Unsuccessful Attempt Report: A detailed report of an unsuccessful attempt to collect a *Sample* from an *Athlete* in a *Registered Testing Pool* or *Testing pool* setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the *Athlete* (including details of any contact made with third parties), and any other relevant details about the attempt.

Whereabouts Filing: Information provided by or on behalf of an *Athlete* in a *Registered Testing Pool* (or *Testing pool* if applicable) that sets out the *Athlete's* whereabouts during the following quarter, in accordance with Article 4.8.

3.3 Defined Terms from the *International Standard for Laboratories*

Athlete Passport Management Unit (APMU): A unit composed of a Person or Persons that is responsible for the timely management of *Athlete Biological Passports* in *ADAMS* on behalf of the Passport Custodian.

Confirmation Procedure (CP): An Analytical Testing Procedure that has the purpose of confirming the presence and/or, when applicable, confirming the concentration/ratio/score and/or establishing the origin (exogenous or endogenous) of one or more specific *Prohibited Substances, Metabolite(s) of a Prohibited Substance, or Marker(s) of the Use of a Prohibited Substance or Prohibited Method* in a *Sample*.

Independent Witness: A *Person*, invited by the Testing Authority, the Laboratory or *WADA* to witness parts of the Analytical Testing process. The Independent Witness shall be independent of the *Athlete* and his/her representative(s), the Laboratory, the Sample Collection Authority, the Testing Authority / Results Management Authority or *WADA*, as applicable. The Independent Witness may be indemnified for his/her service.

Laboratory(ies): (A) *WADA*-accredited laboratory(ies) applying Test Methods and processes to provide evidentiary data for the detection and/or identification of *Prohibited Substances* or *Prohibited Methods* on the *Prohibited List* and, if applicable, quantification of a Threshold Substance in *Samples* of urine and other biological matrices in the context of Doping Control activities.

Laboratory Documentation Package: The material produced by the Laboratory to support an analytical result such as an Adverse Analytical Finding as set forth in the *WADA Technical Document for Laboratory Documentation Packages* (TD LDOC).

Limit of Quantification (LOQ): Analytical parameter of assay technical performance. Lowest concentration of an Analyte in a *Sample* that can be quantitatively determined with acceptable precision and accuracy (i.e., acceptable Measurement Uncertainty) under the stated test conditions.

Threshold Substance: An exogenous or endogenous *Prohibited Substance, Metabolite or Marker* of a *Prohibited Substance* for which the identification and quantitative determination (e.g., concentration, ratio, score) in excess of a pre-determined Decision Limit, or, when applicable, the establishment of an exogenous origin, constitutes an Adverse Analytical Finding. Threshold Substances are identified as such in the *Technical Document on Decision Limits* (TD DL).

3.4 Defined Term from the International Standard for Therapeutic Use Exemptions

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

3.5 Defined Term from the International Standard for Protection of Privacy and Personal Information

Personal Information: Information, including without limitation Sensitive Personal Information, relating to an identified or identifiable Participant or relating to other Person whose information is Processed solely in the context of an Anti-Doping Organization's Anti-Doping Activities.

[Comment to Personal Information: It is understood that Personal Information includes, but is not limited to, information relating to an Athlete's name, date of birth, contact details and sporting affiliations, whereabouts, designated TUEs (if any), anti-doping test results, and Results Management (including disciplinary hearings, appeals and sanctions). Personal Information also includes personal details and contact information relating to other Persons, such as medical professionals and other Persons working with, treating or assisting an Athlete in the context of Anti-Doping Activities. Such information remains Personal Information and is regulated by this International Standard for the entire duration of its Processing, irrespective of whether the relevant individual remains involved in organized sport.]

3.6 Defined Terms Specific to the International Standard for Results Management

Adaptive Model: A mathematical model designed to identify unusual longitudinal results from Athletes. The model calculates the probability of a longitudinal profile of Marker values assuming that the Athlete has a normal physiological condition.

Athlete Biological Passport Documentation Package: The material compiled by the Athlete Passport Management Unit to support an Adverse Passport Finding such as, but not limited to, analytical data, Expert Panel comments, evidence

of confounding factors as well as other relevant supporting information.

Athlete Passport Management Unit Report: A report maintained by the Athlete Passport Management Unit, available in the Athlete's Passport in ADAMS, that provides a comprehensive summary of the Expert(s) review(s) and recommendations for effective and appropriate follow-up Testing by the Passport Custodian.

Expert: The Expert(s) and/or Expert Panel, with knowledge in the concerned field, chosen by the Anti-Doping Organization and/or Athlete Passport Management Unit, are responsible for providing an evaluation of the Passport. The Expert must be external to the Anti-Doping Organization.

Failure to Comply: A term used to describe anti-doping rule violations under Code Articles 2.3 and/or 2.5.

Filing Failure: A failure by the Athlete (or by a third party to whom the Athlete has delegated the task) to make an accurate and complete Whereabouts Filing that enables the Athlete to be located for Testing at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the International Standard for Testing and Investigations and Annex B.2 of the International Standard for Results Management.

Hearing Process: The process encompassing the timeframe between the referral of a matter to a hearing panel or tribunal until the issuance and notification of a decision by the hearing panel (whether at first instance or on appeal).

Missed Test: A failure by the Athlete to be available for Testing at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the International Standard for Testing and Investigations and Annex B.2 of the International Standard for Results Management.

Passport: A collation of all relevant data unique to an individual Athlete that may include longitudinal profiles of Markers, heterogeneous factors unique to that particular

Athlete and other relevant information that may help in the evaluation of Markers.

Passport Custodian: The Anti-Doping Organization responsible for Result Management of the Athlete's Passport and for sharing any relevant information associated to that Athlete's Passport with other Anti-Doping Organization(s).

Results Management Authority: The Anti-Doping Organization responsible for conducting Results Management in a given case.

Whereabouts Failure: A Filing Failure or a Missed Test.

3.7 Interpretation

3.7.1 The official text of the International Standard for Results Management shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

3.7.2 Like the Code, the International Standard for Results Management has been drafted giving consideration to the principles of proportionality, human rights, and other applicable legal principles. It shall be interpreted and applied in that light.

3.7.3 The comments annotating various provisions of the International Standard for Results Management shall be used to guide its interpretation.

3.7.4 Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the International Standard for Results Management.

3.7.5 Where the term "days" is used in the International Standard for Results Management, it shall mean calendar days unless otherwise specified.

3.7.6 The Annexes to the International Standard for Results Management have the same mandatory status as the rest of the International Standard.

PART II

RESULTS MANAGEMENT – GENERAL PRINCIPLES

4.0 General Principles

4.1 Confidentiality of Results Management

Save for disclosures, including Public Disclosure, that are required or permitted under Code Article 14 or this International Standard, all processes and procedures related to Results Management are confidential.

4.2 Timeliness

In the interest of fair and effective sport justice, anti-doping rule violations should be prosecuted in a timely manner. Irrespective of the type of anti-doping rule violation involved, and save for cases involving complex issues or delays not in the control of the Anti-Doping Organization (e.g., delays attributable to the Athlete or other Person), Anti-Doping Organizations should be able to conclude Results Management (including the Hearing Process at first instance) within six (6) months from the notification as per Article 5 below.

[Comment to Article 4.2: The six (6) months' period is a guideline, which may lead to consequences in terms of compliance for the Results Management Authority only in case of severe and/or repeated failure(s).]

PART III

RESULTS MANAGEMENT – ADJUDICATION

5.0 First Results Management Phase

This Article 5 sets out the procedures applicable for the first Results Management phase as follows: Adverse Analytical Findings (Article 5.1), Atypical Findings (Article 5.2) and other matters (Article 5.3), which include potential Failures to Comply (Article 5.3.1.1), Whereabouts Failures (Article 5.3.1.2) and Athlete Biological Passport cases (Article 5.3.1.3). The notification requirements in respect of matters falling under the scope of Article 5.3 are described under Article 5.3.2.

[Comment to Article 5: Where the anti-doping rules of a Major Event Organization provide for an expedited resolution of the limited Results Management, the anti-doping rules of the Major Event Organization may provide that there will be only one notification to the Athlete or other Person. The content of the notification letter should reflect the provisions of Article 5 mutatis mutandis.]

5.1 Adverse Analytical Findings

5.1.1 Initial Review

Upon receipt of an Adverse Analytical Finding, the Results Management Authority shall conduct a review to determine whether (a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions (Article 5.1.1.1), (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Adverse Analytical Finding (Article 5.1.1.2) and/or (c) it is apparent that the Adverse Analytical Finding was caused by an ingestion of the relevant Prohibited Substance through a permitted route (Article 5.1.1.3).

5.1.1.1 Therapeutic Use Exemption

5.1.1.1.1 The Results Management Authority shall consult the Athlete's records in ADAMS and with other Anti-Doping Organizations that might have approved a TUE for the Athlete (e.g., the National Anti-Doping Organization or the International Federation) to determine whether a TUE exists.

[Comment to Article 5.1.1.1.1: As per the Prohibited List and the Technical Document for Decision Limits for the Confirmatory Quantification of Threshold Substances, the detection in an Athlete's Sample at all times or In-

Competition, as applicable, of any quantity of certain Threshold Substances (identified in the Prohibited List), in conjunction with a diuretic or masking agent, will be considered as an Adverse Analytical Finding unless the Athlete has an approved TUE for that substance in addition to the one granted for the diuretic or masking agent. Therefore, in the event of such detection, the Results Management Authority shall also determine whether the Athlete has an approved TUE for the detected Threshold Substance.]

5.1.1.1.2 If the initial review reveals that the Athlete has an applicable TUE, then the Results Management Authority shall conduct such follow up review as necessary to determine if the specific requirements of the TUE have been complied with.

5.1.1.2 Apparent Departure from International Standard for Testing and Investigations and/or International Standard for Laboratories

The Results Management Authority must review the Adverse Analytical Finding to determine if there has been any departure from the International Standard for Testing and Investigations and/or the International Standard for Laboratories. This may include a review of the Laboratory Documentation Package produced by the Laboratory to support the Adverse Analytical Finding (if available at the time of the review) and relevant Doping Control form(s) and Testing documents.

5.1.1.3 Apparent Ingestion through Permitted Route

If the Adverse Analytical Finding involves a Prohibited Substance permitted through (a) specific route(s) as per the Prohibited List, the Results Management Authority shall consult any relevant available documentation (e.g. Doping Control form) to determine whether the Prohibited Substance appears to have been administered through a permitted route and, if so, shall consult an expert to determine whether the Adverse Analytical Finding is compatible with the apparent route of ingestion.

[Comment to Article 5.1.1.3: For the sake of clarity, the outcome of the initial review shall not prevent an Athlete from arguing that his Use of the Prohibited Substance came from a permitted route at a later stage of Results Management.]

5.1.2 Notification

5.1.2.1 If the review of the Adverse Analytical Finding does not reveal an applicable TUE or entitlement to the same as provided in the International Standard for Therapeutic Use Exemptions, a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding or that it is apparent that the Adverse Analytical Finding was caused by an ingestion of the relevant Prohibited Substance through an authorized route, the Results Management Authority shall promptly notify the Athlete of:

a) The Adverse Analytical Finding;

[Comment to Article 5.1.2.1 a): In the event that the Adverse Analytical Finding relates to salbutamol, formoterol, human chorionic gonadotrophin or another Prohibited Substance subject to specific Results Management requirements in a

Technical Document, the Results Management Authority shall in addition comply with Article 5.1.2.2. The Athlete shall be provided with any relevant documentation, including a copy of the Doping Control form and the Laboratory results.]

- b) The fact that the Adverse Analytical Finding may result in an anti-doping rule violation of Code Article 2.1 and/or Article 2.2 and the applicable Consequences;

[Comment to Article 5.1.2.1 b): The Results Management Authority should always refer to both Code Articles 2.1 and 2.2 in the notification and charge letter (Article 7) to an Athlete if the matter relates to an Adverse Analytical Finding. The Results Management Authority shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists and take such information into account in determining the applicable Consequences.]

- c) The Athlete's right to request the analysis of the "B" Sample or, failing such request, that the "B" Sample analysis may be deemed irrevocably waived;

[Comment to Article 5.1.2.1 c): The Results Management Authority may still request the "B" Sample analysis even if the Athlete does not request the "B" Sample analysis or expressly or impliedly waives their right to analysis of the "B" Sample. The Results Management Authority may provide in its anti-doping rules that the costs of the "B" Sample analysis shall be covered by the Athlete.]

- d) The opportunity for the Athlete and/or the Athlete's representative to attend the "B" Sample opening and analysis in

accordance with the International Standard for Laboratories;

- e) The Athlete's right to request copies of the "A" Sample Laboratory Documentation Package which includes information as required by the International Standard for Laboratories;

[Comment to Article 5.1.2.1 e): This request shall be made to the Results Management Authority and not the Laboratory directly.]

The Results Management Authority may provide in its anti-doping rules that the costs relating to the issuance of the Laboratory Documentation Package(s) shall be covered by the Athlete.]

- f) The opportunity for the Athlete to provide an explanation within a short deadline;
- g) The opportunity for the Athlete to provide Substantial Assistance as set out under Code Article 10.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of Ineligibility under Code Article 10.8.1 (if applicable) or to seek to enter into a case resolution agreement under Code Article 10.8.2; and
- h) Any matters relating to Provisional Suspension (including the possibility for the Athlete to accept a voluntary Provisional Suspension) as per Article 6 (if applicable).

5.1.2.2 In addition, in the event that the Adverse Analytical Finding relates to the Prohibited Substances set out below, the Results Management Authority shall:

- a) Salbutamol or Formoterol: draw the attention of the Athlete in the notification

letter that the Athlete can prove, through a controlled pharmacokinetic study, that the Adverse Analytical Finding was the consequence of a Therapeutic dose by inhalation up to the maximum dose indicated under class S3 of the Prohibited List. The Athlete's attention shall in addition be drawn to the key guiding principles for a controlled pharmacokinetic study and they shall be provided with a list of Laboratories, which could perform the controlled pharmacokinetic study. The Athlete shall be granted a deadline of seven (7) days to indicate whether they intend to undertake a controlled pharmacokinetic study, failing which the Results Management Authority may proceed with the Results Management;

- b) Urinary human chorionic gonadotrophin: follow the procedures set out at Article 6 of the 2019 Technical Document for the Reporting & Management of Urinary Human Chorionic Gonadotrophin (hCG) and Luteinizing Hormone (LH) Findings in Male Athletes (TD2019CG/LH) or any subsequent version of the Technical Document;
- c) Other Prohibited Substance subject to specific Results Management requirements in a Technical Document or other document issued by WADA: follow the procedures set out in the relevant Technical Document or other document issued by WADA.

5.1.2.3 The Results Management Authority shall also indicate the scheduled date, time and place for the "B" Sample analysis for the eventuality that the Athlete or Results Management Authority chooses to request an analysis of the "B" Sample; it shall do so either in the notification letter described in Article 5.1.2.1 or in a subsequent letter promptly after the

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Athlete (or the Results Management Authority) has requested the “B” Sample analysis.

[Comment to Article 5.1.2.3: As per Article 5.3.6.2.3 of the International Standard for Laboratories, the “B” Sample confirmation should be performed as soon as possible following the reporting of the “A” Sample Adverse Analytical Finding.]

The timing of the “B” Sample confirmation analysis may be strictly fixed in the short term with no postponement possible, when circumstances so justify it.

This can notably and without limitation be the case in the context of Testing during or immediately before or after Major Events, or when the further postponement of the “B” Sample analysis could significantly increase the risk of Sample degradation.]

5.1.2.4 If the Athlete requests the “B” Sample analysis but claims that they and/or their representative is not available on the scheduled date indicated by the Results Management Authority, the Results Management Authority shall liaise with the Laboratory and propose (at least) two (2) alternative dates.

[Comment to Article 5.1.2.4: The alternative dates should take into account: (1) the reasons for the Athlete’s unavailability; and (2) the need to avoid any degradation of the Sample and ensure timely Results Management.]

5.1.2.5 If the Athlete and their representative claim not to be available on the alternative dates proposed, the Results Management Authority shall instruct the Laboratory to proceed regardless and appoint an Independent Witness to verify that the “B” Sample container shows no signs of Tampering and

that the identifying numbers match that on the collection documentation.

[Comment to Article 5.1.2.5: An Independent Witness may be appointed even if the Athlete has indicated that they will be present and/or represented.]

5.1.2.6 If the results of the “B” Sample analysis confirm the results of the “A” Sample analysis, the Results Management Authority shall promptly notify the Athlete of such results and shall grant the Athlete a short deadline to provide or supplement their explanations. The Athlete shall also be afforded the possibility to admit the anti-doping rule violation to potentially benefit from a one-year reduction in the period of Ineligibility under Code Article 10.8.1, if applicable, and/or to voluntarily accept a Provisional Suspension as per Code Article 7.4.4.

5.1.2.7 Upon receipt of any explanation from an Athlete, the Results Management Authority may, without limitation, request further information and/or documents from the Athlete within a set deadline or liaise with third parties in order to assess the validity of the explanation.

[Comment to Article 5.1.2.7: If the positive finding involves a Prohibited Substance subject to a permitted route (e.g. by inhalation, by transdermal or by ophthalmic Use) and the Athlete alleged that the positive finding came from the permitted route, the Results Management Authority should assess the credibility of the explanation by contacting third parties (including scientific experts) before deciding not to move forward with Results Management.]

5.1.2.8 Any communication provided to the Athlete under this Article 5.1.2 shall simultaneously be provided by the Results Management

Authority to the Athlete's National Anti-Doping Organization(s), International Federation and WADA and shall promptly be reported into ADAMS.

[Comment to Article 5.1.2.8: To the extent not already set out in the communication to the Athlete, this notification shall include the following information (if applicable): the Athlete's name, country, sport and discipline within the sport, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the Laboratory and other information as required by the International Standard for Testing and Investigations.

5.2 Atypical findings

5.2.1 Upon receipt of an Atypical Finding, the Results Management Authority shall conduct a review to determine whether: (a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions (see Article 5.1.1.1 by analogy); (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Atypical Finding (see Article 5.1.1.2 by analogy) and/or (c) it is apparent that the ingestion of the Prohibited Substance was through a permitted route (see Article 5.1.1.3 by analogy). If that review does not reveal an applicable TUE, an apparent departure that caused the Atypical Finding or an ingestion through a permitted route, the Results Management Authority shall conduct the required investigation.

[Comment to Article 5.2.1: If the Prohibited Substance involved is subject to specific Results Management requirements in a Technical Document, the Results Management Authority shall also follow the procedures set out therein.

In addition, the Results Management Authority may contact WADA to determine which investigative steps should be undertaken. These investigative steps may be

provided for by WADA in a specific notice or other document.]

5.2.2 The Results Management Authority need not provide notice of an Atypical Finding until it has completed its investigation and decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exists:

- a) If the Results Management Authority determines that the "B" Sample should be analyzed prior to the conclusion of its investigation, the Results Management Authority may conduct the "B" Sample analysis after notifying the Athlete, with such notice to include a description of the Atypical Finding and the information described in Article 5.1.2.1 c) to e) and Article 5.1.2.3;
- b) If the Results Management Authority receives a request, either from a Major Event Organization shortly before one of its International Events or from a sport organization responsible for meeting an imminent deadline for selecting team members for an International Event, to disclose whether any Athlete identified on a list provided by the Major Event Organization or sport organization has a pending Atypical Finding, the Results Management Authority shall identify any Athlete after first providing notice of the Atypical Finding to the Athlete; or
- c) If the Atypical Finding is, in the opinion of qualified medical or expert personnel, likely to be connected to a serious pathology that requires urgent medical attention.

5.2.3 If after the investigation is completed the Results Management Authority decides to pursue the Atypical Finding as an Adverse Analytical Finding, then the procedure shall follow the provisions of Article 5.1 *mutatis mutandis*.

5.3 Matters not Involving an Adverse Analytical Finding or Atypical Finding

5.3.1 Specific cases

5.3.1.1 Report of a potential Failure to Comply

The pre-adjudication phase of Results Management of a possible Failure to Comply shall take place as provided in Annex A – Review of a Possible Failure to Comply.

5.3.1.2 Whereabouts Failures

The pre-adjudication phase of Results Management of potential Whereabouts Failures shall take place as provided in Annex B – Results Management for Whereabouts Failures.

5.3.1.3 Athlete Biological Passport Cases

The pre-adjudication phase of Results Management of Atypical Passport Findings or Passports submitted to an Expert by the Athlete Passport Management Unit when there is no Atypical Passport Finding shall take place as provided in Annex C – Results Management Requirements and Procedures for the Athlete Biological Passport.

5.3.2 Notification for specific cases and other anti-doping rule violations under Article

5.3.2.1 At such time as the Results Management Authority considers that the Athlete or other Person may have committed (an) anti-doping rule violation(s), the Results Management Authority shall promptly notify the Athlete of:

- a) The relevant anti-doping rule violation(s) and the applicable Consequences;
- b) The relevant factual circumstances upon which the allegations are based;
- c) The relevant evidence in support of those facts that the Results Management

Authority considers demonstrate that the Athlete or other Person may have committed (an) anti-doping rule violation(s);

- d) The Athlete or other Person's right to provide an explanation within a reasonable deadline;
- e) The opportunity for the Athlete or other Person to provide Substantial Assistance as set out in Code Article 10.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of Ineligibility in Code Article 10.8.1 (if applicable) or seek to enter into a case resolution agreement in Code Article 10.8.2; and
- f) Any matters relating to Provisional Suspension (including the possibility for the Athlete or other Person to accept a voluntary Provisional Suspension) as per Article 6 (if applicable).

5.3.2.2 Upon receipt of the Athlete's or other Person's explanation, the Results Management Authority may, without limitation, request further information and/or documents from the Athlete or other Person within a set deadline or liaise with third parties in order to assess the validity of the explanation.

5.3.2.3 The communication provided to the Athlete or other Person shall simultaneously be provided by the Results Management Authority to the Athlete's or other Person's National Anti-Doping Organization(s), International Federation and WADA and shall promptly be reported into ADAMS.

[Comment to Article 5.3.2.3: To the extent not already set out in the communication to the Athlete or other Person, this notification shall include the following information (if

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applicable): the Athlete's or other Person's name, country, sport and discipline within the sport.]

5.4 Decision Not to Move Forward

If at any point during Results Management up until the charge under Article 7, the Results Management Authority decides not to move forward with a matter, it must notify the Athlete or other Person (provided that the Athlete or other Person had been already informed of the ongoing Results Management) and give notice (with reasons) to the Anti-Doping Organizations with a right of appeal under Code Article 13.2.3.

6.0 Provisional Suspensions

6.1 Scope

6.1.1 In principle, a Provisional Suspension means that an Athlete or other Person is barred temporarily from participating in any capacity in any Competition or activity as per Code Article 10.14.1 prior to the final decision at a hearing pursuant to Article 8.

6.1.2 Where the Results Management Authority is the ruling body of an Event or is responsible for team selection, the rules of such Results Management Authority shall provide that the Provisional Suspension is limited to the scope of the Event, respectively team selection. Upon notification under Article 5, the International Federation of the Athlete or other Person shall be responsible for Provisional Suspension beyond the scope of the Event.

6.2 Imposition of a Provisional Suspension

6.2.1 Mandatory Provisional Suspension

6.2.1.1 As per Code Article 7.4.1, Signatories identified in the provision shall adopt rules providing that when an Adverse Analytical Finding or Adverse Passport Finding (upon completion of the Adverse Passport Finding review process) is received for a Prohibited Substance or a Prohibited Method other than

a Specified Substance or Specified Method, a Provisional Suspension shall be imposed promptly upon or after the review and notification required by Code Article 7.2.

[Comment to Article 6.2.1.1: The review and notification required by Code Article 7.2 is set out in Article 5.]

6.2.1.2 A mandatory Provisional Suspension may be eliminated if: (i) the Athlete demonstrates to the hearing panel that the violation is likely to have involved a Contaminated Product, or (ii) the violation involves a Substance of Abuse and the Athlete establishes entitlement to a reduced period of Ineligibility under Code Article 10.2.4.1. A hearing body's decision not to eliminate a mandatory Provisional Suspension on account of the Athlete's assertion regarding a Contaminated Product shall not be appealable.

6.2.2 Optional Provisional Suspension

As per Code Article 7.4.2, a Signatory may adopt rules, applicable to any Event for which the Signatory is the ruling body or to any team selection process for which the Signatory is responsible or where the Signatory is the applicable International Federation or has Results Management Authority over the alleged anti-doping rule violation, permitting Provisional Suspensions to be imposed for anti-doping rule violations not covered by Code Article 7.4.1 prior to analysis of the Athlete's "B" Sample or final hearing as described in Code Article 8. The optional Provisional Suspension may also be lifted at the discretion of the Results Management Authority at any time prior to the hearing panel decision under Article 8, unless provided otherwise.

[Comment to Article 6.2.2: Whether or not to impose an optional Provisional Suspension is a matter for the Results Management Authority to decide in its discretion, taking into account all the facts and evidence. The Results Management Authority should keep in mind that if an Athlete continues to compete

after being notified and/or charged in respect of an anti-doping rule violation and is subsequently found to have committed an anti-doping rule violation, any results, prizes and titles achieved and awarded in that timeframe may be subject to Disqualification and forfeited.

Nothing in this provision prevents provisional measures (including a lifting of the Provisional Suspension upon request of the Athlete or other Person) being ordered by the hearing panel.]

6.2.3 General Provisions

6.2.3.1 Notwithstanding Articles 6.2.1 and 6.2.2, a Provisional Suspension may not be imposed unless the rules of the Anti-Doping Organization provide the Athlete or other Person with: (a) an opportunity for a Provisional Hearing, either before imposition of the Provisional Suspension or on a timely basis after imposition of the Provisional Suspension; or (b) an opportunity for an expedited hearing in accordance with Code Article 8 on a timely basis after imposition of a Provisional Suspension. The rules of the Anti-Doping Organization shall also provide for an opportunity for an expedited appeal against the imposition of a Provisional Suspension, or the decision not to impose a Provisional Suspension, in accordance with Code Article 13.

6.2.3.2 A Provisional Suspension shall start on the date on which it is notified (or deemed to be notified) by the Results Management Authority to the Athlete or other Person.

6.2.3.3 The period of Provisional Suspension shall end with the final decision of the hearing panel conducted under Article 8, unless earlier lifted in accordance with this Article 6. However, the period of Provisional Suspension shall not exceed the maximum length of the period of Ineligibility that may be imposed on the Athlete or other Person

based on the relevant anti-doping rule violation(s).

- 6.2.3.4** If a Provisional Suspension is imposed based on an “A” Sample Adverse Analytical Finding and a subsequent “B” Sample analysis does not confirm the “A” Sample analysis result, then the Athlete shall not be subject to any further Provisional Suspension on account of a violation of Code Article 2.1.

[Comment to Article 6.2.3.4: The Results Management Authority may nonetheless decide to maintain and/or re-impose a Provisional Suspension on the Athlete based on another anti-doping rule violation notified to the Athlete, e.g. a violation of Code Article 2.2.]

- 6.2.3.5** In circumstances where the Athlete (or the Athlete’s team as may be provided in the rules of the applicable Major Event Organization or International Federation) has been removed from an Event based on a violation of Code Article 2.1 and the subsequent “B” Sample analysis does not confirm the “A” Sample finding, if, without otherwise affecting the Event, it is still possible for the Athlete or team to be reinstated, the Athlete or team may continue to take part in the Event.

6.3 Voluntary Provisional Suspension

- 6.3.1** As per Code Article 7.4.4, Athletes on their own initiative may voluntarily accept a Provisional Suspension if done so prior to the later of: (i) the expiration of ten (10) days from the report of the “B” Sample (or waiver of the “B” Sample) or ten (10) days from notification of any other anti-doping rule violation, or (ii) the date on which the Athlete first competes after such report or notification. Other Persons on their own initiative may voluntarily accept a Provisional Suspension if done so within ten (10) days from notification of the anti-doping rule violation. Upon such voluntary acceptance, the Provisional

Suspension shall have the full effect and be treated in the same manner as if the Provisional Suspension had been imposed under Article 6.2.1 or 6.2.2; provided, however, at any time after voluntarily accepting a Provisional Suspension, the Athlete or other Person may withdraw such acceptance, in which event the Athlete or other Person shall not receive any credit for time previously served during the Provisional Suspension.

6.4 Notification

6.4.1 Unless already notified under another provision of this International Standard, any imposition of a Provisional Suspension notified to the Athlete or other Person or voluntary acceptance of a Provisional Suspension, or lifting of either, shall promptly be notified by the Results Management Authority to the Athlete's or other Person's National Anti-Doping Organization(s), International Federation and WADA and shall promptly be reported into ADAMS.

[Comment to Article 6.4.1: To the extent not already set out in the communication to the Athlete or other Person, this notification shall include the following information (if applicable): the Athlete's or other Person's name, country, sport and discipline within the sport.]

7.0 Charge

7.1 If, after receipt of the Athlete or other Person's explanation or expiry of the deadline to provide such explanation, the Results Management Authority is (still) satisfied that the Athlete or other Person has committed (an) anti-doping rule violation(s), the Results Management Authority shall promptly charge the Athlete or other Person with the anti-doping rule violation(s) they are asserted to have breached. In this letter of charge, the Results Management Authority:

- a) Shall set out the provision(s) of its anti-doping rules asserted to have been violated by the Athlete or other Person;

[Comment to Article 7.1 a): The Results Management Authority is not limited by the anti-doping rules violation(s)]

set out in the notification under Article 5. In its discretion, the Results Management Authority may decide to assert further anti-doping rule violation(s) in its notice of charge.

Notwithstanding the above, whereas it is a Results Management Authority's duty to set out all and any asserted anti-doping rule violations against an Athlete or other Person in the notice of charge, a failure to formally charge an Athlete with an anti-doping rule violation that is, in principle, an integral part of a more specific (asserted) anti-doping rule violation (e.g. a Use violation (Code Article 2.2) as part of a Presence violation (Code Article 2.1), or a Possession violation (Code Article 2.6) as part of an asserted Administration violation (Code Article 2.8)) shall not prevent a hearing panel from finding that the Athlete or other Person committed a violation of the subsidiary anti-doping rule violation in the event that they are not found to have committed the explicitly asserted anti-doping rule violation.]

- b) Shall provide a detailed summary of the relevant facts upon which the assertion is based, enclosing any additional underlying evidence not already provided in the notification under Article 5;

[Comment to Article 7.1 b): The Results Management Authority shall, however, not be prevented from relying on other facts and/or adducing further evidence not contained in either the notification letter under Article 5 or the charge letter under Article 7 during the Hearing Process at first instance and/or on appeal.]

- c) Shall indicate the specific Consequences being sought in the event that the asserted anti-doping rule violation(s) is/are upheld and that such Consequences shall have binding effect on all Signatories in all sports and countries as per Code Article 15;

[Comment to Article 7.1 c): The Consequences of an anti-doping rule violation set out in the letter of charge shall include as a minimum the relevant period of Ineligibility and Disqualification. The Results Management Authority shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists and take such information into account in determining the relevant

Consequences. The proposed Consequences shall in all circumstances be compatible with the provisions of the Code and shall be appropriate based on the explanations given by the Athlete or other Person or the facts as established by the Results Management Authority. For these purposes, it is expected that the Results Management Authority will review the explanations given by the Athlete or other Person and assess their credibility (for example, by checking the authenticity of documentary evidence and the plausibility of the explanation from a scientific perspective) before proposing any Consequences. If the Results Management phase is substantially delayed by the review, the Results Management Authority shall inform WADA, setting out the reasons for the substantial delay.]

- d) Shall grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended only in exceptional cases) to the Athlete or other Person to admit the anti-doping rule violation asserted and to accept the proposed Consequences by signing, dating and returning an acceptance of Consequences form, which shall be enclosed with the letter;
- e) For the eventuality that the Athlete or other Person does not accept the proposed Consequences, shall already grant to the Athlete or other Person a deadline provided for in the Results Management Authority's anti-doping rules (which shall not be of more than twenty (20) days from receipt of the letter of charge and may be extended only in exceptional cases) to challenge in writing the Results Management Authority's assertion of an anti-doping rule violation and/or proposed Consequences, and/or make a written request for a hearing before the relevant hearing panel;
- f) Shall indicate that if the Athlete or other Person does not challenge the Results Management Authority's assertion of an anti-doping rule violation or proposed Consequences nor request a hearing within the prescribed deadline, the Results Management Authority shall be entitled to deem that the Athlete or other Person has waived their right to a hearing and admitted the anti-doping rule violation as well as accepted the Consequences set out by the Results Management Authority in the letter of charge;
- g) Shall indicate that the Athlete or other Person may be able to obtain a suspension of Consequences if they provide

Substantial Assistance under Code Article 10.7.1, may admit the anti-doping rule violation(s) within twenty (20) days from receipt of the letter of charge and potentially benefit from a one-year reduction in the period of Ineligibility under Code Article 10.8.1 (if applicable) and/or seek to enter into a case resolution agreement by admitting the anti-doping rule violation(s) under Code Article 10.8.2; and

h) Shall set out any matters relating to Provisional Suspension as per Article 6 (if applicable).

- 7.2 The notice of charge notified to the Athlete or other Person shall simultaneously be notified by the Results Management Authority to the Athlete's National Anti-Doping Organization(s), International Federation and WADA and shall promptly be reported into ADAMS.

[Comment to Article 7.2: To the extent not already set out in the notice of charge, this notification shall contain the following information (wherever applicable): Athlete's or other Person's name, country, sport and discipline within the sport, and, for a violation of Code Article 2.1, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the Laboratory and other information as required by the International Standard for Testing and Investigations, and, for any other anti-doping rule violation, the anti-doping rule(s) violated and the basis for the asserted violation(s).]

- 7.3 In the event that the Athlete or other Person either (i) admits the anti-doping rule violation and accepts the proposed Consequences or (ii) is deemed to have admitted the violation and accepted the Consequences as per Article 7.1 f), the Results Management Authority shall promptly issue the decision and notify it in accordance with Article 9.
- 7.4 If, after the Athlete or other Person has been charged, the Results Management Authority decides to withdraw the charge, it must notify the Athlete or other Person and give notice (with reasons) to the Anti-Doping Organizations with a right of appeal under Code Article 13.2.3.
- 7.5 Subject to Article 7.6, in the event that the Athlete or other Person requests a hearing, the matter shall be referred to the

Results Management Authority's hearing panel and be dealt with pursuant to Article 8.

[Comment to Article 7.5: Where a Results Management Authority has delegated the adjudication part of Results Management to a Delegated Third Party, the matter shall be referred to the Delegated Third Party.]

7.6 Single hearing before CAS

7.6.1 Pursuant to Code Article 8.5, anti-doping rule violations asserted against International-Level Athletes, National-Level Athletes or other Persons may, with the consent of the Athlete or other Person, the Results Management Authority and WADA, be heard in a single hearing directly at CAS under CAS appellate procedures, with no requirement for a prior hearing, or as otherwise agreed by the parties.

7.6.2 If the Athlete or other Person and the Results Management Authority agree to proceed with a single hearing before CAS, it shall be the responsibility of the Results Management Authority to liaise in writing with WADA to determine whether it agrees to the proposal. Should WADA not agree (in its entire discretion), then the case shall be heard by the Results Management Authority's hearing panel at first instance.

[Comment to Article 7.6.2: In the event that all relevant parties agree to refer the case to the CAS as a single instance, the Results Management Authority shall promptly notify any other Anti-Doping Organization with a right of appeal upon initiating the proceedings so that the latter may seek to intervene in the proceedings (if they wish to). The final decision rendered by the CAS shall not be subject to any appeal, save to the Swiss Federal Tribunal.]

PART IV

RESULTS MANAGEMENT – ADJUDICATION

8.0 Hearing Process

- 8.1 The rules of the Results Management Authority shall confer jurisdiction on hearing panels to hear and determine whether an Athlete or other Person subject to its anti-doping rules has committed an anti-doping rule violation and, if applicable, to impose the relevant Consequences. The Results Management Authority (or a Delegated Third Party upon delegation under Code Article 20) shall bring forward the charge before the hearing panel.

[Comment to Article 8.1: Results Management Authorities may also delegate the adjudication part of Results Management to Delegated Third Parties.]

It is not a Code requirement that a hearing should take place in person. Hearings may also take place remotely by the participants joining together using technology. There are no restrictions as to the technology that can or should be used, but include means such as conference calling, video conferencing technology or other online communication tools. Depending on the circumstances of a case, it may also be fair or necessary – for example, where all the facts are agreed and the only issue is as to the Consequences – to conduct a hearing “in writing”, based on written materials without an oral hearing.]

- 8.2 For the purposes of Article 8.1, a wider pool of hearing panel members shall be established, from which the hearing panels for specific cases shall be nominated. Appointment to the pool must be made based on anti-doping experience, including legal, sports, medical and/or scientific expertise. All members of the pool shall be appointed for a period of no less than two (2) years (which may be renewable).

[Comment to Article 8.2: The number of potential hearing panel members appointed to the wider pool depends on the number of affiliates and the anti-doping history (including the number of anti-doping rule violations committed in the past years) of the Anti-Doping Organization. At the very least, the number of potential hearing panel members shall be sufficient to ensure that Hearing Processes are timely conducted and provide for replacement possibilities in the event of a conflict of interest.]

- 8.3 The applicable rules shall provide for an independent person or body to determine in their discretion the size and composition of a particular hearing panel to adjudicate an

individual case. At least one appointed hearing panel member must have a legal background.

[Comment to Article 8.3: For example, the independent person may be a designated chairperson of the pool. The relevant rules should also provide for a mechanism for the event that the independent person or body has a conflict of interest (e.g. the chairperson may be replaced by a designated vice-chairperson in the event of a conflict of interest, or by the most senior hearing panel member with no conflict of interest, where there is no vice-chairperson or both the chairperson and vice-chairperson are in a situation of conflict).]

The size and composition of the hearing panel may vary depending on the nature of the charge and the evidence put forward. The hearing panel may be composed of a single adjudicator. The chairperson of the pool can be appointed (or appoint themselves if applicable) to sit as single adjudicator or hearing panel member. If a single adjudicator is appointed, they shall have a legal background.]

- 8.4** Upon appointment to a hearing panel, each hearing panel member shall sign a declaration that there are no facts or circumstances known to him/her which might call into question their impartiality in the eyes of any of the parties, other than any circumstances disclosed in the declaration. If such facts or circumstances arise at a later stage of the Hearing Process, the relevant hearing panel member shall promptly disclose them to the parties.

[Comment to Article 8.4: For example, any member who is in any way connected with the case and/or the parties – such as family or close personal/professional ties and/or an interest in the outcome of the case and/or having expressed an opinion as to the outcome of the particular case – must openly disclose on the declaration all circumstances that might interfere with the impartial performance of their functions. To assess whether a hearing panel member is impartial, the Results Management Authority may take into account the principles set out in the IBA Guidelines on Conflicts of Interest in International Arbitration as updated from time to time available at <https://www.ibanet.org/>.]

- 8.5** The parties shall be notified of the identity of the hearing panel members appointed to hear and determine the matter and be provided with their declaration at the outset of the Hearing

Process. The parties shall be informed of their right to challenge the appointment of any hearing panel member if there are grounds for potential conflicts of interest within seven (7) days from the ground for the challenge having become known. Any challenge shall be decided upon by an independent person from the wider pool of hearing panel members or by an independent institution.

[Comment to Article 8.5: For example, the independent person may be a designated chairperson of the pool. The relevant rules should also provide for a mechanism for the event that the independent person is the person subject to the challenge or is one of the other members of that particular hearing panel (e.g. the designated independent person may be replaced in these circumstances by a vice-chairperson or other designated senior hearing panel member).]

- 8.6** The rules governing the activities of the Results Management Authority shall guarantee the Operational Independence of hearing panel members.

[Comment to Article 8.6: As per the Code definition, Operational Independence means that (1) board members, staff members, commission members, consultants and officials of the Results Management Authority or its affiliates (e.g. member federation or confederation), as well as any person involved in the investigation and pre-adjudication of the matter, cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that Results Management Authority and (2) that hearing panels shall be in a position to conduct the hearing and decision making process without interference from the Results Management Authority or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.]

- 8.7** Anti-Doping Organizations shall provide adequate resources to ensure that hearing panels are able to fulfil their tasks efficiently and independently and otherwise in accordance with this Article 8.

[Comment to Article 8.7: All agreed fees and reasonable expenses of the hearing panels shall be timely paid by the Results Management Authority.]

8.8 The Hearing Process shall respect, at a minimum, all of the following principles:

- a) The hearing panel must remain fair, impartial and Operationally Independent at all times;
- b) The Hearing Process shall be accessible and affordable;

[Comment to Article 8.8 b): Procedural fees, if any, shall be set at a level that does not prevent the accused Person from accessing the hearing. When necessary, the Results Management Authority and/or the relevant hearing panel should consider establishing a legal aid mechanism in order to ensure such access.]

- c) The Hearing Process shall be conducted within a reasonable time;

[Comment to Article 8.8 c): All decisions shall be issued and notified promptly after the hearing in person or, if no hearing in person is requested, after the parties have filed their written submissions. Save in complex matters, this timeframe should not exceed two (2) months.]

- d) The right to be informed in a fair and timely manner of the asserted anti-doping rule violation(s), the right to be represented by counsel at the Athlete or other Person's own expense, the right of access to and to present relevant evidence, the right to submit written and oral submissions, the right to call and examine witnesses, and the right to an interpreter at the hearing at the Athlete or other Person's own expense; and

[Comment to Article 8.8 d): In principle, where the hearing is in person, it should be composed of an opening phase, where the parties are given an opportunity to briefly present their case, an evidentiary phase, where the evidence is assessed and witnesses and experts (if any) are heard, and a closing phase, where all parties are given an opportunity to present their final arguments in light of the evidence.]

- e) The right for the Athlete or the other Person to request a public hearing. The Results Management Authority may also request a public hearing provided that the Athlete or the other Person has provided his/her written consent to the same.

[Comment to Article 8.8 e): However, the request may be denied by the hearing panel in the interest of morals, public order, national security, where the interests of Minors or the protection of the private life of the parties so require, where publicity would prejudice the interests of justice or where the proceedings are exclusively related to questions of law.]

- 8.9** Hearing Processes held in connection with Events may be conducted by an expedited process as permitted by the rules of the relevant Anti-Doping Organization and the hearing panel.

9.0 Decisions

9.1 Content

- 9.1.1** Results Management decisions or adjudications by Anti-Doping Organizations must not purport to be limited to a particular geographic area or sport and shall address and determine the following issues:

- a) Jurisdictional basis and applicable rules;
- b) Detailed factual background;

[Comment to Article 9.1.1 For instance, where the violation is based on an Adverse Analytical Finding, the decision shall set out inter alia the date and place of the Sample Collection Session, the type of Sample collection (blood or urine), whether the control was Out-of-Competition or In-Competition, the Prohibited Substance detected, the WADA-accredited Laboratory that performed the analysis, if the "B" Sample analysis was requested and/or performed as well as the results of the analysis. For any other violation, a full and detailed description of the facts shall be made.]

- c) Anti-doping rule violation(s) committed;

[Comment to Article 9.1.1 c): Where the violation is based on an Adverse Analytical Finding, the decision shall inter alia set out that there was no departure from the International Standards, or that the alleged departure(s) did or did not cause the Adverse Analytical Finding and demonstrate that the violation of Code Article 2 is made out (see Code Article 2.1.2). For any other violation, the hearing panel shall assess the evidence presented and explain why it considers that the evidence presented by the Results Management Authority meets or does not meet the required standard of proof. In case the hearing panel considers that the anti-doping rule violation(s) is/are established, it shall expressly indicate the anti-doping rule(s) violated.]

d) Applicable Consequences; and

[Comment to Article 9.1.1 d): The decision shall identify the specific provisions on which the sanction, including any reduction or suspension, is based and provide reasons justifying the imposition of the relevant Consequences. In particular, where the applicable rules grant discretion to the hearing panel (e.g. for Specified Substances or Specified Methods or Contaminated Products under Code Article 10.6.1.1 and 10.6.1.2), the decision shall explain why the period of Ineligibility imposed is appropriate. The decision shall also indicate the start date of the period of Ineligibility (if any) and provide justifications in the event that this date is earlier than the date of the decision (see Code Article 10.13.1). The decision shall also indicate the period of Disqualification, with justification in the event that certain results are not Disqualified for reasons of fairness (Code Article 10.10 of the Code), and any forfeiture of medals or prizes. The decision shall also set if (and to what extent) any period of Provisional Suspension is credited against any period of Ineligibility ultimately imposed, and set out any other relevant Consequences based on the applicable rules, including Financial Consequences. As per Code Article 7.5.1, Major Event Organizations shall, however, not be

required to determine Ineligibility or Financial Consequences beyond the scope of their Event.]

- e) Appeal routes and deadline to appeal for the Athlete or other Person.

[Comment to Article 9.1.1 e): The decision shall indicate whether the Athlete is an International-Level Athlete for the purposes of the appeal route under Code Article 13. If this information is not available to the hearing panel, the hearing panel shall request the Results Management Authority to liaise with the relevant Anti-Doping Organization (e.g. the International Federation of the Athlete). The decision shall then set out the appropriate appeal route (including the address to which any appeal should be sent to) and the deadline to appeal.]

[Comment to Article 9.1.1: Results Management decisions include Provisional Suspension, save that a Results Management decision on Provisional Suspension shall not be required to determine whether an anti-doping rule violation was committed.]

- 9.1.2** A Results Management decision or adjudication by a Major Event Organization in connection with one of its Events may be limited in its scope but shall address and determine, at a minimum, the following issues: (i) whether an anti-doping rule violation was committed, the factual basis for such determination, and the specific Code Articles violated, and (ii) applicable Disqualifications under Code Articles 9 and 10.1, with any resulting forfeiture of medals, points and prizes.

[Comment to Article 9.1.2: With the exception of Results Management decisions by Major Event Organizations, each decision by an Anti-Doping Organization should address whether an anti-doping rule violation was committed and all Consequences flowing from the violation, including any Disqualifications other than Disqualification under Code Article 10.1 (which is left to the ruling body for an Event). Pursuant to Code Article 15, such decision and its imposition of Consequences shall have

automatic effect in every sport in every country. For example, for a determination that an Athlete committed an anti-doping rule violation based on an Adverse Analytical Finding for a Sample taken In-Competition, the Athlete's results obtained in the Competition would be Disqualified under Code Article 9 and all other competitive results obtained by the Athlete from the date the Sample was collected through the duration of the period of Ineligibility are also Disqualified under Code Article 10.10; if the Adverse Analytical Finding resulted from Testing at an Event, it would be the Major Event Organization's responsibility to decide whether the Athlete's other individual results in the Event prior to Sample collection are also Disqualified under Code Article 10.1.]

9.2 Notification

Decisions shall be promptly notified by the Results Management Authority to the Athlete or other Person and to other Anti-Doping Organizations with a right of appeal under Code Article 13.2.3 and shall promptly be reported into ADAMS. Where the decision is not in English or French, the Results Management Authority shall provide an English or French summary of the decision and of the supporting reasons as well as a searchable version of the decision.

9.2.1 An Athlete or other Person subject to a period of Ineligibility shall be made aware by the Results Management Authority of their status during Ineligibility, including the Consequences of a violation of the prohibition of participation during Ineligibility, pursuant to Code Article 10.14. The Results Management Authority shall ensure that the period of Ineligibility is duly respected within its sphere of competence. The Athlete or other Person should also be made aware that they may still provide Substantial Assistance.

9.2.2 An Athlete subject to a period of Ineligibility should also be made aware by the Results Management Authority that they remain subject to Testing during the period of Ineligibility.

9.2.3 Where, further to notification of the decision, an Anti-Doping Organization with a right of appeal requests a

copy of the full case file pertaining to the decision, it shall be provided promptly by the Results Management Authority.

[Comment to Article 9.2.5: The case file shall contain all documents relating to the case. For an analytical case, it shall include at a minimum the Doping Control form, Laboratory results and/or Laboratory Documentation Package(s) (if issued), any submissions and exhibits and/or correspondence of the parties and all other documents relied upon by the hearing body. The case file should be sent by email in an organized manner with a table of contents.]

- 9.2.4** If the decision concerns an Adverse Analytical Finding or Atypical Finding, and after any deadline to appeal has elapsed and no appeal has been filed against the decision, the Results Management Authority shall promptly notify the relevant Laboratory that the matter has been finally disposed of.

10.0 Appeals

- 10.1** The rules governing appeal rights and avenues are set out at Code Article 13.
- 10.2** With respect to national appellate instances within the meaning of Code Article 13.2.2:
- a) The appointment of hearing panel members and the Hearing Process on appeal are governed by Article 8 mutatis mutandis. In addition to being fair, impartial and Operationally Independent, a hearing panel on appeal shall also be Institutionally Independent;

[Comment to Article 10.2 a): For the purposes of this provision, hearing panels on appeal shall be fully Institutionally Independent from the Results Management Authority. They must therefore not in any way be administered by, connected or subject to the Results Management Authority.]

- b) The appeal decision rendered by an appeal body shall comply with the requirements of Article 9.1;

- c) The appeal decision shall promptly be notified by the Results Management Authority to the Athlete or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal the prior instance decision under Code Article 13.2.3;
- d) The further notification requirements at Article 9.2 shall apply *mutatis mutandis*.

10.3 With respect to appeals before CAS:

- a) The appeal procedure shall be governed by the Code of Sports-related Arbitration;
- b) All parties to any CAS appeal must ensure that WADA and any other party, which would have had a right of appeal and is not a party to the CAS appeal, has been given timely notice of the appeal;
- c) No settlement embodied in an arbitral award rendered by consent of the parties as per R56 of the Code of Sports-related Arbitration shall be entered into by an Anti-Doping Organization without WADA's written approval. Where the parties to the CAS proceedings are envisaging settling the matter by way of a settlement embodied in an arbitral award rendered by consent of the parties, the Anti-Doping Organization that is a party to the proceedings shall immediately notify WADA and provide it with all necessary information in this respect;
- d) Any Anti-Doping Organization that is a party to an appeal before CAS shall promptly provide the CAS award to the other Anti-Doping Organizations that would have been entitled to appeal under Code Article 13.2.3; and
- e) The requirements of Articles 9.2.2 to 9.2.4 shall apply *mutatis mutandis*.

11.0 Violation of the Prohibition Against Participation During Ineligibility

- 11.1** In the event that an Athlete or other Person is suspected to have violated the prohibition against participation during Ineligibility pursuant to Code Article 10.14, the Results Management relating to this potential violation shall comply

with the principles of this International Standard *mutatis mutandis*.

[Comment to Article 11.1: In particular, the Athlete or other Person shall receive a notification letter in accordance with Article 5.3.2 mutatis mutandis, a letter of charge in accordance with Article 7 mutatis mutandis and be afforded the right to a hearing as per Article 8.]

ANNEX A

REVIEW OF A POSSIBLE FAILURE TO COMPLY

A.1 Responsibility

A.1.1 The Results Management Authority or Testing Authority (as applicable) is responsible for ensuring that:

- a) When the possible Failure to Comply comes to its attention, it notifies WADA, and instigates review of the possible Failure to Comply based on all relevant information and documentation;
- b) The Athlete or other Person is informed of the possible Failure to Comply in writing and has the opportunity to respond in accordance with Article 5.3.2 of the International Standard for Results Management;
- c) The review is conducted without unnecessary delay and the evaluation process is documented; and
- d) If it decides not to move forward with the matter, its decision is notified in accordance with Article 5.4 of the International Standard for Results Management.

A.1.2 The DCO is responsible for providing a detailed written report of any possible Failure to Comply.

A.2 Requirements

A.2.1 Any potential Failure to Comply shall be reported by the DCO to the Results Management Authority (or Testing Authority as applicable) and/or followed up by the Testing Authority and reported to the Results Management Authority as soon as practicable.

- A.2.2** If the Results Management Authority determines that there has been a potential Failure to Comply, the Athlete or other Person shall be promptly notified in accordance with Article 5.3.2 of the International Standard for Results Management and further Results Management shall be conducted as per Article 5 et seq. of the International Standard for Results Management.
- A.2.3** Any additional necessary information about the potential Failure to Comply shall be obtained from all relevant sources (including the Athlete or other Person) as soon as possible and recorded.
- A.2.4** The Results Management Authority (and Testing Authority as applicable) shall establish a system for ensuring that the outcomes of its reviews into potential Failures to Comply are considered for Results Management action and, if applicable, for further planning and Target Testing.

ANNEX B

RESULTS MANAGEMENT FOR WHEREABOUTS FAILURES

B.1 Determining a Potential Whereabouts Failure

- B.1.1** Three (3) Whereabouts Failures by an Athlete within any 12-month period amount to an anti-doping rule violation under Code Article 2.4. The Whereabouts Failures may be any combination of Filing Failures and/or Missed Tests declared in accordance with Article B.3 and adding up to three (3) in total.

[Comment to Article B.1.1: While a single Whereabouts Failure will not amount to an anti-doping rule violation under Code Article 2.4, depending on the facts, it could amount to an anti-doping rule violation under Code Article 2.3 (Evading Sample Collection) and/or Code Article 2.5 (Tampering or Attempted Tampering with Doping Control).]

- B.1.2** The 12-month period referred to in Code Article 2.4 starts to run on the date that an Athlete commits the first Whereabouts Failure being relied upon in support of the allegation of a violation of Code Article 2.4. If two (2) more Whereabouts Failures occur during the ensuing 12-month period, then Code Article 2.4 anti-doping rule violation is committed.

irrespective of any Samples successfully collected from the Athlete during that 12-month period. However, if an Athlete who has committed one (1) Whereabouts Failure does not go on to commit a further two (2) Whereabouts Failures within the 12-months, at the end of that 12-month period, the first Whereabouts Failure “expires” for purposes of Code Article 2.4, and a new 12-month period begins to run from the date of their next Whereabouts Failure.

B.1.3 For purposes of determining whether a Whereabouts Failure has occurred within the 12-month period referred to in Code Article 2.4:

- a) A Filing Failure will be deemed to have occurred (i) where the Athlete fails to provide complete information in due time in advance of an upcoming quarter, on the first day of that quarter, and (ii) where any information provided by the Athlete (whether in advance of the quarter or by way of update) transpires to be inaccurate, on the (first) date on which such information can be shown to be inaccurate; and
- b) A Missed Test will be deemed to have occurred on the date that the Sample collection was unsuccessfully attempted.

B.1.4 Whereabouts Failures committed by the Athlete prior to retirement as defined in Article 4.8.7.3 of the International Standard for Testing and Investigations may be combined, for purposes of Code Article 2.4, with Whereabouts Failures committed by the Athlete after the Athlete again becomes available for Out-of-Competition Testing.

[Comment to Article B.1.4: For example, if an Athlete committed two (2) Whereabouts Failures in the six (6) months prior to their retirement, then if they commit another Whereabouts Failure in the first six (6) months in which they are again available for Out-of-Competition Testing, that amounts to a Code Article 2.4 anti-doping rule violation.]

3.2 Requirements for a Potential Filing Failure or Missed Test

B.2.1 An Athlete may only be declared to have committed a Filing Failure where the Results Management Authority establishes each of the following:

- a) That the Athlete was duly notified: (i) that they had been designated for inclusion in a Registered Testing Pool; (ii)

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of the consequent requirement to make Whereabouts Filing; and (iii) of the Consequences of any Failure to Comply with that requirement;

- b) That the Athlete failed to comply with that requirement by the applicable deadline;

[Comment to Article B.2.1(b): An Athlete fails to comply with the requirement to make Whereabouts Filing (i) where they do not make any such filing, or where they fail to update the filing as required by Article 4.8.8.6 of the International Standard for Testing and Investigations; or (ii) where they make the filing or update but do not include all of the required information in that filing or update (e.g. they do not include the place where they will be staying overnight for each day in the following quarter, or for each day covered by the update, or omit to declare a regular activity that they will be pursuing during the quarter, or during the period covered by the update); or (iii) where they include information in the original filing or the update that is inaccurate (e.g., an address that does not exist) or insufficient to enable the Anti-Doping Organization to locate them for Testing (e.g., “running in the Black Forest”).]

- c) In the case of a second or third Filing Failure, that they were given notice, in accordance with Article B.3.2(d), of the previous Filing Failure, and (if that Filing Failure revealed deficiencies in the Whereabouts Filing that would lead to further Filing Failures if not rectified) was advised in the notice that in order to avoid a further Filing Failure they must file the required Whereabouts Filing (or update) by the deadline specified in the notice (which must be within 48 hours after receipt of the notice) and yet failed to rectify that Filing Failure by the deadline specified in the notice; and

[Comment to Article B.2.1(c): All that is required is to give the Athlete notice of the first Filing Failure and an opportunity to avoid a subsequent one, before a subsequent Filing Failure may be pursued against them. In particular, it is not necessary to complete the Results Management process with respect to the first Filing Failure before pursuing a second Filing Failure against the Athlete.]

d) That the Athlete's failure to file was at least negligent. For these purposes, the Athlete will be presumed to have committed the failure negligently upon proof that they were notified of the requirements yet did not comply with them. That presumption may only be rebutted by the Athlete establishing that no negligent behavior on their part caused or contributed to the failure.

B.2.2 While Code Article 5.2 specifies that every Athlete must submit to Testing at any time and place upon request by an Anti-Doping Organization with Testing Authority over them, in addition, an Athlete in a Registered Testing Pool must specifically be present and available for Testing on any given day during the 60-minute time slot specified for that day in their Whereabouts Filing, at the location that the Athlete has specified for that time slot in such filing. Where this requirement is not met by the Athlete, it shall be pursued as an apparent Missed Test. If the Athlete is tested during such a time slot, the Athlete must remain with the DCO until the Sample collection has been completed, even if this takes longer than the 60- minute time slot. A failure to do so shall be pursued as an apparent violation of Code Article 2.3 (refusal or failure to submit to Sample collection).

B.2.3 To ensure fairness to the Athlete, where an unsuccessful attempt has been made to test an Athlete during one of the 60-minute time slots specified in their Whereabouts Filing, any subsequent unsuccessful attempt to test that Athlete (by the same or any other Anti-Doping Organization) during one of the 60-minute time slots specified in their Whereabouts Filing may only be counted as a Missed Test (or, if the unsuccessful attempt was because the information filed was insufficient to find the Athlete during the time slot, as a Filing Failure) against that Athlete if that subsequent attempt takes place after the Athlete has received notice, in accordance with Article B.3.2(d), of the original unsuccessful attempt.

[Comment to Article B.2.3: All that is required is to give the Athlete notice of one Missed Test or Filing Failure before a subsequent Missed Test or Filing Failure may be pursued against them. In particular, it is not necessary to complete the Results Management process with respect to the first Missed Test or Filing Failure before pursuing a second Missed Test or Filing Failure against the Athlete.]

B.2.4 An Athlete may only be declared to have committed a Missed Test where the Results Management Authority can establish each of the following:

- a) That when the Athlete was given notice that they had been designated for inclusion in a Registered Testing Pool, they were advised that they would be liable for a Missed Test if they were unavailable for Testing during the 60-minute time slot specified in their Whereabouts Filing at the location specified for that time slot;
- b) That a DCO attempted to test the Athlete on a given day in the quarter, during the 60-minute time slot specified in the Athlete's Whereabouts Filing for that day, by visiting the location specified for that time slot;
- c) That during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the Athlete, short of giving the Athlete any advance notice of the test;

Comment to Article B.2.4(c): Due to the fact that the making of a telephone call is discretionary rather than mandatory, and is left entirely to the absolute discretion of the Sample Collection Authority, proof that a telephone call was made is not a requisite element of a Missed Test, and the lack of a telephone call does not give the Athlete a defense to the assertion of a Missed Test.]

- d) That Article B.2.3 does not apply or (if it applies) was complied with; and
- e) That the Athlete's non-availability for Testing at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the Athlete will be presumed to have been negligent upon proof of the matters set out at sub-Articles B.2.4 (a) to (d). That presumption may only be rebutted by the Athlete establishing that no negligent behavior on their part caused or contributed to their failure (i) to be available for Testing at such location during such time slot, and (ii) to update their most recent Whereabouts Filing to give notice of a different location where they would instead be available for Testing during a specified 60-minute time slot on the relevant day.

B.3 Results Management for a Potential Whereabouts Failure

B.3.1 In accordance with Code Articles 7.1.6, the Results Management Authority in relation to potential Whereabouts Failures shall be the International Federation or the National Anti-Doping Organization with whom the Athlete in question files their whereabouts information.

[Comment to Article B.3.1: If an Anti-Doping Organization that receives an Athlete's Whereabouts Filing (and so is their Results Management Authority for whereabouts purposes) removes the Athlete from its Registered Testing Pool after recording one or two Whereabouts Failures against them, then if the Athlete is put in another Anti-Doping Organization's Registered Testing Pool, and that other Anti-Doping Organization starts receiving their Whereabouts Filing, then, that other Anti-Doping Organization becomes the Results Management Authority in respect of all Whereabouts Failures by that Athlete, including those recorded by the first Anti-Doping Organization. In that case, the first Anti-Doping Organization shall provide the second Anti-Doping Organization with full information about the Whereabouts Failure(s) recorded by the first Anti-Doping Organization in the relevant period, so that if the second Anti-Doping Organization records any further Whereabouts Failure(s) against that Athlete, it has all the information it needs to bring proceedings against them, in accordance with Article B.3.4, for violation of Code Article 2.4.]

B.3.2 When a Whereabouts Failure appears to have occurred, Results Management shall proceed as follows:

- a) If the apparent Whereabouts Failure has been uncovered by an attempt to test the Athlete, the Testing Authority shall timely obtain an Unsuccessful Attempt Report from the DCO. If the Testing Authority is different from the Results Management Authority, it shall provide the Unsuccessful Attempt Report to the Results Management Authority without delay, and thereafter it shall assist the Results Management Authority as necessary in obtaining information from the DCO in relation to the apparent Whereabouts Failure.
- b) The Results Management Authority shall timely review the file (including any Unsuccessful Attempt Report filed by the DCO) to determine whether all of the Article B.2.1

- requirements (in the case of a Filing Failure) or all of the Article B.2.4 requirements (in the case of a Missed Test) are met. It shall gather information as necessary from third parties (e.g., the DCO whose test attempt uncovered the Filing Failure or triggered the Missed Test) to assist it in this task.
- c) If the Results Management Authority concludes that any of the relevant requirements have not been met (so that no Whereabouts Failure should be declared), it shall so advise WADA, the International Federation or National Anti-Doping Organization (as applicable), and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with Code Article 13.
- d) If the Results Management Authority concludes that all of the relevant requirements as set out in B.2.1 (Filing Failure) and B.2.4 (Missed Test) have been met, it should notify the Athlete within fourteen (14) days of the date of the apparent Whereabouts Failure. The notice shall include sufficient details of the apparent Whereabouts Failure to enable the Athlete to respond meaningfully, and shall give the Athlete a reasonable deadline to respond, advising whether they admit the Whereabouts Failure and, if they do not admit to the Whereabouts Failure, then an explanation as to why not. The notice should also advise the Athlete that three (3) Whereabouts Failures in any 12-month period is a Code Article 2.4 anti-doping rule violation, and should note whether they had any other Whereabouts Failures recorded against them in the previous twelve (12) months. In the case of a Filing Failure, the notice must also advise the Athlete that in order to avoid a further Filing Failure they must file the missing whereabouts information by the deadline specified in the notice, which must be within 48 hours after receipt of the notice.
- e) If the Athlete does not respond within the specified deadline, the Results Management Authority shall record the notified Whereabouts Failure against them.

If the *Athlete* does respond within the deadline, the Results Management Authority shall consider whether their response changes its original decision that all of the

- requirements for recording a Whereabouts Failure have been met.
- i. If so, it shall so advise the Athlete, WADA, the International Federation or National Anti-Doping Organization (as applicable), and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with Code Article 13.
 - ii. If not, it shall so advise the Athlete (with reasons) and specify a reasonable deadline by which they may request an administrative review of its decision. The Unsuccessful Attempt Report shall be provided to the Athlete at this point if it has not been provided to them earlier in the process.
- f) If the Athlete does not request an administrative review by the specified deadline, the Results Management Authority shall record the notified Whereabouts Failure against them. If the Athlete does request an administrative review before the deadline, it shall be carried out, based on the papers only, by one or more person not previously involved in the assessment of the apparent Whereabouts Failure. The purpose of the administrative review shall be to determine anew whether or not all of the relevant requirements for recording a Whereabouts Failure are met.
- g) If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, the Results Management Authority shall so advise the Athlete, WADA, the International Federation or National Anti-Doping Organization (as applicable), and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with Code Article 13. On the other hand, if the conclusion is that all of the requirements for recording a Whereabouts Failure are met, it shall notify the Athlete and shall record the notified Whereabouts Failure against them.

B.3.3 The Results Management Authority shall promptly report a decision to record a Whereabouts Failure against an Athlete to WADA and all other relevant Anti-Doping Organizations, on a confidential basis, via ADAMS.

[Comment to Article B.3.3: For the avoidance of doubt, the Results Management Authority is entitled to notify other relevant Anti-Doping Organizations (on a strictly confidential basis) of the apparent Whereabouts Failure at an earlier stage of the Results Management process, where it considers it appropriate (for test planning purposes or otherwise). In addition, an Anti-Doping Organization may publish a general statistical report of its activities that discloses in general terms the number of Whereabouts Failures that have been recorded in respect of Athletes under its jurisdiction during a particular period, provided that it does not publish any information that might reveal the identity of the Athletes involved. Prior to any proceedings under Code Article 2.4, an Anti-Doping Organization should not Publicly Disclose that a particular Athlete does (or does not) have any Whereabouts Failures recorded against them (or that a particular sport does, or does not, have Athletes with Whereabouts Failures recorded against them).]

B.3.4 Where three (3) Whereabouts Failures are recorded against an Athlete within any 12-month period, the Results Management Authority shall notify the Athlete and other Anti-Doping Organizations in accordance with Article 5.3.2 of the International Standard for Results Management alleging violation of Code Article 2.4 and proceed with Results Management in accordance with Article 5 et seq. of the International Standard for Results Management. If the Results Management Authority fails to bring such proceedings against an Athlete within 30-days of WADA receiving notice of the recording of that Athlete's third Whereabouts Failure in any 12-month period, then the Results Management Authority shall be deemed to have decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at Code Article 13.2.

B.3.5 An Athlete asserted to have committed a Code Article 2.4 anti-doping rule violation shall have the right to have such assertion determined at a full evidentiary hearing in accordance with Code Article 8 and Articles 8 and 10 of the International Standard for Results Management. The hearing panel shall not be bound by any determination made during the Results Management process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden shall be on the Anti-Doping Organization bringing the proceedings to establish all of the requisite

elements of each alleged Whereabouts Failure to the comfortable satisfaction of the hearing panel. If the hearing panel decides that one (or two) Whereabouts Failure(s) have been established to the required standard, but that the other alleged Whereabouts Failure(s) has/have not, then no Code Article 2.4 anti-doping rule violation shall be found to have occurred. However, if the Athlete then commits one (or two, as applicable) further Whereabouts Failure(s) within the relevant 12-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the hearing panel in the previous proceedings (in accordance with Code Article 3.2.3) and the Whereabouts Failure(s) subsequently committed by the Athlete.

[Comment to Article B.3.5: Nothing in Article B.3.5 is intended to prevent the Anti-Doping Organization challenging an argument raised on the Athlete's behalf at the hearing on the basis that it could have been but was not raised at an earlier stage of the Results Management process.]

- B.3.6** A finding that an Athlete has committed a Code Article 2.4 anti-doping rule violation has the following Consequences: (a) imposition of a period of Ineligibility in accordance with Code Article 10.3.2 (first violation) or Code Article 10.9 (subsequent violation(s)); and (b) in accordance with Code Article 10.10 (Disqualification, unless fairness requires otherwise) of all individual results obtained by the Athlete from the date of the Code Article 2.4 anti-doping rule violation through to the date of commencement of any Provisional Suspension or Ineligibility period, with all of the resulting Consequences, including forfeiture of any medals, points and prizes. For these purposes, the anti-doping rule violation shall be deemed to have occurred on the date of the third Whereabouts Failure found by the hearing panel to have occurred. The impact of any Code Article 2.4 anti-doping rule violation by an individual Athlete on the results of any team for which that Athlete has played during the relevant period shall be determined in accordance with Code Article 11.

ANNEX C

RESULTS MANAGEMENT REQUIREMENTS AND
PROCEDURES FOR THE ATHLETE BIOLOGICAL PASSPORT

C.1 Administrative Management

C.1.1 The requirements and procedures described in this Annex apply to all modules of the *Athlete Biological Passport* except where expressly stated or implied by the context.

C.1.2 These processes shall be administered and managed by an Athlete Passport Management Unit on behalf of the Passport Custodian. The Athlete Passport Management Unit will initially review profiles to facilitate targeting recommendations for the Passport Custodian when appropriate or refer to the Experts as required. Management and communication of the biological data, Athlete Passport Management Unit reporting and Expert reviews shall be recorded in ADAMS and be shared by the Passport Custodian with other Anti-Doping Organizations with Testing Authority over the *Athlete* to coordinate further Passport Testing as appropriate. A key element for Athlete Biological Passport management and communication is the Athlete Passport Management Unit Report in ADAMS, which provides an overview of the current status of the Athlete's Passport including the latest targeting recommendations and a summary of the Expert reviews.

C.1.3 This Annex describes a step-by-step approach to the review of an Athlete's Passport:

- a) The review begins with the application of the Adaptive Model.
- b) In case of an Atypical Passport Finding or when the Athlete Passport Management Unit considers that a review is otherwise justified, an Expert conducts an initial review and returns an evaluation based on the information available at that time.
- c) In case of a "Likely doping" initial review, the Passport is then subjected to a review by three (3) Experts including the Expert who conducted the initial review.
- d) In case of a "Likely doping" consensus of the three (3) Experts, the process continues with the creation of an Athlete Biological Passport Documentation Package.
- e) An Adverse Passport Finding is reported by the Athlete Passport Management Unit to the Passport Custodian if the

Experts' opinion is maintained after review of all information available at that stage, including the Athlete Biological Passport Documentation Package.

- f) The Athlete is notified of the Adverse Passport Finding and offered the opportunity to provide explanations.
- g) If after review of the explanations provided by the Athlete, the Experts maintain their unanimous conclusion that it is highly likely that the Athlete Used a Prohibited Substance or a Prohibited Method, an anti-doping rule violation is asserted against the Athlete by the Passport Custodian.

C.2 Initial Review Phase

C.2.1 Review by the Adaptive Model

C.2.1.1. In ADAMS, the Adaptive Model automatically processes data on the biological Markers of the Athlete Biological Passport. These Markers include primary Markers that are defined as the most specific to doping and secondary Markers that provide supporting evidence of doping in isolation or in combination with other Markers. The Adaptive Model predicts for an individual an expected range within which a series of Marker values falls assuming a normal physiological condition. Outliers correspond to those values outside of the 99%-range, from a lower limit corresponding to the 0.5th percentile to an upper limit corresponding to the 99.5th percentile (1:100 chance or less that this result is due to normal physiological variation). A specificity of 99% is used to identify Atypical Passport Findings. In the case of sequence deviations (sequence Atypical Passport Findings), the applied specificity is 99.9% (1:1000 chance or less that this is due to normal physiological variation).

C.2.1.2. An Atypical Passport Finding is a result generated by the Adaptive Model in ADAMS which identifies either:

- a) a primary Marker(s) value(s) as being outside the Athlete's intra-individual range, or,

- b) a longitudinal profile consisting of (up to) the last five (5) valid primary Marker values as deviating from expected ranges (sequence Atypical Passport Findings), assuming a normal physiological condition.

An Atypical Passport Finding requires further attention and review.

2.1.3. Primary and Secondary Markers

C.2.1.3.1 For the Haematological Module, the Adaptive Model automatically processes in ADAMS two primary Markers, haemoglobin concentration (HGB) and stimulation index OFF-score (OFFS), and two secondary Markers, the reticulocyte percentage (RET%) and the Abnormal Blood Profile Score (ABPS). HGB and RET% are Markers measured in blood ABP Samples while OFFS and ABPS are calculated using values of Markers measured in blood ABP Samples.

C.2.1.3.2 The Steroidal Module comprises steroid Markers measured in urine and/or blood (serum) Samples. For urine Samples, the Adaptive Model automatically processes in ADAMS one primary Marker, the Testosterone to Epitestosterone ratio (T/E), and four (4) secondary Markers; the Androsterone to Testosterone ratio (A/T), the Androsterone to Etiocholanolone ratio (A/Etio), the 5 α -Androstane-3 α ,17 β -diol to 5 β -Androstane-3 α ,17 β -diol ratio (5 α Adiol/5 β Adiol) and the 5 α -Androstane-3 α ,17 β -diol to Epitestosterone ratio (5 α Adiol/E). For blood Samples, the Adaptive Model automatically processes in ADAMS one primary Marker, the Testosterone to Androstenedione ratio (T/A4).

C.2.1.3.3 For the Endocrine Module, the Adaptive Model automatically processes in ADAMS one primary Marker, the GH-2000 score

calculated using a formula including two (2) secondary Markers, insulin-like growth factor-I (IGF-I) and N-terminal pro-peptide of type III collagen (P-III-NP) measured in blood (serum) Samples.

C.2.1.4. Departure from WADA Athlete Biological Passport requirements

C.2.1.4.1 If there is a departure from WADA Athlete Biological Passport requirements for Sample collection, transport and analysis, the biological Marker result obtained from this Sample affected by the non-conformity shall not be considered in the Adaptive Model calculations (for example, RET% can be affected but not HGB under certain transportation conditions).

C.2.1.4.2 A Marker result which is not affected by the non-conformity can still be considered in the Adaptive Model calculations. In such case, the Athlete Passport Management Unit shall provide the specific explanations supporting the inclusion of the result(s). In all cases, the Sample shall remain recorded in the Athlete's Passport. The Experts may include all results in their review provided that their conclusions may be validly supported when taking into account the effects of the non-conformity.

C.2.2 The Initial Expert Review

C.2.2.1 A Passport generating an Atypical Passport Finding, or for which a review is otherwise justified, shall be sent by the Athlete Passport Management Unit to an Expert for review in ADAMS. This should take place within seven (7) days following the generation of the Atypical Passport Finding in ADAMS. The review of the Passport shall be conducted based on the Passport and other basic information (e.g. Competition schedules), which may be available, such that the Expert is blinded to the identity of the Athlete. The Expert shall provide the individual report in ADAMS

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and this should take place within seven (7) days after receipt of the request.

C.2.2.2 If a Passport has been recently reviewed by an Expert and the Passport Custodian is in the process of executing a specific multi-Sample Testing strategy on the Athlete, the Athlete Passport Management Unit may delay the review of a Passport generating an Atypical Passport Finding triggered by one of the Samples collected in this context until completion of the planned series of tests. In such situations, the Athlete Passport Management Unit shall clearly indicate the reason for delaying the review of the Passport in the Athlete Passport Management Unit Report.

C.2.2.3 If the first and unique result in a Passport is flagged as an Atypical Passport Finding by the Adaptive Model, the Athlete Passport Management Unit may recommend the collection of an additional Sample before initiating the initial Expert review.

C.2.2.4 Review in the absence of an Atypical Passport Finding

C.2.2.4.1 A Passport may also be sent for Expert review in the absence of an Atypical Passport Finding where the Passport includes other elements otherwise justifying a review.

These elements may include, without limitation:

- a) Data not considered in the Adaptive Model;
- b) Any abnormal levels and/or variations of Marker(s);
- c) Signs of hemodilution in the haematological Passport;
- d) Marker levels below the corresponding Limit of Quantification of the assay; or

- e) Intelligence in relation to the Athlete concerned.

C.2.2.4.2 An Expert review initiated in the above-mentioned situations may result in the same Consequences as an Expert review triggered by an Atypical Passport Finding.

C.2.2.5 Expert Evaluation

C.2.2.5.1 When evaluating a Passport, an Expert weighs the likelihood that the Passport is the result of the Use of a Prohibited Substance or Prohibited Method against the likelihood that the Passport is the result of a normal physiological or pathological condition in order to provide one of the following opinions: “Normal”, “Suspicious”, “Likely doping” or “Likely medical condition”. For a “Likely doping” opinion, the Expert shall come to the conclusion that the likelihood that the Passport is the result of the Use of a Prohibited Substance or Prohibited Method outweighs the likelihood that the Passport is the result of a normal physiological or pathological condition.

[Comment to Article C.2.2.5.1: When evaluating competing propositions, the likelihood of each proposition is evaluated by the Expert based on the evidence available for that proposition. It is acknowledged that it is the relative likelihoods (i.e., likelihood ratio) of the competing propositions that ultimately determine the Expert's opinion. For example, where the Expert is of the view that a Passport is highly likely the result of the Use of a Prohibited Substance or Prohibited Method, it is necessary for a “Likely doping” evaluation that the Expert consider that it is unlikely that it may be the result of a normal physiological or pathological condition. Similarly, where the Expert is of the view that a Passport is

likely the result of the Use of a Prohibited Substance or Prohibited Method, it is necessary for a “Likely doping” evaluation that the Expert consider that it is highly unlikely that it may be the result of a normal physiological or pathological condition.]

C.2.2.5.2 To reach a conclusion of “Likely doping” in the absence of an Atypical Passport Finding, the Expert shall come to the opinion that it is highly likely that the Passport is the result of the Use of a Prohibited Substance or Prohibited Method and that it is highly unlikely that the Passport is the result of a normal physiological or pathological condition.

C.2.3 Consequences of the Initial Review

Depending on the outcome of the initial review, the Athlete Passport Management Unit will take the following action:

<u>Expert Evaluation</u>	<u>Athlete Passport Management Unit Action</u>
“Normal”	Continue normal <i>Testing</i> plan.
“Suspicious”	Provide recommendations to the <u>Passport Custodian</u> for Target Testing, Sample analysis and/or requesting further information as required.
“Likely doping”	Send to a panel of three (3) <u>Experts</u> , including the initial <u>Expert</u> , as per section C.2 of this Annex C.

“Likely medical condition”	If recommended by the <u>Expert</u> , inform the Athlete as soon as possible via the <u>Passport Custodian</u> (or send to other <u>Experts</u>).
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[Comment to Article C.2.3: The Athlete Biological Passport is a tool to detect the possible Use of Prohibited Substance(s) or Prohibited Method(s) and it is not intended as a health check or for medical monitoring. It is important that the Passport Custodian educate the Athletes to ensure that they undergo regular health monitoring and not rely on the Athlete Biological Passport for this purpose. Nevertheless, the Passport Custodian should inform the Athlete in case the Passport indicates a likely pathology as determined by the Experts.]

C.3 Review by Three (3) Experts

- C.3.1 In the event that the opinion of the appointed Expert in the initial review, pending other explanation to be provided at a later stage, is that of “Likely doping”, the Passport shall then be sent by the Athlete Passport Management Unit to two (2) additional Experts for review. This should take place within seven (7) days after the reporting of the initial review. These additional reviews shall be conducted without knowledge of the initial review. These three (3) Experts now constitute the Expert Panel, composed of the Expert appointed in the initial review and these two (2) other Experts.
- C.3.2 The review by the three (3) Experts must follow the same procedure, where applicable, as presented in section C.2.2 of this Annex. The three (3) Experts shall each provide their individual reports in ADAMS. This should take place within seven (7) days after receipt of the request.
- C.3.3 The Athlete Passport Management Unit is responsible for liaising with the Experts and for advising the Passport Custodian of the subsequent Expert assessment. The Experts can request further information, as they deem relevant for their review, notably information related to medical conditions, Competition schedule and/or Sample(s) analysis results. Such requests are directed via the Athlete Passport Management Unit to the Passport Custodian.

C.3.4 A unanimous opinion among the three (3) Experts is necessary in order to proceed further towards declaring an Adverse Passport Finding, which means that all three (3) Experts render an opinion of “Likely doping”. The conclusion of the Experts must be reached with the three (3) Experts assessing the Athlete’s Passport with the same data.

[Comment to Article C.3.4: The three (3) Expert opinions cannot be accumulated over time based on different data.]

C.3.5 To reach a conclusion of “Likely doping” in the absence of an Atypical Passport Finding, the Expert Panel shall come to the unanimous opinion that it is highly likely that the Passport is the result of the Use of a Prohibited Substance or Method and that there is no reasonably conceivable hypothesis under which the Passport is the result of a normal physiological condition and highly unlikely that it is the result of pathological condition.

C.3.6 In the case when two (2) Experts evaluate the Passport as “Likely doping” and the third Expert as “Suspicious”, the Athlete Passport Management Unit shall promptly confer with the Expert Panel before they finalize their opinion. The group can also seek advice from an appropriate outside Expert, although this must be done while maintaining strict confidentiality of the Athlete’s Personal Information.

C.3.7 If no unanimity can be reached among the three (3) Experts, the Athlete Passport Management Unit shall promptly report the Passport as “Suspicious”, update the Athlete Passport Management Unit Report, and recommend that the Passport Custodian pursue additional Testing and/or gather intelligence on the Athlete (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate.

C.4 Conference Call, Compilation of the Athlete Biological Passport Documentation Package and Joint Expert Report

C.4.1 If a unanimous opinion of “Likely doping” is rendered by all three (3) Experts, the Athlete Passport Management Unit shall promptly declare a “Unanimous likely doping” evaluation in the Athlete Passport Management Unit Report in ADAMS and should organize a conference call with the Expert Panel to initiate the next steps for the case, including proceeding with the compilation of the Athlete Biological Passport Documentation Package (see Technical Document for Athlete

Passport Management Units) and drafting of the joint Expert report. In preparation for this conference call, the Athlete Passport Management Unit should coordinate with the Passport Custodian to compile any potentially relevant information to share with the Experts (e.g. suspicious analytical findings, relevant intelligence and relevant pathophysiological information).

C.4.2 Once completed, the Athlete Biological Passport Documentation Package shall be sent by the Athlete Passport Management Unit to the Expert Panel, who will review it and provide a joint Expert report to be signed by all three (3) Experts. The conclusion within the joint Expert report shall be reached without interference from the Passport Custodian. If necessary, the Expert Panel may request complementary information from the Athlete Passport Management Unit.

C.4.3 At this stage, the identity of the Athlete is not mentioned but it is accepted that specific information provided may allow to identify the Athlete. This shall not affect the validity of the process.

C.4.4 If after review of the Athlete Biological Passport Documentation Package, the Expert Panel is no longer unanimous in their opinion of “Likely doping”, the Expert Panel shall update their respective opinions in ADAMS and the Athlete Passport Management Unit shall update the Athlete Passport Management Unit Report accordingly.

C.5 Issuing an Adverse Passport Finding

C.5.1 If the Expert Panel confirms their unanimous position of “Likely doping”, the Athlete Passport Management Unit shall promptly declare an Adverse Passport Finding in ADAMS that includes a written statement of the Adverse Passport Finding, the Athlete Biological Passport Documentation Package and the joint Expert report

C.5.2 After reviewing the Athlete Biological Passport Documentation Package and joint Expert report, the Passport Custodian shall:

- a) Notify the Athlete of the Adverse Passport Finding in accordance with Article 5.3.2;

- b) Provide the Athlete the Athlete Biological Passport Documentation Package and the joint Expert report;
- c) Invite the Athlete to provide their own explanation, in a timely manner, of the data provided to the Passport Custodian.

C.6 Review of Explanation from Athlete and Disciplinary Proceedings

C.6.1 Upon receipt of any explanation and supporting information from the Athlete, which should be received within the specified deadline, the Athlete Passport Management Unit shall forward it to the Expert Panel for review with any additional information that the Expert Panel considers necessary to render its opinion in coordination with both the Passport Custodian and the Athlete Passport Management Unit, and update their recommendation in ADAMS as "Athlete's explanation provided to Expert panel". At this stage, the review is no longer anonymous. The Expert Panel shall promptly reassess or reassert the case and reach one of the following conclusions:

- a) Unanimous opinion of "Likely doping" by the Experts based on the information in the Passport and any explanation provided by the Athlete; or
- b) Based on the available information, the Experts are unable to reach a unanimous opinion of "Likely doping" set forth above.

[Comment to Article C.6.1: Such a reassessment shall also take place when the Athlete does not provide any explanation.]

C.6.2 If the Expert Panel expresses the opinion set forth in section C.6.1(a), then the Athlete Passport Management Unit shall promptly update their recommendation in ADAMS as "APF confirmed" and inform the Passport Custodian, who shall charge the Athlete in accordance with Article 7 above and continue with Results Management in accordance with this International Standard.

C.6.3 If the Expert Panel expresses the opinion set forth in section C.6.1(b), the Expert Panel shall promptly update their respective opinions in ADAMS and the Athlete Passport Management Unit shall update the Athlete Passport

Management Unit Report, accordingly, and recommend the Passport Custodian to pursue additional Testing and/or gather intelligence on the Athlete (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate. The Passport Custodian shall notify the Athlete and WADA of the outcome of the review.

C.7 Passport Re-setting

C.7.1 In the event the Athlete has been found to have committed an anti-doping rule violation based on the Passport, the Athlete's Passport shall be reset by the Passport Custodian at the start of the relevant period of Ineligibility and a new Biological Passport ID shall be assigned in ADAMS. This maintains the Athlete's anonymity for potential Athlete Passport Management Unit and Expert Panel reviews conducted in the future.

C.7.2 When an Athlete is found to have committed an anti-doping rule violation on any basis other than the Athlete Biological Passport, the Passport will remain in effect, except in those cases where the Prohibited Substance or Prohibited Method may have altered Passport Markers (e.g. for an AAF reported for anabolic androgenic steroids, which may affect the Markers of the steroid profile, or for the Use of Agents Affecting Erythropoiesis or blood transfusions, which would alter the haematological Markers). The Passport Custodian shall consult with their Athlete Passport Management Unit following an Adverse Analytical Finding to determine whether a Passport reset is warranted. In such instances, the Athlete's profile(s) would be reset from the time of the beginning of the sanction.

SCHEDULE 3
WORLD ANTI-DOPING CODE
INTERNATIONAL STANDARD
TESTING AND INVESTIGATIONS

Section 4.
[7 of 2023].

PART I

**INTRODUCTION, CODE PROVISIONS, INTERNATIONAL
STANDARD PROVISIONS AND DEFINITIONS**

1.0 Introduction and Scope

The first purpose of the *International Standard for Testing and Investigations* is to plan for intelligent and effective *Testing*, both *In-Competition* and *Out-of-Competition*, and to maintain the integrity.

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identity and security of the *Samples* collected from the point the *Athlete* is notified of his/her selection for *Testing*, to the point the *Samples* are delivered to the Laboratory for analysis. To that end, the *International Standard for Testing and Investigations* (including its Annexes) establishes mandatory standards for Test distribution planning (including collection and use of *Athlete* whereabouts information), notification of *Athletes*, preparing for and conducting Sample collection, security/post Test administration of *Samples* and documentation, and transport of *Samples* to Laboratories for analysis.

The second purpose of the *International Standard for Testing and Investigations* is to establish mandatory standards for the efficient and effective gathering, assessment and use of anti-doping intelligence and for the efficient and effective conduct of investigations into possible anti-doping rule violations.

The *International Standard for Testing and Investigations* is supported by *Technical Documents*, produced by WADA, to provide assistance to *Anti-Doping Organizations* in fulfilling their duties under the World Anti-Doping Program. *Technical Documents* are mandatory. The *Results Management* processes which were previously contained in the *International Standard for Testing and Investigations* are now reflected in the *International Standard for Results Management*.

Terms used in this *International Standard* that are defined terms from the *Code* are italicized. Terms that are defined in this or another *International Standard* are underlined

2.0 Code Provisions

The following articles in the *Code* are directly relevant to the *International Standard for Testing and Investigations*; they can be obtained by referring to the *Code* itself:

- Article 2 *Anti-Doping Rule Violations*
- Article 5 *Testing and Investigations*
- Article 6 *Analysis of Samples*

- Article 8 *Results Management: Right to a Fair Hearing and Notice of Hearing Decision* • Article 10 Sanctions on Individuals
- Article 12 Sanctions by *Signatories* Against Other Sporting Bodies
- Article 13 *Results Management: Appeals*
- Article 14 Confidentiality and Reporting
- Article 20 Additional Roles and Responsibilities of *Signatories* and *WADA*
- Article 21 Additional Roles and Responsibilities of *Athletes* and Other Persons
- Article 23 Acceptance and Implementation

3.0 Definitions and Interpretation

3.1 Defined Terms from the Code that are used in the *International Standard for Testing and Investigations*

ADAMS: The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and *WADA* in their anti-doping operations in conjunction with data protection legislation.

Adverse Analytical Finding: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the *International Standard for Laboratories*, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

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

Anti-Doping Organization: *WADA* or a *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

Athlete: Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each *National Anti-Doping Organization*). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an Athlete who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of “Athlete”. In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance TUEs. However, if an [Article 2.1](#), [2.3](#) or [2.5](#) anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organization* has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the Code must be applied. For purposes of [Article 2.8](#) and [Article 2.9](#) and for purposes of anti-doping information and *Education*, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the Code is an *Athlete*.

[*Comment to Athlete: Individuals who participate in sport may fall in one of five categories: 1) International-Level Athlete, 2) National-Level Athlete, 3) individuals who are not International or National-Level Athletes but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Athlete, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen to, exercise authority. All International and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national-level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.*]

Athlete Biological Passport: The program and methods of gathering and collating data as described in the *International Standard for Testing and Investigations* and *International Standard for Laboratories*.

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting an *Athlete* participating in or preparing for sports *Competition*.

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 Person renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory 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*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport contests where prizes are awarded on a daily or other interim basis, the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rule Violations ("Consequences"): An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the Athlete's results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the Athlete or other Person is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in *Article 10.14*; (c) *Provisional Suspension* means the Athlete or other Person is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under *Article 8*; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) *Public Disclosure* means the dissemination or distribution of information to the general public

or Persons beyond those *Persons* entitled to earlier notification in accordance with Article 14. Teams in Team Sports may also be subject to *Consequences* as provided in Article 11.

Decision Limit: The value of the result for a threshold substance in a Sample, above which an *Adverse Analytical Finding* shall be reported, as defined in the *International Standard* for Laboratories.

Delegated Third Party: Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping *Educational* programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include *CAS*.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigation, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

Education: The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, World Championships of an International Federation, or Pan American Games).

Event Venues: Those venues so designated by the ruling body for the *Event*.

In-Competition: The period commencing at 11:59 p.m. on the day before a *Competition* in which the Athlete is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification

that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

[Comment to In-Competition: Having a universally accepted definition for In-Competition provides greater harmonization among Athletes across all sports, eliminates or reduces confusion among Athletes about the relevant timeframe for In-Competition Testing, avoids inadvertent Adverse Analytical Findings in between Competitions during an Event and assists in preventing any potential performance enhancement benefits from Substances prohibited Out-of-Competition being carried over to the Competition period.]

Independent Observer Program: A team of observers and/or auditors, under the supervision of *WADA*, who observe and provide guidance on the *Doping Control* process prior to or during certain *Events* and report on their observations as part of *WADA's* compliance monitoring program.

Ineligibility: See *Consequences of Anti-Doping Rule Violations* above.

International Event: An *Event* or *Competition* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

International-Level Athlete: Athletes who compete in sport at the international level, as defined by each International Federation, consistent with the International Standard for Testing and Investigations.

[Comment to International-Level Athlete: Consistent with the International Standard for Testing and Investigations, the International Federation is free to determine the criteria it will use to classify Athletes as International-Level Athletes, e.g., by ranking, by participation in particular International Events, by type of license, etc. However, it must publish those criteria in clear and concise form, so that Athletes are able to ascertain quickly and easily when they will become classified as International-Level Athletes. For example, if the criteria include participation in certain International Events, then the International Federation must publish a list of those International Events.]

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

Major Event Organizations: The continental associations of *National Olympic Committees* and other international multisport organizations that function as the ruling body for any continental, regional or other *International Event*.

Marker: A compound, group of compounds or biological variable(s) that indicates the Use of a *Prohibited Substance* or *Prohibited Method*.

Minor: A natural Person who has not reached the age of eighteen years.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, manage test results and conduct *Results Management* at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event: A sport *Event* or *Competition* involving *International-* or *National-Level Athletes* that is not an *International Event*.

National-Level Athlete: *Athletes* who compete in sport at the national level, as defined by each *National Anti-Doping Organization*, consistent with the *International Standard* for *Testing* and *Investigations*.

National Olympic Committee: The organization recognized by the *International Olympic Committee*. The term *National Olympic Committee* shall also include the *National Sport Confederation* in those countries where the *National Sport Confederation* assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

Out-of-Competition: Any period which is not *In-Competition*.

Person: A natural Person or an organization or other entity.

Prohibited Method: Any method so described on the *Prohibited List*.

Prohibited Substance: Any substance, or class of substances, so described on the *Prohibited List*.

Protected Person: An *Athlete* or other natural *Person* who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; (ii) has not reached the age of eighteen (18) years and is not included in any *Registered Testing Pool* and has never competed in any *International Event* in an open category; or (iii) for reasons other than age, has been determined to lack legal capacity under applicable national legislation.

[*Comment to Protected Persons: The Code treats Protected Persons differently than other Athletes or Persons in certain circumstances based on the understanding that, below a certain age or intellectual capacity, an Athlete or other Person may not possess the mental capacity to understand and appreciate the prohibitions against conduct contained in the Code. This would include, for example, a Paralympic Athlete with a documented lack of legal capacity due to an intellectual impairment. The term "open category" is meant to exclude competition that is limited to junior or age group categories.*]

Provisional Suspension: See *Consequences of Anti-Doping Rule Violations* above.

Recreational Athlete: A natural **Person** who is so defined by the relevant *National Anti-Doping Organization*; provided, however, the term shall not include any *Person* who, within the five (5) years prior to committing any anti-doping rule violation, has been an *International-Level Athlete* (as defined by each *International Federation* consistent with the *International Standard for Testing and Investigations*) or *National-Level Athlete* (as defined by each *National Anti-Doping Organization* consistent with the *International Standard for Testing and Investigations*), has represented any country in an *International Event* in an open category or has been included within any *Registered Testing Pool* or other whereabouts information pool maintained by any *International Federation* or *National Anti-Doping Organization*.

[Comment to Recreational Athlete: The term “open category” is meant to exclude competition that is limited to junior or age group categories.]

Registered Testing Pool: The pool of highest-priority Athletes established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.5 and the *International Standard for Testing and Investigations*.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard for Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, whereabouts failure), such pre-notification steps expressly provided for in Article 5 of the *International Standard for Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

Sample or Specimen: Any biological material collected for the purposes of *Doping Control*.

[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood Samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

Signatories: Those entities accepting the Code and agreeing to implement the Code, as provided in Article 23.

Substantial Assistance: For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1 and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is

initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

[*Comment to Tampering: For example, this Article would prohibit altering identification numbers on a Doping Control form during Testing, breaking the B bottle at the time of B Sample analysis, altering a Sample by the addition of a foreign substance, or intimidating or attempting to intimidate a potential witness or a witness who has provided testimony or information in the Doping Control process. Tampering includes misconduct which occurs during the Results Management and hearing process. See Code Article 10.9.3.3. However, actions taken as part of a Person's legitimate defense to an anti-doping rule violation charge shall not be considered Tampering. Offensive conduct towards a Doping Control official or other Person involved in Doping Control which does not otherwise constitute Tampering shall be addressed in the disciplinary rules of sport organizations.*]

Target Testing: Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard for Testing and Investigations*.

Team Sport: A sport in which the substitution of players is permitted during a *Competition*.

Technical Document: A document adopted and published by *WADA* from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

Testing: The parts of the Doping Control process involving test distribution planning, Sample collection, Sample handling, and Sample transport to the laboratory.

WADA: The World Anti-Doping Agency.

3.2 Defined Terms from the *International Standard for Laboratories*:

ABP Laboratory: A laboratory not otherwise accredited by *WADA*, which is approved by *WADA* to apply Analytical Methods and processes in support of the hematological module of the *ABP* program and in accordance with the criteria for approval of non-accredited laboratories for the *ABP*.

Analytical Testing: The parts of the Doping Control process performed at the Laboratory, which include Sample handling, analysis and reporting of results.

Analytical Testing Procedure: A Fit-for-Purpose procedure, as demonstrated through method validation, and used to detect, identify and/or quantify Analytes in a Sample for Doping Control purposes in accordance with the ISL and relevant Technical Document(s), Technical Letter(s) or Laboratory Guidelines. An Analytical Testing Procedure is also referred to or known as an Analytical Method or Test Method.

Athlete Passport Management Unit (APMU): A unit composed of a Person or Persons that is responsible for the timely management of Athlete Biological Passports in ADAMS on behalf of the Passport Custodian.

Confirmation Procedure (CP): An Analytical Testing Procedure that has the purpose of confirming the presence and/or, when applicable, confirming the concentration/ratio/score and/or establishing the origin (exogenous or endogenous) of one or more specific Prohibited Substances, Metabolite(s) of a Prohibited Substance, or Marker(s) of the Use of a Prohibited Substance or Prohibited Method in a Sample.

Further Analysis: Further Analysis, as this term is used in the ISL, occurs when a Laboratory conducts additional analysis on an “A” Sample or a “B” Sample after an analytical result for that “A” Sample or that “B” Sample has been reported by the Laboratory.

[Comment: There is no limitation on a Laboratory's authority to conduct repeat or confirmation analysis, or to analyze a Sample with additional Analytical Methods, or to perform any other type of additional analysis on an "A" Sample or "B" Sample prior to reporting an analytical result on that Sample. That is not considered Further Analysis.]

If a Laboratory is to conduct additional analysis on an "A" Sample or "B" Sample after an analytical result for that Sample has been reported (for example: additional Sample analysis to detect EPO, or GC/C/IRMS analysis, or analysis in connection with the Athlete Biological Passport or additional analysis on a stored Sample) it may do so after receiving approval from the Testing Authority or Results Management Authority (if different) or WADA. However, after an Athlete has been charged with a Code Article 2.1 anti-doping rule violation based on the presence of a Prohibited Substance, Metabolite(s) of a Prohibited Substance, or Marker(s) of the Use of a Prohibited Substance or Prohibited Method in a Sample, then Further Analysis on that Sample may only be performed with the consent of the Athlete or approval from a hearing body (see Code Article 6.5).

Further Analysis may be performed by the same Laboratory that did the original Analytical Testing, or by a different Laboratory or other WADA-approved laboratory, at the direction of the Testing Authority or Results Management Authority (if different) or WADA. Any other Anti-Doping Organization that wishes to conduct Further Analysis on a stored Sample may do so with the permission of the Testing Authority or Results Management Authority (if different) or WADA and shall be responsible for any follow-up Results Management. Any Sample storage or Further Analysis initiated by WADA or another Anti-Doping Organization shall be at WADA's or that Anti-Doping Organization's expense.]

Laboratory: A WADA-accredited laboratory applying Test Methods and processes to provide evidentiary data for the detection and/or identification of Prohibited Substances or Prohibited Methods on the Prohibited List and, if applicable, quantification of a Threshold Substance in Samples of urine and other biological matrices in the context of Doping Control activities.

3.3 Defined Terms from the International Standard for Results Management:

Adaptive Model: A mathematical model designed to identify unusual longitudinal results from Athletes. The model calculates the

probability of a longitudinal profile of Marker values, assuming that the Athlete has a normal physiological condition.

Failure to Comply: A term used to describe anti-doping rule violations under Code Articles 2.3 and/or 2.5.

Filing Failure: A failure by the Athlete (or by a third party to whom the Athlete has delegated the task) to make an accurate and complete Whereabouts Filing that enables the Athlete to be located for Testing at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the International Standard for Testing and Investigations and Annex B of the International Standard for Results Management.

Missed Test: A failure by the Athlete to be available for Testing at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the International Standard for Testing and Investigations and Annex B of the International Standard for Results Management.

Passport Custodian: The Anti-Doping Organization responsible for Results Management of that Athlete's Passport and for sharing any relevant information associated to that Athlete's Passport with other Anti-Doping Organization(s).

Results Management Authority: The Anti-Doping Organization responsible for conducting Results Management in a given case.

Whereabouts Failure: A Filing Failure or a Missed Test.

3.4 Defined Terms from the International Standard for the Protection of Privacy and Personal Information:

Processing (and its cognates, Process and Processed): Collecting, accessing, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of Personal Information.

3.5 Defined Terms specific to the International Standard for Testing and Investigations:

Blood Collection Officer (or BCO): An official who is qualified and has been authorized by the Sample Collection Authority to collect a blood Sample from an Athlete.

Chain of Custody: The sequence of individuals or organizations who have responsibility for the custody of a Sample from the provision of the Sample until the Sample has been delivered to the Laboratory for analysis.

Chaperone: An official who is suitably trained and authorized by the Sample Collection Authority to carry out specific duties including one or more of the following (at the election of the Sample Collection Authority); notification of the Athlete selected for Sample collection; accompanying and observing the Athlete until arrival at the Doping Control Station; accompanying and/or observing Athletes who are present in the Doping Control Station; and/or witnessing and verifying the provision of the Sample where the training specifically qualifies them to do so.

Code Article 2.4 Whereabouts Requirements: The whereabouts requirements set out in Article 4.8, which apply to Athletes who are included in the Registered Testing Pool of an International Federation or a National Anti-Doping Organization.

Doping Control Coordinator: An Anti-Doping Organization or a Delegated Third Party that coordinates any aspect of Doping Control on behalf of an Anti-Doping Organization. The AntiDoping Organization always remains ultimately responsible under the Code for compliance with the requirements of the International Standard for Testing and Investigations, Therapeutic Use Exemptions, Protection of Privacy and Personal Information, and Results Management.

Doping Control Officer (or DCO): An official who has been trained and authorized by the Sample Collection Authority to carry out the responsibilities given to DCOs in the International Standard for Testing and Investigations.

Doping Control Station: The location where the Sample Collection Session will be conducted in accordance with Article 6.3.2.

In-Competition Date: As described in Article 4.8.8.4.

No Advance Notice Testing: Sample collection that takes place with no advance warning to the Athlete and where the Athlete is

continuously chaperoned from the moment of notification through Sample provision.

Random Selection: Selection of Athletes for Testing which is not Target Testing.

Risk Assessment: The assessment of risk of doping in a sport or sports discipline conducted by an Anti-Doping Organization in accordance with Article 4.2.

Sample Collection Authority: The organization that is responsible for the collection of Samples in compliance with the requirements of the International Standard for Testing and Investigations, whether (1) the Testing Authority itself; or (2) a Delegated Third Party to whom the authority to conduct Testing has been granted or sub-contracted. The Testing Authority always remains ultimately responsible under the Code for compliance with the requirements of the International Standard for Testing and Investigations relating to collection of Samples.

Collection Equipment: A and B bottles, kits or containers, collection vessels, tubes or other apparatus used to collect, hold or store the Sample at any time during and after the Sample Collection Session that shall meet the requirements of Article 6.3.4.

Sample Collection Personnel: A collective term for qualified officials authorized by the Sample Collection Authority to carry out or assist with duties during the Sample Collection Session.

Sample Collection Session: All of the sequential activities that directly involve the Athlete from the point that initial contact is made until the Athlete leaves the Doping Control Station after having provided their Sample(s).

Suitable Specific Gravity for Analysis: For Samples with a minimum volume of 90 mL and less than 150 mL, specific gravity measured at 1.005 or higher with a refractometer, or 1.010 or higher with lab sticks. For Samples with a volume of 150 mL and above, specific gravity measured at 1.003 or higher with a refractometer only.

Suitable Volume of Urine for Analysis: A minimum of 90 mL, whether the Laboratory will be analyzing the Sample for all or only some Prohibited Substances or Prohibited Methods.

Tamper Evident: Refers to having one or more indicators or barriers to entry incorporated into or, if applicable, included with the Sample Collection Equipment, which, if breached or missing or otherwise compromised, can provide visible evidence that Tampering or Attempted Tampering of Sample Collection Equipment has occurred.

Team Activity/Activities: Sporting activities carried out by Athletes on a collective basis as part of a team (e.g., training, travelling, tactical sessions) or under the supervision of the team (e.g., treatment by a team doctor).

Technical Document for Sport Specific Analysis (TDSSA): The Technical Document which establishes minimum levels of analysis that Anti-Doping Organizations must apply to sports and sport disciplines for certain Prohibited Substances and/or Prohibited Methods, which are most likely to be abused in particular sports and sport disciplines.

Test(s): Any combination of Sample(s) collected (and analyzed) from a single Athlete in a single Sample Collection Session. **Test Distribution Plan:** A document written by an Anti-Doping Organization that plans Testing on Athletes, in accordance with the requirements of Article 4.

Testing Authority: The Anti-Doping Organization that authorizes Testing on Athletes it has authority over. It may authorize a Delegated Third Party to conduct Testing pursuant to the authority of and in accordance with the rules of the Anti-Doping Organization. Such authorization shall be documented. The Anti-Doping Organization authorizing Testing remains the Testing Authority and ultimately responsible under the Code to ensure the Delegated Third Party conducting the Testing does so in compliance with the requirements of the International Standard for Testing and Investigations.

Unsuccessful Attempt Report: A detailed report of an unsuccessful attempt to collect a Sample from an Athlete in a Registered Testing Pool or Testing pool setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the Athlete (including details of any contact made with third parties), and any other relevant details about the attempt.

Whereabouts Filing: Information provided by or on behalf of an Athlete in a Registered Testing Pool that sets out the Athlete's

whereabouts during the current and/or following quarter, in accordance with Article 4.8.

3.6 Interpretation:

3.6.1 The official text of the International Standard for Testing and Investigations shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

3.6.2 Like the Code, the International Standard for Testing and Investigations has been drafted giving consideration to the principles of proportionality, human rights, and other applicable legal principles. It shall be interpreted and applied in that light.

3.6.3 The comments annotating various provisions of the International Standard for Testing and Investigations shall be used to guide its interpretation.

3.6.4 Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the International Standard for Testing and Investigations.

3.6.5 Where the term “days” is used in the International Standard for Testing and Investigations, it shall mean calendar days unless otherwise specified.

3.6.6 The Annexes to the International Standard for Testing and Investigations have the same mandatory status as the rest of the International Standard.

PART II

STANDARDS FOR TESTING

4.0 Planning Effective Testing

4.1 Objective

4.1.1 Each Anti-Doping Organization is required to plan and implement intelligent Testing on Athletes over whom it has authority which is proportionate to the risk of doping, and that is effective to detect and to deter such practices. The objective of Article 4 is to set out the steps that are necessary

to develop a Risk Assessment and produce a Test Distribution Plan that satisfies this requirement. Code Article 23.3 requires Signatories to devote sufficient resources in order to implement Testing programs in all areas that are compliant with the Code and International Standards.

- 4.1.2** The Anti-Doping Organization shall ensure that Athlete Support Personnel and any other Persons with a conflict of interest are not involved in test distribution planning for their Athletes or in the process of selection of Athletes for Testing.
- 4.1.3** The Anti-Doping Organization shall document its Risk Assessment and Test Distribution Plan and shall provide that Risk Assessment and Test Distribution Plan to WADA where requested. The Anti-Doping Organization must be able to demonstrate to WADA's satisfaction that it has made a proper assessment of the relevant risks and has developed and/or implemented an appropriate Test Distribution Plan based on the results of that assessment.
- 4.1.4** The Anti-Doping Organization shall monitor, evaluate and update its Risk Assessment and Test Distribution Plan during the year/cycle in light of changing circumstances and implementing the Test Distribution Plan. It shall adapt its Test Distribution Plan to reflect new information gathered and intelligence developed by the Anti-Doping Organization and take into account Testing conducted by other Anti-Doping Organizations.

4.2 Risk Assessment

- 4.2.1** The starting point of the Test Distribution Plan shall be a considered Risk Assessment, conducted in good faith. This assessment shall take into account (at a minimum) the following information:
- a) The physical and other demands of the relevant sport(s) (and/or discipline(s)) within the sport(s), considering in particular the physiological requirements of the sport(s)/sport discipline(s);
 - b) Which Prohibited Substances and/or Prohibited Methods an Athlete would consider most likely to

enhance performance in the relevant sport(s)/sport discipline(s);

- c) The rewards and/or potential incentives for doping available at the different levels of the sport(s)/sport discipline(s) and for the nations participating in such sport(s)/sport discipline(s);
- d) The history of doping in the sport(s)/sport discipline(s), nation(s)and/or Event;

[Comment to 4.2.1 (d): Unless there has been an effective Testing program in a sport, encompassing both In-Competition and Out-of-Competition Testing, a history of no or few Adverse Analytical Findings says little, if anything, about the risk of doping in that sport.]

- e) Available statistics and research findings on doping trends (e.g., anti-doping Testing figures and anti-doping rule violation reports published by WADA; peer-reviewed articles);
- f) Information received/intelligence developed on possible doping practices in the sport (e.g., Laboratory and APMU recommendations; Sample Collection Personnel reports; Athlete testimony; information from criminal investigations; and/or other information received/intelligence developed in accordance with WADA's Guidelines for Information Gathering and Intelligence Sharing) in accordance with Article 11;
- g) The outcomes of previous test distribution planning cycles including past Testing strategies;
- h) At what points during an Athlete's career in the sport/discipline an Athlete would be most likely to benefit from Prohibited Substances and/or Prohibited Methods; and
- i) Given the structure of the season for the sport/discipline in question (including standard Competition schedules and training patterns), at what time(s) during the year/cycle an Athlete would be most likely to benefit from Prohibited Substances and/or Prohibited Methods.

- 4.2.2** In developing its Test Distribution Plan, the Anti-Doping Organization should consider in good faith any Risk Assessment for the sport or discipline in question carried out by another Anti-Doping Organization with overlapping Testing Authority. However, an International Federation is not bound by a National Anti-Doping Organization's assessment of the risks of doping in a particular sport or discipline, and a National Anti-Doping Organization is not bound by an International Federation's assessment of the risks of doping in a particular sport or discipline.
- 4.2.3** In developing its Test Distribution Plan, the Anti-Doping Organization shall incorporate the requirements of the TDSSA.

4.3 Defining International-Level and National-Level Athletes

- 4.3.1** Code Article 5.2 gives different Anti-Doping Organizations authority to conduct Testing on potentially very large pools of Athletes. However, in recognition of the finite resources of Anti-Doping Organizations, the Code definition of Athlete allows National Anti-Doping Organizations to limit the number of Athletes who will be subject to their national anti-doping programs (in particular, Testing) to those who compete at the highest national levels (i.e., National-Level Athletes, as defined by the National Anti-Doping Organization). It also allows International Federations to focus their anti-doping programs (including Testing) on those who compete regularly at the international level (i.e., International-Level Athletes, as defined by the International Federation).

[Comment to 4.3.1: Nothing prevents an International Federation from Testing an Athlete under its authority who is not an International-Level Athlete, if it sees fit, e.g., where they are competing in an International Event. Furthermore, as set out in the Code definition of Athlete, a National Anti-Doping Organization may decide to extend its anti-doping program (including Testing) to Athletes who compete below national level. However, the main focus of an International Federation's Test Distribution Plan should be International-Level Athletes, and the main focus of a National Anti-Doping Organization's Test Distribution Plan should be National-Level Athletes and above.]

4.3.2 Therefore, once the Risk Assessment and the Test Distribution Plan described in Article 4.2 are completed, the next step is to determine an appropriate definition of International-Level Athlete (for an International Federation), or National-Level Athlete (for a National Anti-Doping Organization) who are going to be subject to Testing by an Anti-Doping Organization:

- a) An International Federation is free to determine the criteria it will use to classify Athletes as International-Level Athletes, e.g., by ranking, by participation in particular International Events, etc. It should make that determination in good faith, in accordance with its responsibility to protect the integrity of the sport at the international level (the showcase of the sport to the public), by fixing a definition that shall, at a minimum (and in accordance with the Risk Assessment undertaken in connection with the relevant sport/sports discipline), include those Athletes who compete regularly at an international level and/or who compete at a standard at which world records may be set.

[Comment to 4.3.2 (a): The Code requires each International Federation to publish in clear and concise form the criteria it uses to classify Athletes as International-Level Athletes, so that it is clear to everyone where the line is drawn. For example, if the criteria include competing in certain International Events, then the International Federation shall publish a list of those International Events.]

- b) Similarly, a National Anti-Doping Organization is free to determine the criteria it will use to classify Athletes as National-Level Athletes. Again, it should make that determination in good faith, in accordance with its responsibility to protect the integrity of the sport at the national level (the source of national pride in different sports, and the steppingstone to international Competition, including representation of the nation in International Events or Competitions). Consequently, the definition shall at a minimum (and in accordance with the Risk Assessment undertaken in connection with the relevant sport/sports discipline) include those who compete at the highest levels of national Competition in the sport in question (i.e., in national championships or other Events that determine or count towards

determining who are the best in the country in the category/discipline in question, and/or who may be selected to represent the country in International Events or Competitions). It shall also include those nationals of its country who generally or often compete at an international level and/or in International Events or Competitions (rather than at the national level) but who are not classified as International-Level Athletes by their International Federation.

4.4 Prioritizing Between Sports and/or Disciplines

4.4.1 Next, the Anti-Doping Organization shall consider whether there are any factors warranting allocation of Testing resources to one sport or discipline or nation (as applicable) in priority to others and shall take into account without limitation their calendar of Events. This means having assessed the relative risks of doping:

- a) In the case of an International Federation, allocating Testing between the different disciplines and nations, within its sport.
- b) In the case of a National Anti-Doping Organization, allocating Testing between the different sports as well as any national anti-doping policy imperatives that may lead it to prioritize certain sports over others.

[Comment to 4.4.1 (b): National Anti-Doping Organizations will have varying national policy requirements and priorities. For example, one National Anti-Doping Organization may have legitimate reasons to prioritize (some or all) Olympic sports while another may have legitimate reasons, because of different characteristics of that sporting nation, to prioritize for example certain other 'national' sports. These policy imperatives are a relevant consideration in the National Anti-Doping Organization's test distribution planning, alongside its assessment of the relative risks of doping in the various sports played within its national jurisdiction. They may lead, for example, to a National Anti-Doping Organization deciding, in its Test Distribution Plan, for a particular period, (1) to allocate Testing to some sports within its jurisdiction but not others; and (2) to prioritize certain sports over others due not to a greater risk of doping in

those sports but to a greater national interest in ensuring the integrity of those sports.]

- c) In the case of a Major Event Organization, allocating Testing between the different sports and/or disciplines involved in its Event.
- d) Another factor relevant to the allocation of Testing resources within the Test Distribution Plan will be the number of Athletes involved at the relevant level in the sport(s) and/or discipline(s) and/or nation(s) in question. Where the risk of doping is assessed to be equal between two different sports or disciplines or nations, more resources should be devoted to the sport or discipline or nation involving the larger number of Athletes.

4.5 Prioritizing Between Different Athletes

4.5.1 Once the International-Level Athletes and National-Level Athletes have been defined (see Article 4.3), and the priority sports/disciplines/nations have been established (see Article 4.4), an intelligent Test Distribution Plan uses Target Testing to focus Testing resources where they are most needed within the overall pool of Athletes. Target Testing shall therefore be made a priority, i.e., a significant amount of the Testing undertaken as part of an Anti-Doping Organization's Test Distribution Plan shall be Target Testing of Athletes within its overall pool.

[Comment to 4.5.1: Target Testing is a priority because random Testing, or even weighted random Testing, does not ensure that all the appropriate Athletes will be tested enough. The Code does not impose any reasonable suspicion or probable cause requirement for Target Testing. However, Target Testing should not be used for any purpose other than legitimate Doping Control.]

4.5.2 Anti-Doping Organizations shall consider conducting Target Testing on the following categories of Athletes:

- a) For International Federations, Athletes (especially from its priority disciplines or nations) who compete regularly at the highest level of international Competition (e.g., candidates for Olympic, Paralympic

or World Championship medals), as determined by rankings or other suitable criteria.

b) For National Anti-Doping Organizations, the following Athletes from its priority sports:

(i) Athletes who are part of national teams in major Events (e.g., Olympic Paralympic, World Championship and other multi-sport Events) or other sports of high national priority (or who might be selected for such teams);

(ii) Athletes who train independently but perform at major Events (e.g., Olympic Games, Paralympic Games, World Championship and other multi-sport Events) and may be selected for such Events;

(iii) Athletes in receipt of public funding;

(iv) National Level Athletes who reside, train or compete abroad;

[Comment to 4.5.2 (b) (iv): Even if National Level Athletes are not residing or training within the National Anti-Doping Organization's country, it is still that National Anti-Doping Organization's responsibility to ensure those Athletes are subject to testing abroad. The fact that an Athlete resides or frequently trains abroad is not a valid reason not to test them.]

(v) National Level Athletes who are nationals of other countries but who are present (whether residing, training, competing or otherwise) within the National Anti-Doping Organization's country; and

(vi) In collaboration with International Federations, International-Level Athletes.

c) For all Anti-Doping Organizations with Testing Authority:

(i) Athletes serving a period of Ineligibility or a Provisional Suspension; and

- (ii) Athletes who were high priority for Testing before they retired from the sport and who now wish to return from retirement to active participation in the sport.

[Comment to 4.5.2: Coordination between the International Federations, National Anti-Doping Organizations and other Anti-Doping Organizations shall occur in accordance with Article 4.9.]

4.5.3 Other individual factors relevant to determining which Athletes shall be the subject of Target Testing shall also be considered by the Anti-Doping Organization. Relevant factors may include (but are not limited to):

- a) Prior anti-doping rule violations, Test history, including any abnormal biological parameters (blood parameters, steroid profiles, as recommended by an APMU, etc.);
- b) Sport performance history, performance pattern, and/or high performance without a commensurate Test record;
- c) Repeated failure to meet whereabouts requirements;
- d) Suspicious whereabouts patterns (e.g., last-minute updates of whereabouts information);
- e) Moving to or training in a remote location;
- f) Withdrawal or absence from expected Competition(s);
- g) Association with a third party (such as a team-mate, coach or doctor) with a history of involvement in doping;
- h) Injury;
- i) Age/stage of career (e.g., move from junior to senior level, nearing end of contract, approaching retirement);
- j) Financial incentives for improved performance, such as prize money or sponsorship opportunities; and/or

- k) Reliable information from a third party, or intelligence developed by or shared with the Anti-Doping Organization in accordance with Article 11.

4.5.4 Testing which is not Target Testing shall be determined by Random Selection and should be conducted in accordance with the selection options in the Guidelines for Implementing an Effective Testing Program. Random Selection shall be conducted using a documented system for such selection. Random Selection may be either weighted (where Athletes are ranked using pre-determined criteria in order to increase or decrease the chances of selection) or completely random (where no pre-determined criteria are considered, and Athletes are chosen arbitrarily from a list or pool of Athlete names). Random Selection that is weighted shall be prioritized and be conducted according to defined criteria which may take into account the factors listed in Article 4.5.2 and 4.5.3 (as applicable) in order to ensure that a greater percentage of 'at risk' Athletes are selected.

[Comment to 4.5.4: In addition to Target Testing, Testing by Random Selection can play an important deterrent role, as well as helping to protect the integrity of an Event.]

4.5.5 For the avoidance of doubt, notwithstanding the development of criteria for selection of Athletes for Testing, and in particular for Target Testing of Athletes, as well as the fact that as a general rule Testing shall take place between 6 a.m. and 11 p.m. unless (i) the Athlete stipulates a 60-minute timeslot from 5 a.m. or, (ii) valid grounds exist for Testing overnight (i.e., between 11 p.m. and 6 a.m.), the fundamental principle remains (as set out in Code Article 5.2) that an Athlete may be required to provide a Sample at any time and at any place by any Anti-Doping Organization with authority to conduct Testing, whether or not the selection of the Athlete for Testing is in accordance with such criteria. Accordingly, an Athlete may not refuse to submit to Sample collection on the basis that such Testing is not provided for in the Anti-Doping Organization's Test Distribution Plan and/or is not being conducted between 6 a.m. and 11 p.m., and/or that the Athlete does not meet the relevant selection criteria for Testing or otherwise should not have been selected for Testing.

4.6 Prioritizing Between Different Types of Testing and Samples

4.6.1 Based on the Risk Assessment and prioritization process described in Articles 4.2 to 4.5, the Anti-Doping Organization must determine to what extent each of the following types of Testing is required in order to detect and deter doping practices within the relevant sport(s), discipline(s) and/or nation(s), intelligently and effectively:

- a) In-Competition Testing and Out-of-Competition Testing:
 - (i) In sports and/or disciplines that are assessed as having a high risk of doping during Out-of-Competition periods, Out-of-Competition Testing shall be made a priority, and a significant portion of the available Testing shall be conducted Out-of-Competition. However, a material amount of In-Competition Testing shall still take place.
 - (ii) In sports and/or disciplines that are assessed as having a low risk of doping during Out-of-Competition periods (i.e., where it can be clearly shown that doping while Out-of-Competition is unlikely to enhance performance or provide other illicit advantages), In-Competition Testing shall be made a priority, and a significant portion of the available Testing shall be conducted In-Competition. However, some Out-of-Competition Testing shall still take place, proportionate to the risk of Out-of-Competition doping in such sport/discipline. Very exceptionally, i.e., in the small number of sports and/or disciplines where it is determined in good faith that there is no material risk of doping during Out-of-Competition periods, there may be no Out-of-Competition Testing. In these circumstances, the International Federation shall apply to WADA to seek an exemption from Out-of-Competition Testing in accordance with any protocol issued by WADA.
- b) Testing of urine;
- c) Testing of blood;
- d) Testing involving longitudinal profiling, i.e., the Athlete Biological Passport program; and

e) Testing of dried blood spots.

[Comment to 4.6.1 (c), (d) and (e): The requirements for blood in this International Standard for Testing and Investigations apply, without limitation to Samples collected by venipuncture in accordance with Annex D - Collection of Venous Blood Samples and Annex I - Collection, Storage and Transport of Blood Athlete Biological Passport Samples and by capillary blood sampling in accordance with Annex J - Collection, Storage and Transport of Dried Blood Spot Samples; however, different requirements apply depending on the Sample Collection Equipment and the requested analyses e.g., specific requirements apply for dried blood spot Samples, which are collected and allowed to dry on an absorbent Sample support (i.e., dried blood spot cellulose card or other equipment made of another material.)]

4.7 Sample Analysis, Retention Strategy and Further Analysis

4.7.1 Anti-Doping Organizations shall ask Laboratories to analyze Samples for the standard analysis menu based on whether the Sample was collected In-Competition or Out-of-Competition. Anti-Doping Organizations may also consider undertaking more extensive Sample analysis for Prohibited Substances or Prohibited Methods beyond those contained (or the levels required) within the TDSSA based on the risk of the sport/discipline/country or any intelligence that the Anti-Doping Organization may receive.

4.7.2 An Anti-Doping Organization may apply to WADA for flexibility in the implementation of the minimum levels of analysis specified for Prohibited Substances or Prohibited Methods as outlined in the TDSSA.

4.7.3 The Anti-Doping Organization shall develop a written strategy for retention of Samples and the documentation relating to the collection of such Samples so as to enable the Further Analysis of such Samples at a later date in accordance with Code Articles 6.5 and 6.6. Such strategy shall comply with the requirements of the International Standard for Laboratories and the International Standard for the Protection of Privacy and Personal Information, and shall take into account the purposes of analysis of Samples

set out in Code Article 6.2, as well as (without limitation) the following elements:

- a) Laboratory and APMU recommendations;
- b) The possible need for retroactive analysis in connection with the Athlete Biological Passport program;
- c) New detection methods to be introduced in the future relevant to the Athlete, sport and/or discipline;
- d) Samples collected from Athletes meeting some or all of the criteria set out at Article 4.5;
- e) Any other information made available to the Anti-Doping Organization justifying long-term storage or Further Analysis of Samples at the Anti-Doping Organization's discretion.

4.8 Collecting Whereabouts Information

4.8.1 Whereabouts information is not an end in itself, but rather a means to an end, namely the efficient and effective conduct of No Advance Notice Testing. Therefore, where an Anti-Doping Organization has determined that it needs to conduct Testing (including Out-of-Competition Testing) on particular Athletes, it shall then consider how much information it needs about the whereabouts of those Athletes in order to conduct that Testing effectively and with no advance notice. The Anti-Doping Organization must collect all of the whereabouts information that it needs to conduct the Testing identified in its Test Distribution Plan effectively and efficiently. In addition, the amount of whereabouts information requested shall be proportional to the whereabouts pool and the number of times the Anti-Doping Organization intends to test the Athlete.

4.8.2 In accordance with Code Articles 5.5 and 14.5, Anti-Doping Organizations may collect whereabouts information and shall use ADAMS to conduct effective Doping Control. As a result, such information shall be automatically available through ADAMS to WADA and other relevant Anti-Doping Organizations with overlapping Testing Authority. This information shall:

- a) Be maintained in strict confidence at all times;
- b) Be used for purposes of planning, coordinating or conducting Doping Control;
- c) Be relevant to the Athlete Biological Passport or other analytical results;
- d) Support an investigation into a potential anti-doping rule violation; and/or
- e) Support proceedings alleging an anti-doping rule violation.

4.8.3 Where an Anti-Doping Organization has determined that it needs to conduct Out-of-Competition Testing on particular Athletes following its Risk Assessment (in accordance with Article 4.2) and the prioritization steps (in Articles 4.3 to 4.7), it shall then consider how much whereabouts information it needs for those Athletes in order to conduct No Advance Notice Testing effectively.

4.8.4 The International Federation or National Anti-Doping Organization should consider adopting a 'pyramid' or 'tiered approach', placing Athletes into different whereabouts pools, referred to as the Registered Testing Pool, Testing pool and other pool(s), depending upon how much whereabouts information it needs to conduct the amount of Testing allocated to those Athletes in the Test Distribution Plan.

4.8.5 The International Federation or National Anti-Doping Organization shall be able to demonstrate to WADA that it has conducted an appropriate risk-based approach in allocating Athletes to their whereabouts pool(s) and has allocated sufficient Out-of-Competition Tests in its Test Distribution Plan as required in Articles 4.8.6.1 and 4.8.10.1.

4.8.6 Registered Testing Pool

4.8.6.1 The top tier is the Registered Testing Pool and includes Athletes that are subject to the greatest amount of Testing and are therefore required to provide whereabouts in accordance with Article 4.8.6.2. Athletes in the Registered Testing Pool

shall be subject to Code Article 2.4 Whereabouts Requirements.

An International Federation or a National Anti-Doping Organization shall consider the following criteria for including Athletes into a Registered Testing Pool:

- a) Athletes who meet the criteria listed in Articles 4.5.2 and 4.5.3;
- b) Athletes whom the International Federation or National Anti-Doping Organization plans to test at least three (3) times per year Out-of-Competition (either independently or in agreed coordination with other Anti-Doping Organizations with Testing Authority over the same Athletes);
- c) Athletes who are part of the Anti-Doping Organization's hematological module of the Athlete Biological Passport program as required by the TDSSA;
- d) Athletes in a Testing pool who fail to comply with the applicable whereabouts requirements of that pool;
- e) Athletes for whom there is insufficient whereabouts information available from other sources for an International Federation or National Anti-Doping Organization to locate them for that Testing;
- f) Athletes in a Team Sport who are not part of Team Activities for a period of time (e.g., during the off-season); and
- g) Athletes who are serving a period of Ineligibility.

[Comment to 4.8.6.1: Following consideration of points a) to g) above and once the Athletes in the Registered Testing Pool are determined, the International Federation or the National Anti-Doping

Organization shall plan, independently or in coordination with other Anti-Doping Organizations, to test any Athlete included in the Registered Testing Pool a minimum of three (3) times Out-of-Competition per year.]

4.8.6.2 An Athlete who is in a Registered Testing Pool shall:

- a) Make quarterly Whereabouts Filings that provide accurate and complete information about the Athlete's whereabouts during the forthcoming quarter, including identifying where they will be living, training and competing during that quarter, and to update those Whereabouts Filings where necessary, so that they can be located for Testing during that quarter at the times and locations specified in the relevant Whereabouts Filing, as specified in Article 4.8.8. A failure to do so may be declared a Filing Failure; and
- b) Specify in their Whereabouts Filings, for each day in the forthcoming quarter, one specific 60-minute time slot where they will be available at a specific location for Testing, as specified in Article 4.8.8.3. This does not limit in any way the Athlete's Code Article 5.2 obligation to submit to Testing at any time and place upon request by an Anti-Doping Organization with authority to conduct Testing on them. Nor does it limit their obligation to provide the information specified in Article 4.8.8.2 as to their whereabouts outside that 60-minute time slot. However, if the Athlete is not available for Testing at such location during the 60-minute time slot specified for that day in their Whereabouts Filing, that failure may be declared a Missed Test.

[Comment to 4.8.6.2 (b): The purpose of the 60-minute time slot is to strike a balance between the need to locate the Athlete for Testing and the impracticality and unfairness of making Athletes potentially accountable for

a Missed Test every time they depart from their previously-declared routine.]

- 4.8.6.3** Anti-Doping Organizations with authority to conduct Testing on an Athlete in a Registered Testing Pool shall conduct Out-of-Competition Testing on that Athlete using the Athlete's Whereabouts Filing. Although Code Article 2.4 Whereabouts Requirements include the provision of a 60-minute time slot, Testing shall not be limited to the 60-minute time slot provided by the Athlete. To ensure Out-of-Competition Testing is unpredictable to the Athlete, Anti-Doping Organizations shall also consider other whereabouts information provided e.g., regular activities to test the Athlete.
- 4.8.6.4** An International Federation or National Anti-Doping Organization that maintains a Registered Testing Pool shall use ADAMS to ensure that:
- a) The information provided by the Athlete is stored safely and securely;
 - b) The information can be accessed by (i) authorized individuals acting on behalf of the International Federation or National Anti-Doping Organization (as applicable) on a need-to-know basis only; (ii) WADA; and (iii) other Anti-Doping Organizations with authority to conduct Testing on the Athlete in accordance with Code Article 5.2; and
 - c) The information is maintained in strict confidence at all times, is used exclusively for the purposes set out in Code Article 5.5 and is destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant.
- 4.8.6.5** Athletes under the Testing Authority of a National Anti-Doping Organization and an International Federation should only be in one Registered Testing Pool. While being included in more than one Registered Testing Pool is possible, Athletes

shall only file one set of whereabouts information. If the Athlete is included in the International Federation's Registered Testing Pool and in the National Anti-Doping Organization's Registered Testing Pool (or in the Registered Testing Pool of more than one National Anti-Doping Organization or more than one International Federation), then each of them shall notify in writing the Athlete that they are in its pool. Prior to doing so, however, they shall agree between themselves to whom the Athlete shall provide their Whereabouts Filings, and that Anti-Doping Organization shall be the whereabouts custodian. Each notice sent to the Athlete shall specify that they shall provide their Whereabouts Filings to that Anti-Doping Organization only (and it will then share that information with the other, and with any other Anti-Doping Organizations having authority to conduct Testing on that Athlete).

[Comment to 4.8.6.5: If the respective Anti-Doping Organizations cannot agree between themselves which of them will take responsibility for collecting the Athlete's whereabouts information, and for making it available to the other Anti-Doping Organizations with authority to test the Athlete, then they should each explain in writing to WADA how they believe the matter should be resolved, and WADA will decide based on the best interests of the Athlete. WADA's decision will be final and may not be appealed.]

4.8.7 Entering and Leaving a Registered Testing Pool

4.8.7.1 The International Federation or National Anti-Doping Organization (as applicable) shall notify in writing each Athlete designated for inclusion in its Registered Testing Pool of the following:

- a) The fact that they have been included in its Registered Testing Pool with effect from a specified date in the future;
- b) The whereabouts requirements with which they shall therefore comply;

- c) The Consequences if they fail to comply with those whereabouts requirements; and
- d) That they may also be tested by other Anti-Doping Organizations with authority to conduct Testing.

[Comment to 4.8.7.1: This notification may be made through the National Federation or National Olympic Committee where the International Federation/National Anti-Doping Organization considers it appropriate or expedient to do so and ordinarily shall be made reasonably in advance of the Athlete being included in the Registered Testing Pool. The notice shall also explain what the Athlete needs to do in order to comply with the Code Article 2.4 Whereabouts Requirements (or refer them to a website or other resource where they can find out that information). Athletes included in a Registered Testing Pool shall be informed and should be educated so that they understand the whereabouts requirements that they must satisfy, how the whereabouts system works, the Consequences of Filing Failures and Missed Tests, and their right to contest Filing Failures and Missed Tests that have been asserted against them.

Anti-Doping Organizations should also be proactive in helping Athletes avoid Filing Failures. For example, many Anti-Doping Organizations systematically remind Athletes in their Registered Testing Pool of quarterly deadlines for Whereabouts Filings, and then follow up with those Athletes who have still not made the necessary filing as the deadline approaches. However, Athletes remain fully responsible for complying with the filing requirements, irrespective of whether or not the Anti-Doping Organization has provided them with such support.]

- 4.8.7.2** An Athlete who has been included in a Registered Testing Pool shall continue to be subject to the Code Article 2.4 Whereabouts Requirements unless and until:

- a) They have been given written notice by each Anti-Doping Organization that included them in its Registered Testing Pool that they no longer meet the criteria for inclusion in its Registered Testing Pool; or
- b) They retire from Competition in the sport in question in accordance with the applicable rules and give written notice to that effect to each Anti-Doping Organization that included them in its Registered Testing Pool.

[Comment to 4.8.7.2: The applicable rules may also require that written notice of retirement be sent to the Athlete's National Federation. Where an Athlete retires from but then returns to sport, the period of retirement shall be disregarded for purposes of calculating the 12-month period referred to in Code Article 2.4.]

4.8.8 Whereabouts Filing Requirements for Athletes in a Registered Testing Pool

4.8.8.1 Anti-Doping Organizations shall review Athletes' Whereabouts Filings to ensure they are submitted in accordance with Articles 4.8.8.2 and 4.8.8.3.

4.8.8.2 The Anti-Doping Organization collecting an Athlete's Whereabouts Filings may specify a date prior to the first day of each quarter (i.e., 1 January, 1 April, 1 July and 1 October, respectively) when an Athlete in a Registered Testing Pool shall file a Whereabouts Filing that contains at least the following information:

[Comment to 4.8.8.2: To facilitate planning and readiness for Testing on the first day of the quarter (as countenanced in Article 4.8.8.2), Anti-Doping Organizations may require that whereabouts information is submitted on a date which is the 15th of the month preceding the quarter. However, no Consequences for a failure to submit prior to the first day of the quarter shall apply.]

- a) A complete mailing address and personal e-mail address where correspondence may be sent to the Athlete for formal notice purposes. Any notice or other item mailed to that address will be deemed to have been received by the Athlete seven (7) days after it was deposited in the mail and immediately when notification of a sent e-mail receipt is generated/obtained (subject to applicable law);

[Comment to 4.8.8.2 (a): For these purposes, the Athlete should specify an address where they live or otherwise know that mail received there will be immediately brought to their attention. An Anti-Doping Organization is encouraged also to supplement this basic provision with other notice and/or "deemed notice" provisions in its rules (for example, permitting use of fax, email, SMS text, approved social networking sites or applications or other methods of service of notice; permitting proof of actual receipt as a substitute for deemed receipt; permitting notice to be served on the Athlete's National Federation if it is returned undelivered from the address supplied by the Athlete). The aim of such provisions should be to shorten the Results Management timelines.]

- b) Specific confirmation that the Athlete understands that their Whereabouts Filing will be shared with other Anti-Doping Organizations that have authority to conduct Testing on them;
- c) For each day during the following quarter, the full address of the place where the Athlete will be staying overnight (e.g., home, temporary lodgings, hotel, etc.);
- d) For each day during the following quarter, the name and address of each location where the Athlete will train, work or conduct any other regular activity (e.g., school), as well as the

usual time frames for such regular activities;
and

[Comment to 4.8.8.2 (d): This requirement applies only to activities that are part of the Athlete's regular routine. For example, if the Athlete's regular routine includes training at the gym, the pool and the track, and regular physio sessions, then the Athlete should provide the name and address of the gym, pool, track and physio in their Whereabouts Filing, and then set out their usual routine, e.g., "Mondays: 9-11 gym, 13-17 gym; Tuesdays: 9-11 gym, 16-18 gym; Wednesdays: 9-11 track, 3-5 physio; Thursdays: 9-12 gym, 16-18 track, Fridays: 9-11 pool, 3-5 physio; Saturdays: 9-12 track, 13-15 pool; Sundays: 9-11 track, 13-15 pool". If the Athlete is not currently training, they should specify that in their Whereabouts Filing and detail any other routine that they will be following in the forthcoming quarter, e.g., their work routine, or school schedule, or rehab routine, or other routine, and identify the name and address of each location where that routine is conducted and the time frame during which it is conducted. In the case of a Team Sport or other sport where competing and/or training are carried out on a collective basis, the Athlete's regular activities are likely to include most, if not all, Team Activities.]

- e) The Athlete's Competition/Event schedule for the following quarter, including the name and address of each location where the Athlete is scheduled to compete during the quarter and the date(s) and time(s) at which they are scheduled to compete at such location(s).

4.8.8.3 Subject to Article 4.8.8.4, the Whereabouts Filing must also include, for each day during the following quarter, one specific 60-minute time slot between 5 a.m. and 11 p.m. each day where the Athlete will be available and accessible for Testing at a specific location.

[Comment to 4.8.8.3: The Athlete can choose which 60-minute time slot between 5 a.m. and 11 p.m. to use for this purpose, provided that during the time slot in question they are somewhere accessible by the DCO. It could be the Athlete's place of residence, training or Competition, or it could be another location (e.g., work or school). An Athlete is entitled to specify a 60-minute time slot during which they will be at a hotel, apartment building, gated community or other location where access to the Athlete is obtained via a front desk, or security guard. It is up to the Athlete to ensure accessibility to their selected 60-minute location with no advance warning to the Athlete. In addition, an Athlete may specify a time slot when they are taking part in a Team Activity. In either case, however, any failure to be accessible and available for Testing at the specified location during the specified time slot shall be pursued as a Missed Test.]

4.8.8.4 As the sole exception to Article 4.8.8.3, if (but only if) there are dates in the relevant quarter in which the Athlete is scheduled to compete in an Event (excluding any Events organized by a Major Event Organization), and the Anti-Doping Organization that put the Athlete into the Registered Testing Pool is satisfied that enough information is available from other sources to find the Athlete for Testing on those dates, then the Anti-Doping Organization that put the Athlete into the Registered Testing Pool may waive the Article 4.8.8.2 requirement to specify a 60-minute time slot in respect of such dates ("In Competition Dates"). If each of the International Federation and a National Anti-Doping Organization put the Athlete into its Registered Testing Pool, the International Federation's decision as to whether to waive that requirement in respect of In-Competition Dates will prevail. If the requirement to specify a 60-minute time slot has been waived in respect of In-Competition Dates, the Athlete shall specify in their Whereabouts Filing dates and locations (including event name, overnight address, and any training activities) where they anticipate being In-Competition (and as a result

has not specified a 60-minute time slot for those dates), if they are then eliminated from the Competition before the end of those dates, so that the remaining dates are no longer In-Competition Dates, they must update their Whereabouts Filing to provide all the necessary information for those dates, including the 60-minute time slot specified in Article 4.8.8.3.

4.8.8.5 It is the Athlete's responsibility to ensure that they provide all of the information required in a Whereabouts Filing as outlined in Articles 4.8.8.2 and 4.8.8.3 accurately and in sufficient detail to enable any Anti-Doping Organization wishing to do so to locate the Athlete for Testing on any given day in the quarter at the times and locations specified by the Athlete in their Whereabouts Filing for that day, including but not limited to during the 60-minute time slot specified for that day in the Whereabouts Filing.

- a) More specifically, the Athlete shall provide sufficient information to enable the DCO to find the location, to gain access to the location, and to find the Athlete at the location with no advance notice to the Athlete. A failure to do so may be pursued as a Filing Failure and/or (if the circumstances so warrant) as evasion of Sample collection under Code Article 2.3, and/or Tampering or Attempted Tampering with Doping Control under Code Article 2.5. In any event, the Anti-Doping Organization shall consider Target Testing of the Athlete.

[Comment to 4.8.8.5 (a): For example, declarations such as "running in the Black Forest" are insufficient and are likely to result in a Filing Failure. Similarly, specifying a location that the DCO cannot access (e.g., a "restricted-access" building or area) is likely to result in a Filing Failure. The Anti-Doping Organization may be able to determine the insufficiency of the information from the Whereabouts Filing itself, or alternatively it may only discover the insufficiency of the information when it attempts to test the Athlete

and is unable to locate them. In either case, the matter should be pursued as an apparent Filing Failure, and/or (where the circumstances warrant) as an evasion of Sample collection under Code Article 2.3, and/or as Tampering or Attempting to Tamper with Doping Control under Code Article 2.5. Further information on Whereabouts Filing requirements can be found in WADA's Guidelines for Implementing an Effective Testing Program. Where an Athlete does not know precisely what their whereabouts will be at all times during the forthcoming quarter, they must provide their best information, based on where they expect to be at the relevant times, and then update that information as necessary in accordance with Article 4.8.8.5.]

- b) If the Athlete is tested during the 60-minute time slot, the Athlete must remain with the DCO until the Sample collection has been completed, even if this takes longer than the 60-minute time slot. A failure to do so shall be pursued as an apparent violation of Code Article 2.3 (refusal or failure to submit to Sample collection).
- c) If the Athlete is not available for Testing at the beginning of the 60-minute time slot but becomes available for Testing later on in the 60-minute time slot, the DCO should collect the Sample and should not process the attempt as an unsuccessful attempt to test but should report the details of the delay in availability of the Athlete. Any pattern of behaviour of this type should be investigated as a possible anti-doping rule violation of evading Sample collection under Code Article 2.3 or Code Article 2.5. It may also prompt Target Testing of the Athlete. If an Athlete is not available for Testing during their specified 60-minute time slot at the location specified for that time slot for that day, they will be liable for a Missed Test even if they are located later that day and a Sample is successfully collected from them.

- d) Once the DCO has arrived at the location specified for the 60-minute time slot, if the Athlete cannot be located immediately, then the DCO should remain at that location for whatever time is left of the 60-minute time slot and during that remaining time they should do what is reasonable in the circumstances to try to locate the Athlete. See WADA's Guidelines for Sample Collection for guidance in determining what is reasonable in such circumstances.

[Comment to 4.8.8.5 (d): Where an Athlete has not been located despite the DCO's reasonable efforts, and there are only five (5) minutes left within the 60-minute time slot, then as a last resort the DCO may (but does not have to) telephone the Athlete (assuming they have provided their telephone number in their Whereabouts Filing) to see if they are at the specified location. If the Athlete answers the DCO's call and is available at (or in the immediate vicinity of) the location for immediate Testing (i.e., within the 60-minute time slot), then the DCO should wait for the Athlete and should collect the Sample from them as normal. However, the DCO should also make a careful note of all the circumstances, so that it can be decided if any further investigation should be conducted. In particular, the DCO should make a note of any facts suggesting that there could have been Tampering or manipulation of the Athlete's urine or blood in the time that elapsed between the phone call and the Sample collection. If the Athlete answers the DCO's call and is not at the specified location or in the immediate vicinity, and so cannot make himself/herself available for Testing within the 60-minute time slot, the DCO should file an Unsuccessful Attempt Report.]

- 4.8.8.6** Where a change in circumstances means that the information in a Whereabouts Filing is no longer accurate or complete as required by Article 4.8.8.5, the Athlete shall file an update so that the

information on file is again accurate and complete. The Athlete must always update their Whereabouts Filing to reflect any change in any day in the quarter in question in particular; (a) in the time or location of the 60-minute time slot specified in Article 4.8.8.3; and/or (b) in the place where they are staying overnight. The Athlete shall file the update as soon as possible after they become aware of the change in circumstances, and in any event prior to the 60-minute time slot specified in their filing for the relevant day. A failure to do so may be pursued as a Filing Failure and/or (if the circumstances so warrant) as evasion of Sample collection under Code Article 2.3, and/or Tampering or Attempted Tampering with Doping Control under Code Article 2.5. In any event, the Anti-Doping Organization shall consider Target Testing of the Athlete.

[Comment to 4.8.8.6: The Anti-Doping Organization collecting the Athlete's Whereabouts Filings should provide appropriate mechanisms (e.g., phone, fax, Internet, email, SMS, approved social networking sites or applications) to facilitate the filing of such updates. It is the responsibility of each Anti-Doping Organization with authority to conduct Testing on the Athlete to ensure that it checks for any updates filed by the Athlete prior to attempting to collect a Sample from the Athlete based on their Whereabouts Filing. For the avoidance of doubt, however, an Athlete who updates their 60-minute time slot for a particular day prior to the original 60-minute slot must still submit to Testing during the original 60-minute time slot, if they are located for Testing during that time slot.]

4.8.9 Availability for Testing

- 4.8.9.1** Every Athlete must submit to Testing at any time and place upon request by an Anti-Doping Organization with authority to conduct Testing. In addition, an Athlete in a Registered Testing Pool must specifically be present and available for Testing on any given day during the 60-minute time slot specified for that day in their

Whereabouts Filing, at the location that the Athlete has specified for that time slot.

[Comment to 4.8.9.1: For Testing to be effective in deterring and detecting cheating, it should be as unpredictable as possible. Therefore, the intent behind the 60-minute time slot is not to limit Testing to that period, or to create a 'default' period for Testing, but rather:

- a) To make it very clear when an unsuccessful attempt to test an Athlete will count as a Missed Test;*
- b) To guarantee that the Athlete can be found, and a Sample can be collected, at least once per day (which should deter doping, or, as a minimum, make it far more difficult);*
- c) To increase the reliability of the rest of the whereabouts information provided by the Athlete, and so to assist the Anti-Doping Organization in locating the Athlete for Testing outside the 60-minute time slot. The 60-minute time slot "anchors" the Athlete to a certain location for a particular day. Combined with the information that the Athlete must provide as to where they are staying overnight, training, competing and conducting other 'regular' activities during that day, the Anti-Doping Organization should be able to locate the Athlete for Testing outside the 60-minute time slot; and*
- d) To generate useful anti-doping intelligence, e.g., if the Athlete regularly specifies time slots with large gaps between them, and/or changes his time slot and/or location at the last minute. Such intelligence can be relied upon as a basis for the Target Testing of such Athlete.]*

4.8.10 Testing Pool(s)

- 4.8.10.1** The tier below the Registered Testing Pool is the Testing pool and should include Athletes from whom some whereabouts information is required

in order to locate and test the Athlete at least once per year Out-of-Competition. At a minimum, this shall include an overnight address, Competition/Event schedule and regular training activities. Athletes in a Testing pool are not subject to the requirements of Code Article 2.4. An International Federation or a National Anti-Doping Organization shall consider the following criteria for including Athletes into a Testing pool:

- a) Athletes whom the International Federation or National Anti-Doping Organization plans to test at least once per year Out-of-Competition (either independently or in agreed coordination with other Anti-Doping Organizations with Testing Authority over the same Athletes);
- b) Athletes from sports that have sufficient whereabouts information to locate them for Testing through regular team Competition/Event and Team Activities.

4.8.10.2 Where training in a sport is organized and carried out on a collective basis rather than on an individual basis, involving Team Activities, an International Federation or National Anti-Doping Organization may decide that it is sufficient to include Athletes as part of the team in a Testing pool. However, in periods where there are no Team Activities scheduled (e.g., the offseason) or where an Athlete is not participating in Team Activities (e.g., is rehabilitating after an injury), then the Athlete may be required by the International Federation or National Anti-Doping Organization rules or procedures to provide more individualized whereabouts to enable No Advance Notice Testing of the Athlete during these periods. If the whereabouts information requested is not sufficient to conduct the No Advance Notice Testing during these periods, it shall put the Athletes into its Registered Testing Pool and Code Article 2.4 Whereabouts Requirements will apply.

4.8.10.3 To ensure accurate whereabouts are filed and maintained by Athletes in a Testing pool, an

International Federation or a National Anti-Doping Organization shall, within their rules and procedures, include appropriate and proportionate non-Code Article 2.4 consequences to individual Athletes or teams who are part of a Testing pool if;

- a) the whereabouts information is not filed on the date(s) stated in the rules; or
- b) the whereabouts information is not found to be accurate following an attempt to test; or
- c) information is obtained that is contrary to the whereabouts information provided.

[Comment 4.8.10.3: Such consequences may be in addition to the elevation of an Athlete into the Registered Testing Pool as described in Article 4.8.6.1 (d)].

4.8.10.4 Whereabouts for Athletes in a Testing pool should also be filed in ADAMS to enable better Testing coordination between Anti-Doping Organizations. An International Federation or a National Anti-Doping Organization may also request whereabouts schedules with more regular deadlines e.g., weekly, monthly or quarterly within their rules or procedures which better suit the needs and demands of Team Activities in the relevant sport(s).

4.8.10.5 Athletes designated for inclusion in a Testing pool shall be notified in writing in advance by the International Federation and National Anti-Doping Organization of their inclusion in the Testing pool, the whereabouts requirements and the consequences that apply.

4.8.11 Other Pool(s)

4.8.11.1 International Federations and National Anti-Doping Organizations may implement other pool(s) for Athletes who do not meet the criteria of Article 4.5.2 and where diminishing whereabouts requirements may be defined by the International Federation and National Anti-Doping

Organization. Athletes in such pool(s) are not subject to Code Article 2.4 Whereabouts Requirements.

4.8.12 Selecting Athletes for Different Whereabouts Pools and Coordination Between International Federations and National Anti-Doping Organizations.

- 4.8.12.1** Each International Federation and National Anti-Doping Organization has the discretion to select which Athlete goes into which type of whereabouts pool. However, the International Federation and National Anti-Doping Organization shall be able to demonstrate they have made a proper assessment of the relevant risks, the necessary prioritization in accordance with Articles 4.2 to 4.7, and that they have adopted appropriate criteria based on the results of that assessment.
- 4.8.12.2** Once an International Federation and National Anti-Doping Organization have selected Athletes for their Registered Testing Pool, they shall share and maintain the list of Athletes through ADAMS with the relevant International Federation and National Anti-Doping Organization.
- 4.8.12.3** If an Athlete is in one whereabouts pool of their International Federation and another whereabouts pool for their National Anti-Doping Organization, they shall file their whereabouts and comply with whichever whereabouts pool has the greater whereabouts requirements.
- 4.8.12.4** International Federations and National Anti-Doping Organizations shall coordinate Athlete whereabouts pool selection and Testing activities to avoid duplication and maximize use of resources. As a result of such coordination and resource efficiencies, either the International Federation or National Anti-Doping Organization shall consider adding more Athletes to its Registered Testing Pool or Testing pool to ensure a greater level of Testing is conducted across a wider range of “at risk” Athletes.

4.8.12.5 Each International Federation and each National Anti-Doping Organization shall:

- a) Regularly review and update as necessary their criteria for including Athletes in their Registered Testing Pool and Testing pool(s) to ensure that they remain fit for purpose, i.e., they are capturing all appropriate Athletes. They shall take into account the Competition/Event calendar for the relevant period and change or increase the number of Athletes in the Registered Testing Pool or Testing pool in the lead-up to a major Event (e.g., Olympic Games, Paralympic Games, World Championship and other multi-sport Events) to ensure those Athletes participating are subject to a sufficient level of Out-of-Competition Testing in accordance with any Risk Assessment.
- b) Periodically review during the year/cycle in light of changing circumstances the list of Athletes in their Registered Testing Pool and Testing pool(s) to ensure that each listed Athlete continues to meet the relevant criteria. Athletes who no longer meet the criteria should be removed from the Registered Testing Pool and/or Testing pool and Athletes who now meet the criteria should be added. The International Federation and National Anti-Doping Organization shall advise such Athletes of the change in their status and make a new list of Athletes in the applicable pool available, without delay.

4.8.13 Major Event Organizations

4.8.13.1 For periods when Athletes come under the Testing Authority of a Major Event Organization:

- a) If the Athletes are in a Registered Testing Pool, then the Major Event Organization may access their Whereabouts Filings for the relevant period in order to conduct Out-of-Competition Testing on them; or

- b) The Major Event Organization may adopt Event-specific rules, including consequences requiring Athletes or the relevant third party to provide such information about their whereabouts for the relevant period as it deems necessary and proportionate in order to conduct Out-of-Competition Testing.

4.8.14 Whereabouts Responsibilities

4.8.14.1 Notwithstanding any other provision of Article 4.8:

- a) An International Federation may propose, and a National Anti-Doping Organization may agree to, the delegation of some or all of the whereabouts responsibilities of the International Federation under Article 4.8 to the National Anti-Doping Organization or Doping Control Coordinator subject to (f) below;
- b) An International Federation may delegate some or all of its whereabouts responsibilities under Article 4.8 to the Athlete's National Federation or Doping Control Coordinator subject to (f) below; or
- c) A National Anti-Doping Organization may delegate some or all of its whereabouts responsibilities under Article 4.8 to the Athlete's National Federation, Doping Control Coordinator or other appropriate Anti-Doping Organization with authority over the Athlete in question subject to (f) below;
- d) Where no appropriate National Anti-Doping Organization exists, the National Olympic Committee shall assume the whereabouts responsibilities of the National Anti-Doping Organization set out in Article 4.8; and
- e) Where WADA determines that the International Federation or National Anti-Doping Organization (as applicable) is not discharging some or all of its whereabouts responsibilities under Article 4.8, WADA may

delegate some or all of those responsibilities to any other appropriate Anti-Doping Organization.

- f) At all times the Anti-Doping Organization (whether the International Federation, National Anti-Doping Organization or other Anti-Doping Organization with authority over the Athlete in question) that delegates its responsibilities (in whole or in part) to a National Federation or Doping Control Coordinator remains ultimately responsible for the acts and/or omissions of such entity to whom it has delegated authority.

4.8.14.2 A National Federation must use its best efforts to assist its International Federation and/or National Anti-Doping Organization (as applicable) in collecting whereabouts from Athletes who are subject to that National Federation's authority, including (without limitation) making special provision in its rules for that purpose.

4.8.14.3 An Athlete may choose to delegate the task of filing their whereabouts (and/or any updates thereto) to a third party, such as a coach, a manager or a National Federation, provided that the third party agrees to such delegation. The Anti-Doping Organization collecting the Athlete's whereabouts may require written notice of any agreed delegation to be filed with it, signed by both the Athlete in question and the third party delegate.

[Comment to 4.8.14.3: For example, an Athlete participating in a Team Sport or other sport where competing and/or training is carried out on a collective basis, may delegate the task of filing their whereabouts to the team, to be carried out by a coach, a manager or a National Federation. Indeed, for the sake of convenience and efficiency, an Athlete in such a sport may delegate the filing of their whereabouts to their team not only in respect of periods of Team Activities but also in respect of periods where they are not with the team, provided the team agrees. In such circumstances, the Athlete will need to provide the information as to their

individual whereabouts for the period in question to the team, to supplement the information it provides in relation to Team Activities.]

4.8.14.4 In all cases, however, including in the case of Athletes in Team Sports:

a) Each Athlete remains ultimately responsible at all times for filing accurate and complete whereabouts and for being available for Testing at the times and locations specified in their whereabouts, whether they make each filing personally or delegate the task to a third party. When an Athlete is subject to whereabouts requirements, whether included in a Registered Testing Pool or Testing pool, the Athlete cannot use as a defence to avoid applicable Consequences, that they delegated such responsibility to a third party and the third party failed to comply with the applicable whereabouts requirements.

b) For Athletes in a Registered Testing Pool

It shall not be a defence to an allegation of a Filing Failure or Missed Test that the Athlete delegated responsibility for filing their whereabouts information for the relevant period to a third party and that third party failed to file the correct information or failed to update previously-filed information so as to ensure that the whereabouts information in the Whereabouts Filing for the day in question was current and accurate.

[Comment to 4.8.14.4: For example, if an attempt to test an Athlete in a Registered Testing Pool during a 60-minute time slot is unsuccessful due to a third party filing the wrong information, or failing to update previously-filed information where the details have subsequently changed, the Athlete will still be liable for a Whereabouts Failure. This must be the case because if an Athlete is able to blame their third party for being unavailable or inaccessible for Testing at a location specified by their third party, then they will be able to avoid

accountability for their whereabouts for Testing. Of course, the third party has the same interest as the Athlete in ensuring the accuracy of the Whereabouts Filing and avoiding any Whereabouts Failures on the part of the Athlete. If the third party is a team official filing the wrong information in relation to the Team Activity or failing to update previously filed information where the details of the Team Activity have subsequently changed, then the team may be separately liable for sanction under the applicable rules of the International Federation or National Anti-Doping Organization for such failure. If the Athlete/s is/are in a Testing pool, then the Athlete/s will be subject to the applicable consequences under the rules of the International Federation or National Anti-Doping Organization.]

4.9 Coordinating with Other Anti-Doping Organizations

4.9.1 Anti-Doping Organizations shall coordinate their Testing efforts with the efforts of other Anti-Doping Organizations with overlapping Testing Authority, in order to maximize the effectiveness of those combined efforts, to avoid unnecessarily repetitive Testing of particular Athletes and to ensure Athletes competing at International Events are suitably tested in advance. In particular, Anti-Doping Organizations shall:

- a) Consult with other relevant Anti-Doping Organizations in order to coordinate Testing activities (including Athlete whereabouts pool selection and Test Distribution Plans, which may include Out-of-Competition Testing in the lead up to a major Event) and to avoid duplication. Clear agreement on roles and responsibilities for Event Testing shall be agreed in advance in accordance with Code Article 5.3. Where such agreement is not possible, WADA will resolve the matter in accordance with the principles set out at Annex H - Event Testing;
- b) Within twenty-one (21) days of Sample collection, enter the Doping Control form into ADAMS for all Samples collected;

- c) Share information on whereabouts requirements on Athletes where there is overlapping Testing Authority via ADAMS;
- d) Share information on Athlete Biological Passport programs where there is overlapping Testing Authority via ADAMS; and
- e) Share intelligence on Athletes where there is overlapping Testing Authority.

4.9.2 Anti-Doping Organizations may contract other Anti-Doping Organizations or Delegated Third Parties to act as a Doping Control Coordinator or Sample Collection Authority on their behalf. In the terms of the contract, the commissioning Anti-Doping Organization (which, for these purposes, is the Testing Authority) may specify how any discretion afforded to a Sample Collection Authority under the International Standard for Testing and Investigations is to be exercised by the Sample Collection Authority when collecting Samples on its behalf.

[Comment to 4.9.2: For example, the International Standard for Testing and Investigations confers discretion as to the criteria to be used to validate the identity of the Athlete (Article 5.3.4), as to the circumstances in which delayed reporting to the Doping Control Station may be permitted (Article 5.4.4), as to who may be present during the Sample Collection Session (Article 6.3.3), as to the criteria to be used to ensure that each Sample collected is stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station (Article 8.3.1), and as to the guidelines to be followed by the DCO in determining whether exceptional circumstances exist that mean a Sample Collection Session should be abandoned without collecting a Sample with a Suitable Specific Gravity for Analysis (Article F.4.5) and share information/intelligence obtained (Article 11).]

4.9.3 Anti-Doping Organizations should consult and coordinate with each other, with WADA, and with law enforcement and other relevant authorities, in obtaining, developing and sharing information and intelligence that can be useful in informing Test distribution planning, in accordance with Article 11.

5.0 Notification of Athletes

5.1 Objective

The objective is to ensure that an Athlete who has been selected for Testing is properly notified with no advance notice of Sample collection as outlined in Articles 5.3.1 and 5.4.1, that the rights of the Athlete are maintained, that there are no opportunities to manipulate the Sample to be provided, and that the notification is documented.

5.2 General Notification of Athletes starts when the Sample Collection Authority initiates the notification of the selected Athlete and ends when the Athlete arrives at the Doping Control Station or when the Athlete's possible Failure to Comply occurs. The main activities are:

- a) Appointment of DCOs, Chaperones and other Sample Collection Personnel sufficient to ensure No Advance Notice Testing and continuous observation of Athletes notified of their selection to provide a Sample;
- b) Locating the Athlete and confirming their identity;
- c) Informing the Athlete that they have been selected to provide a Sample and of their rights and responsibilities;
- d) Continuously chaperoning the Athlete from the time of notification to the arrival at the designated Doping Control Station; and
- e) Documenting the notification, or notification attempt.

5.3 Requirements Prior to Notification of Athletes

5.3.1 No Advance Notice Testing shall be the method for Sample collection save in exceptional and justifiable circumstances. The Athlete shall be the first Person notified that they have been selected for Sample collection, except where prior contact with a third party is required as specified in Article 5.3.7. In order to ensure that Testing is conducted on a No Advance Notice Testing basis, the Testing Authority (and the Sample Collection Authority, if different) shall ensure that Athlete selection decisions are only disclosed in advance of Testing to those who strictly

need to know in order for such Testing to be conducted. Any notification to a third party shall be conducted in a secure and confidential manner so that there is no risk that the Athlete will receive any advance notice of their selection for Sample collection. For In-Competition Testing, such notification shall occur at the end of the Competition in which the Athlete is competing.

[Comment to 5.3.1: Every effort should be made to ensure Event Venue or training venue staff are not aware that Testing may take place in advance. It is not justifiable for a National Federation or other body to insist that it be given advance notice of Testing of Athletes under its authority so that it can have a representative present at such Testing.]

- 5.3.2** To conduct or assist with the Sample Collection Sessions, the Sample Collection Authority shall appoint and authorize Sample Collection Personnel who have been trained for their assigned responsibilities, who do not have a conflict of interest in the outcome of the Sample collection, and who are not Minors.
- 5.3.3** Sample Collection Personnel shall have official documentation, provided by the Sample Collection Authority, evidencing their authority to collect a Sample from the Athlete, such as an authorization letter from the Testing Authority. DCOs shall also carry complementary identification which includes their name and photograph (i.e., identification card from the Sample Collection Authority, driver's license, health card, passport or similar valid identification) and the expiry date of the identification.
- 5.3.4** The Testing Authority or otherwise the Sample Collection Authority shall establish criteria to validate the identity of an Athlete selected to provide a Sample. This ensures the selected Athlete is the Athlete who is notified. If the Athlete is not readily identifiable, a third party may be asked to identify them and the details of such identification documented.
- 5.3.5** The Sample Collection Authority, DCO or Chaperone, as applicable, shall establish the location of the selected Athlete and plan the approach and timing of notification, taking into consideration the specific circumstances of the

sport/Competition/training session/etc. and the situation in question.

5.3.6 The Sample Collection Authority, DCO or Chaperone, as applicable, shall document Athlete notification attempt(s) and outcome(s).

5.3.7 The Sample Collection Authority, DCO or Chaperone, as applicable, shall consider whether a third party is required to be notified prior to notification of the Athlete; in the following situations:

- a) Where required by an Athlete's impairment (as provided for in Annex A - Modifications for Athletes with Impairments);
- b) Where the Athlete is a Minor (as provided for in Annex B - Modifications for Athletes who are Minors);
- c) Where an interpreter is required and available for the notification;
- d) Where required to assist Sample Collection Personnel to identify the Athlete(s) to be tested and to notify such Athlete(s) that they are required to provide a Sample.

[Comment to 5.3.7: It is permissible to notify a third party that Testing of Minors or Athletes with impairments will be conducted. However, there is no requirement to notify any third party (e.g., a team doctor) of the Doping Control mission where such assistance is not needed. Should a third party be required to be notified prior to notification, the third party should be accompanied by the DCO or Chaperone to notify the Athlete.]

5.4 Requirements for Notification of Athletes

5.4.1 When initial contact is made, the Sample Collection Authority, DCO or Chaperone, as applicable, shall ensure that the Athlete and/or a third party (if required in accordance with Article 5.3.7) is informed:

- a) That the Athlete is required to undergo a Sample collection:

- b) Of the authority under which the Sample collection is to be conducted;
- c) Of the type of Sample collection and any conditions that need to be adhered to prior to the Sample collection;
- d) Of the Athlete's rights, including the right to:
 - (i) Have a representative and, if available, an interpreter accompany them, in accordance with Article 6.3.3(a);
 - (ii) Ask for additional information about the Sample collection process;
 - (iii) Request a delay in reporting to the Doping Control Station for valid reasons in accordance with Article 5.4.4; and
 - (iv) Request modifications as provided for in Annex A - Modifications for Athletes with Impairments.
- e) Of the Athlete's responsibilities, including the requirement to:
 - (i) Remain within continuous observation of the DCO/Chaperone at all times from the point initial contact is made by the DCO/Chaperone until the completion of the Sample collection procedure;
 - (ii) Produce identification in accordance with Article 5.3.4;
 - (iii) Comply with Sample collection procedures (and the Athlete should be advised of the possible Consequences of a Failure to Comply); and
 - (iv) Report immediately for Sample collection, unless there are valid reasons for a delay, as determined in accordance with Article 5.4.4.
- f) Of the location of the Doping Control Station;

- g) That should the Athlete choose to consume food or fluids prior to providing a Sample, they do so at their own risk;
- h) Not to hydrate excessively, since this may delay the production of a suitable Sample; and
- i) That any urine Sample provided by the Athlete to the Sample Collection Personnel shall be the first urine passed by the Athlete subsequent to notification.

5.4.2 When contact is made, the DCO/Chaperone shall:

- a) From the time of such contact until the Athlete leaves the Doping Control Station at the end of their Sample Collection Session, keep the Athlete under observation at all times;
- b) Identify themselves to the Athlete using the documentation referred to in Article 5.3.3; and
- c) Confirm the Athlete's identity as per the criteria established in Article 5.3.4. Confirmation of the Athlete's identity by any other method, or failure to confirm the identity of the Athlete, shall be documented and reported to the Testing Authority. In cases where the Athlete's identity cannot be confirmed as per the criteria established in Article 5.3.4, the Testing Authority shall decide whether it is appropriate to follow up in accordance with Annex A - Review of a Possible Failure to Comply of the International Standard for Results Management.

5.4.3 The DCO/Chaperone shall have the Athlete sign an appropriate form to acknowledge and accept the notification. If the Athlete refuses to sign that they have been notified, or evades the notification, the DCO/Chaperone shall, if possible, inform the Athlete of the Consequences of a Failure to Comply, and the Chaperone (if not the DCO) shall immediately report all relevant facts to the DCO. When possible, the DCO shall continue to collect a Sample. The DCO shall document the facts in a detailed report and report the circumstances to the Testing Authority. The Testing Authority shall follow the steps prescribed in Annex A - Review of a Possible Failure to

Comply of the International Standard for Results Management.

5.4.4 The DCO/Chaperone may at their discretion consider any reasonable third-party request or any request by the Athlete for permission to delay reporting to the Doping Control Station following acknowledgment and acceptance of notification, and/or to leave the Doping Control Station temporarily after arrival. The DCO/Chaperone may grant such permission if the Athlete can be continuously chaperoned and kept under continuous observation during the delay. Delayed reporting to or temporary departure from the Doping Control Station may be permitted for the following activities:

a) For In-Competition Testing:

- (i) Participation in a presentation ceremony;
- (ii) Fulfilment of media commitments;
- (iii) Competing in further Competitions;
- (iv) Performing a warm down;
- (v) Obtaining necessary medical treatment;
- (vi) Locating a representative and/or interpreter;
- (vii) Obtaining photo identification; or
- (viii) Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the Testing Authority.

b) For Out-of-Competition Testing:

- (i) Locating a representative;
- (ii) Completing a training session;
- (iii) Receiving necessary medical treatment;
- (iv) Obtaining photo identification; or

(v) Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the Testing Authority.

5.4.5 A DCO/Chaperone shall reject a request for delay from an Athlete if it will not be possible for the Athlete to be continuously observed during such delay.

5.4.6 The DCO/Chaperone or other authorized Sample Collection Personnel shall document any reasons for delay in reporting to the Doping Control Station and/or reasons for leaving the Doping Control Station that may require further investigation by the Testing Authority.

If at all possible, the DCO shall proceed with collecting a Sample from the Athlete. The Testing Authority shall investigate a possible Failure to Comply in accordance with Annex A - Review of a Possible Failure to Comply in the International Standard for Results Management.

5.4.8 If Sample Collection Personnel observe any other matter with potential to compromise the collection of the Sample, the circumstances shall be reported to and documented by the DCO. If deemed appropriate by the DCO, the DCO shall consider if it is appropriate to collect an additional Sample from the Athlete. The Testing Authority shall investigate a possible Failure to Comply in accordance with Annex A - Review of a Possible Failure to Comply in the International Standard for Results Management.

6.0 Preparing for the Sample Collection Session

6.1 Objective to prepare for the Sample Collection Session in a manner that ensures that the session can be conducted efficiently and effectively, including with sufficient resources e.g., personnel and equipment.

6.2 General Preparing for the Sample Collection Session starts with the establishment of a system for obtaining relevant information for effective conduct of the session and ends when it is confirmed that the Sample Collection Equipment conforms to the specified criteria. The main activities are:

a) Establishing a system for collecting details regarding the Sample Collection Session;

- b) Establishing criteria for who may be present during a Sample Collection Session;
- c) Ensuring that the Doping Control Station meets the minimum criteria prescribed in Article 6.3.2; and
- d) Ensuring that the Sample Collection Equipment meets the minimum criteria prescribed in Article 6.3.4.

6.3 Requirements for Preparing for Sample Collection Session

6.3.1 The Testing Authority, Doping Control Coordinator or Sample Collection Authority shall establish a system for obtaining all the information necessary to ensure that the Sample Collection Session can be conducted effectively, including identifying special requirements to meet the needs of Athletes with impairments (as provided in Annex A - Modifications for Athletes with Impairments) as well as the needs of Athletes who are Minors (as provided in Annex B - Modifications for Athletes who are Minors).

6.3.2 The DCO shall use a Doping Control Station which, at a minimum, ensures the Athlete's privacy and where possible is used solely as a Doping Control Station for the duration of the Sample Collection Session. The DCO shall record any significant deviations from these criteria. Should the DCO determine the Doping Control Station is unsuitable, they shall seek an alternative location which fulfils the minimum criteria above.

6.3.3 The Testing Authority or Sample Collection Authority shall establish criteria for who may be authorized to be present during the Sample Collection Session in addition to the Sample Collection Personnel. At a minimum, the criteria shall include:

- a) An Athlete's entitlement to be accompanied by a representative and/or interpreter during the Sample Collection Session, except when the Athlete is passing a urine Sample;
- b) The entitlement of an Athlete with an impairment to be accompanied by a representative as provided for in Annex A - Modifications for Athletes with Impairments;

- c) A Minor Athlete's entitlement (as provided for in Annex B - Modifications for Athletes who are Minors), and the witnessing DCO/Chaperone's entitlement to have a representative observe the witnessing DCO/Chaperone when the Minor Athlete is passing a urine Sample, but without the representative directly observing the passing of the Sample unless requested to do so by the Minor Athlete;
- d) A WADA-appointed observer under the WADA Independent Observer Program or WADA auditor (where applicable); and/or e) An authorized Person who is involved in the training of Sample Collection Personnel or auditing the Sample Collection Authority.

[Comment to 6.3.3 (d) and (e): The WADA observer/auditor and/or authorized Person shall not directly observe the passing of a urine Sample]

6.3.4 The Sample Collection Authority shall only use Sample Collection Equipment systems for urine and blood Samples which, at a minimum:

- a) Have a unique numbering system, incorporated into all A and B bottles, containers, tubes or other items used to seal the Sample and have a barcode or similar data code which meets the requirements of ADAMS on the applicable Sample Collection Equipment;
- b) Have a Tamper-Evident sealing system;
- c) Ensure the identity of the Athlete is not evident from the equipment itself;
- d) Ensure that all equipment is clean and sealed prior to use by the Athlete;
- e) Are constructed of a material and sealing system that is able to withstand the handling conditions and environment in which the equipment will be used or subjected to, including but not limited to transportation, Laboratory analysis and long term frozen storage up to the period of the statute of limitations;

- f) Are constructed of a material and sealing system that will;
 - (i) Maintain the integrity (chemical and physical properties) of the Sample for the Analytical Testing;
 - (ii) Can withstand temperatures of -80°C for urine and blood and -20°C for dried blood spots. Tests conducted to determine integrity under freezing conditions shall use the matrix or material that will be stored in the Sample bottles, containers or tubes i.e., urine, blood, or capillary blood applied on a dried blood spot absorbent Sample support (e.g., dried blood spot cellulose card or other equipment made of another material);
 - (iii) Are constructed of a material and sealing system that can withstand a minimum of three (3) freeze/thaw cycles;
- g) The A and B bottles, containers and tubes shall be transparent so the Sample is visible;
- h) Have a sealing system which allows verification by the Athlete and the DCO that the Sample is correctly sealed in the A and B bottles or containers;
- i) Have a built-in security identification feature(s) which allows verification of the authenticity of the equipment;
- j) Are compliant with the standards published by the International Air Transport Association (IATA) for the transport of exempt human specimens which includes urine and/or blood Samples in order to prevent leakage during transportation by air or are compliant with the local and international regulations for the transport of dried blood spot Samples, if applicable;
- k) Comply with local regulatory requirements for medical devices (for blood and dried blood spot Samples) where necessary, as well as any other applicable law or regulation;

- l) Have been manufactured under the internationally recognized ISO 9001 certified standard which includes quality control management systems;
- m) Can be resealed after initial opening by a Laboratory using a new unique Tamper Evident sealing system with a unique numbering system to maintain the integrity of the Sample and Chain of Custody in accordance with the requirements of the International Standard for Laboratories for long term storage of the Sample and Further Analysis;
- n) Have undergone testing by a testing institution that is independent of the manufacturer and is ISO 17025 accredited, to validate at a minimum that the equipment meets the criteria set out in subsections b), f), g), h), i), j) and m) above;
- o) Any modification to the material or sealing system of the equipment shall require re-testing to ensure it continues to meet the stated requirements as per n) above;

For Urine Sample Collection:

- p) Have the capacity to contain a minimum of 85 mL volume of urine in each A and B bottle or container;
- q) Have a visual marking on the A and B bottles or containers and the collection vessel, indicating: (i) the minimum volume of urine required in each A and B bottle or container as outlined in Annex C - Collection of Urine Samples; (ii) the maximum volume levels that allow for expansion when frozen without compromising the bottle, container or the sealing system; and (iii) the level of Suitable Volume of Urine for Analysis on the collection vessel.
- r) Include a partial Sample Tamper Evident sealing system with a unique numbering system to temporarily seal a Sample with an insufficient volume in accordance with Annex E - Urine Samples - Insufficient Volume;

For Venous Blood Sample Collection:

- s) Have the ability to collect, store and transport blood in separate A and B tubes and containers;
- t) For the analysis of Prohibited Substances or Prohibited Methods in whole blood or plasma and/or for profiling blood parameters, the A and B tubes must have the capacity to contain a minimum of 3mL of blood and shall contain EDTA as an anticoagulant;
- u) For the analysis of Prohibited Substances or Prohibited Methods in serum, the A and B tubes must have the capacity to contain a minimum of 5mL of blood and shall contain an inert polymeric serum separator gel and clotting activation factor; and

[Comment to 6.3.4 (t) and (u): If specific tubes have been indicated in the applicable WADA International Standard, Technical Document or Guidelines, then the use of alternative tubes which meet similar criteria shall be validated with the involvement of the relevant Laboratory(ies) and approved by WADA prior to use for Sample collection.]

- v) For the transport of blood Samples, ensure the storage and transport device and temperature data logger meet the requirements listed in Annex I - Collection, Storage and Transport of Blood Athlete Biological Passport Samples.

For Dried Blood Spot Sample Collection:

- w) A dried blood spot absorbent Sample support (e.g., dried blood spot cellulose card) shall also be labelled if it is necessary to remove it from its container at the Laboratory to take an aliquot; and
- x) Allow the collection, storage and secure transportation of dried blood spots on absorbent Sample support that can be sealed as distinct "A" and "B" Samples (Tamper Evident kit consisting of "A" and "B" containers/sub-containers and/or storage sleeves/packages/receptacles).

[Comment to 6.3.4 (x): Due to logistical reasons at the Laboratory, it is recommended to seal the "A" and "B" Samples in separate containers. Transporting and/or storing "A" and "B" Samples in the same container is however acceptable, provided that they are sealed as distinct "A" and "B" Samples.]
[Comment to 6.3.4: It is strongly recommended that prior to the equipment being made commercially available to stakeholders, such equipment be distributed to the anti-doping community, which may include Athletes, Testing Authorities, Sample Collection Authorities, Sample Collection Personnel, and Laboratories to seek feedback and ensure the equipment is fit for purpose.]

7.0 Conducting the Sample Collection Session

7.1 Objective

To conduct the Sample Collection Session in a manner that ensures the integrity, identity and security of the Sample and respects the privacy and dignity of the Athlete.

7.2 General

The Sample Collection Session starts with defining overall responsibility for the conduct of the Sample Collection Session and ends once the Sample has been collected and secured and the Sample collection documentation is complete. The main activities are:

- (a) Preparing for collecting the Sample;
- (b) Collecting and securing the Sample;
- (c) Documenting the Sample collection.

7.3 Requirements Prior to Sample Collection

7.3.1 The Sample Collection Authority shall be responsible for the overall conduct of the Sample Collection Session, with specific responsibilities delegated to the DCO.

7.3.2 The DCO shall ensure that the Athlete has been informed of their rights and responsibilities as specified in Article 5.4.1.

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- 7.3.3** The DCO/Chaperone shall advise the Athlete not to hydrate excessively, having in mind the requirement to provide a Sample with a Suitable Specific Gravity for Analysis.
- 7.3.4** The Anti-Doping Organization shall establish criteria regarding what items may be prohibited within the Doping Control Station. At a minimum these criteria shall prohibit the provision of alcohol or its consumption within the Doping Control Station.
- 7.3.5** The Athlete shall only leave the Doping Control Station under continuous observation by the DCO or Chaperone and with the approval of the DCO. The DCO shall consider any reasonable request by the Athlete to leave the Doping Control Station, as specified in Articles 5.4.4, 5.4.5 and 5.4.6, until the Athlete is able to provide a Sample.
- 7.3.6** If the DCO gives approval for the Athlete to leave the Doping Control Station, the DCO shall agree with the Athlete on the following conditions of leave:
- (a) The purpose of the Athlete leaving the Doping Control Station; the time of return (or return upon completion of an agreed activity);
 - (b) That the Athlete must remain under continuous observation throughout;
 - (c) That the Athlete shall not pass urine until they arrive back at the Doping Control Station; and
 - (d) The DCO shall document the time of the Athlete's departure and return.

7.4 Requirements Prior to Sample Collection

- 7.4.1** The DCO shall collect the Sample from the Athlete according to the following protocol(s) for the specific type of Sample collection:
- a) Annex C - Collection of Urine Samples;
 - b) Annex D - Collection of Venous Blood Samples;

- c) Annex I - Collection, Storage and Transport of Blood Athlete Biological Passport Samples;
- d) Annex J - Collection, Storage and Transport of Dried Blood Spot Samples; and
- e) Annex K - Collection of Urine Samples in a Virtual Environment during a Pandemic.

7.4.2 Any behaviour by the Athlete and/or Persons associated with the Athlete or anomalies with potential to compromise the Sample collection shall be recorded in detail by the DCO. If appropriate, the Testing Authority shall apply Annex A - Review of a Possible Failure to Comply in the International Standard for Results Management.

7.4.3 If there are doubts as to the origin or authenticity of the Sample, the Athlete shall be asked to provide an additional Sample. If the Athlete refuses to provide an additional Sample, the DCO shall document in detail the circumstances around the refusal, and the Testing Authority shall apply Annex A - Review of a Possible Failure to Comply in accordance with International Standard for Results Management.

7.4.4 The DCO shall provide the Athlete with the opportunity to document any concerns they may have about how the Sample Collection Session was conducted.

7.4.5 The following information shall be recorded as a minimum in relation to the Sample Collection Session:

- (a) Date, time of notification, name and signature of notifying DCO/Chaperone;
- (b) Arrival time of the Athlete at the Doping Control Station and any temporary departures and returns;
- (c) Date and time of sealing of each Sample collected and date and the of completion of entire Sample collection process (i.e., the time when the Athlete signs the declaration at the bottom of the Doping Control form);
- (d) The name of the Athlete;
- (e) The date of birth of the Athlete;

- (f) The sport gender of the Athlete;
- (g) Means by which the Athlete's identity is validated (e.g., passport, driver's license or Athlete accreditation) including by a third party (who is so identified);
- (h) The Athlete's home address, email address and telephone number;
- (i) The Athlete's sport and discipline (in accordance with the TDSSA);
- (j) The name of the Athlete's coach and doctor (if applicable);
- (k) The Sample code number and reference to the equipment manufacturer, and where the Sample collected is dried blood spot, detailed information on the model of the dried blood spot Sample Collection Equipment (e.g., catalogue number) if the equipment manufacturer commercializes several dried blood spot Sample collection kits;
- (l) The type of the Sample (urine, blood, dried blood spot etc.);
- (m) The type of Testing (In-Competition or Out-of-Competition);
- (n) The name and signature of the witnessing DCO/Chaperone;
- (o) The name and signature of the BCO (where applicable);
- (p) Partial Sample information, as per Annex E.4.4;
- (q) Required Laboratory information on the Sample (i.e., for a urine Sample, its volume and specific gravity measurement), as per Article 8.3.3;
- (r) Medications and supplements taken within the previous seven (7) days and (where the Sample collected is a blood Sample) blood transfusions within the previous three (3) months, as declared by the Athlete;

- (s) For a blood Athlete Biological Passport Sample, the DCO/BCO shall record the information as outlined in Annex I - Collection, Storage and Transport of Blood Athlete Biological Passport Samples;
- (t) Any irregularities in procedures, for example, if advance notice was provided;
- (u) Athlete comments or concerns regarding the conduct of the Sample Collection Session, as declared by the Athlete;
- (v) Athlete acknowledgment of the Processing of Sample collection data and description of such Processing in accordance with the International Standard for the Protection of Privacy and Personal Information;
- (w) Athlete consent or otherwise for the use of the Sample(s) for research purposes;
- (x) The name and signature of the Athlete's representative (if applicable), as per Article 7.4.6;
- (y) The name and signature of the Athlete;
- (z) The name and signature of the DCO;
- (aa) The name of the Testing Authority;
- (bb) The name of the Sample Collection Authority;
- (cc) The name of the Results Management Authority; and
- (dd) The name of the Doping Control Coordinator (if applicable).

[Comment to 7.4.5: All of the aforementioned information does not need to be consolidated in a single Doping Control form but rather may be collected during the Sample Collection Session and/or on other official documentation such as a separate notification form and/or supplementary report.]

7.4.6 At the conclusion of the Sample Collection Session, the Athlete and DCO shall sign appropriate documentation to indicate their satisfaction that the documentation accurately

reflects the details of the Athlete's Sample Collection Session, including any concerns expressed by the Athlete. The Athlete's representative, if present and who witnessed the proceedings, should sign the documentation.

7.4.7 The Athlete shall be offered a copy of the records of the Sample Collection Session that have been signed by the Athlete whether electronically or otherwise.

8.0 Security/Post-Test Administration

8.1 Objective

To ensure that all Samples collected at the Doping Control Station and Sample collection documentation are securely stored prior to transport from the Doping Control Station.

8.2 General

Post-Test administration begins when the Athlete has left the **Doping Control Station** after providing their Sample(s) and ends with preparation of all of the collected Samples and Sample collection documentation for transport.

8.3 Requirements for Security/Post-Test Administration

8.3.1 The Sample Collection Authority shall define criteria ensuring that each Sample collected is stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station. At a minimum, these criteria should include detailing and documenting the location where Samples are stored and who has custody of the Samples and/or is permitted access to the Samples. The DCO shall ensure that any Sample is stored in accordance with these criteria

8.3.2 The Sample Collection Authority shall develop a system for recording the Chain of Custody of the Samples and Sample collection documentation to ensure that the documentation for each Sample is completed and securely handled. This shall include confirming that both the Samples and Sample collection documentation have arrived at their intended destinations. The Laboratory shall report any irregularities to the Testing Authority on the condition of Samples upon arrival in line with the International Standard for Laboratories.

- 8.3.3** The Sample Collection Authority shall develop a system to ensure that, where required, instructions for the type of analysis to be conducted are provided to the Laboratory that will be conducting the analysis. In addition, the Anti-Doping Organization shall provide the Laboratory with information as required under Article 7.4.5 c), f), i), k), l), m), q), r), w), aa), bb) and cc) for result reporting and statistical purposes and include whether Sample retention in accordance with Article 4.7.3, is required

[Comment to 8.3: Information as to how a Sample is stored prior to departure from the Doping Control Station may be recorded on, for example, a DCO report. The type of analysis for the Laboratory may be recorded on a Chain of Custody form. ADOs can refer to the WADA website for a DCO report and/or Chain of Custody form template.]

9.0 Transport of Samples and Documentation

9.1 Objective

- (a) To ensure that Samples and related documentation arrive at the Laboratory that will be conducting the analysis in proper condition to do the necessary analysis; and
- (b) To ensure the Sample Collection Session documentation is sent by the DCO to the Testing Authority in a secure and timely manner.

9.2 General

9.2.1 Transport starts when the Samples and related documentation leave the Doping Control Station and ends with the confirmed receipt of the Samples and Sample Collection Session documentation at their intended destinations.

9.2.2 The main activities are arranging for the secure transport of Samples and related documentation to the Laboratory that will be conducting the analysis and arranging for the secure transport of the Sample Collection Session documentation to the Testing Authority.

9.3 Requirements for Transport and Storage of Samples and Documentation

9.3.1 The Sample Collection Authority shall authorize a transport system that ensures Samples and documentation are

transported in a manner that protects their integrity, identity and security

- 9.3.2** Samples shall always be transported to the Laboratory that will be analyzing the Samples using the Sample Collection Authority's authorized transport method, as soon as possible after the completion of the Sample Collection Session. Samples shall be transported in a manner which minimizes the potential for Sample degradation due to factors such as time delays and extreme temperature variations

[Comment to 9.3.2: Anti-Doping Organizations should discuss transportation requirements for particular missions (e.g., where the Sample has been collected in less than hygienic conditions, or where delays may occur in transporting the Samples to the Laboratory) with the Laboratory that will be analyzing the Samples, to establish what is necessary in the particular circumstances of such mission (e.g., refrigeration or freezing of the Samples).]

- 9.3.3** Documentation identifying the Athlete shall not be included with the Samples or documentation sent to the Laboratory that will be analyzing the Samples.
- 9.3.4** The DCO shall send all relevant Sample Collection Session documentation to the Sample Collection Authority, using the Sample Collection Authority's authorized transport method (which may include electronic transmission), as soon as practicable after the completion of the Sample Collection Session.
- 9.3.5** If the Samples with accompanying documentation or the Sample Collection Session documentation are not received at their respective intended destinations, or if a Sample's integrity, identity or security may have been compromised during transport, the Sample Collection Authority shall check the Chain of Custody, and the Testing Authority shall consider whether the Samples should be voided.
- 9.3.6** Documentation related to a Sample Collection Session and/or an anti-doping rule violation shall be stored by the Testing Authority and/or the Sample Collection Authority for the period and other requirements specified in the International Standard for the Protection of Privacy and Personal Information.

[Comment to 9.3: While the requirements for transport and storage of Samples and documentation herein apply equally to all urine, blood, blood Athlete Biological Passport and dried blood spot Samples, additional requirements for standard blood can be found in Annex D - Collection of Venous Blood Samples, additional requirements for the transportation of Blood Samples for the Athlete Biological Passport can be found in Annex I - Collection, Storage and Transport of Blood Athlete Biological Passport Samples, and additional requirements for the transportation of dried blood spot Samples can be found in Annex J - Collection, Storage and Transport of Dried Blood Spot Samples.]

10.0 Ownership of Sample

- 10.1** Samples collected from an Athlete are owned by the Testing Authority for the Sample Collection Session in question.
- 10.2** The Testing Authority may transfer ownership of the Samples to the Results Management Authority or to another Anti-Doping Organization upon request.
- 10.3** WADA may assume Testing Authority in certain circumstances in accordance with the Code and the International Standard for Laboratories.
- 10.4** Where the Testing Authority is not the Passport Custodian, the Testing Authority that initiated and directed the Sample collection maintains the responsibility for additional Analytical Testing of the Sample. This includes the performance of further Confirmation Procedure(s) upon requests generated automatically by the Adaptive Model of the Athlete Biological Passport in ADAMS (e.g., GC/C/IRMS triggered by elevated T/E) or a request by the APMU (e.g., GC/C/IRMS requested due to abnormal secondary Markers of the urinary “longitudinal steroid profile” or erythropoietin receptor agonists (ERAs) analysis tests due to suspicious hematological Marker values).

11.0 Gathering, Assessment and Use of Intelligence

11.1 Objective

Anti-Doping Organizations shall ensure they are able to obtain, assess and process anti-doping intelligence from all available sources, to help deter and detect doping, to inform the

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development of an effective, intelligent and proportionate Test Distribution Plan, to plan Target Testing, and to conduct investigations as required by Code Article 5.7. The objective of Article 11 is to establish standards for the efficient and effective gathering, assessment and processing of such intelligence for these purposes.

[Comment to 11.1: While Testing will always remain an integral part of the anti-doping effort, Testing alone is not sufficient to detect and establish to the requisite standard all of the anti-doping rule violations identified in the Code. In particular, while Use of Prohibited Substances and Prohibited Methods may often be uncovered by analysis of Samples, the other Code anti-doping rule violations (and, often, Use) can usually only be effectively identified and pursued through the gathering and investigation of 'non-analytical' anti-doping intelligence and information. This means that Anti-Doping Organizations need to develop efficient and effective intelligence-gathering and investigation functions. WADA has devised Intelligence and Investigations Guidelines with case studies to assist Anti-Doping Organizations to better understand the types of 'non-analytical' intelligence that may be available and to provide support and guidance to Signatories in their efforts to comply with the Code and the International Standards.]

11.2 Gathering of Anti-Doping Intelligence

11.2.1 Anti-Doping Organizations shall do everything in their power to ensure that they are able to capture or receive anti-doping intelligence from all available sources, including, but not limited to, Athletes and Athlete Support Personnel (including Substantial Assistance provided pursuant to Code Article 10.7.1) and members of the public (e.g., by means of a confidential telephone hotline), Sample Collection Personnel (whether via mission reports, incident reports, or otherwise), Laboratories, pharmaceutical companies, other Anti-Doping Organizations, WADA, National Federations, law enforcement, other regulatory and disciplinary bodies, and the media (in all its forms).

11.2.2 Anti-Doping Organizations shall have policies and procedures in place to ensure that anti-doping intelligence captured or received is handled securely and confidentially, that sources of intelligence are protected, that the risk of leaks or inadvertent disclosure is properly

addressed, and that intelligence shared with them by law enforcement, other relevant authorities and/or other third parties, is processed, used and disclosed only for legitimate anti-doping purposes.

11.3 Assessment and Analysis of Anti-Doping Intelligence

- 11.3.1** Anti-Doping Organizations shall ensure that they are able to assess all anti-doping intelligence upon receipt for relevance, reliability and accuracy, taking into account the nature of the source and the circumstances in which the intelligence has been captured or received.

[Comment to 11.3.1: There are various models that may be used as the basis for the assessment and analysis of anti-doping intelligence. There are also databases and case management systems that may be used to assist in the organization, processing, analysis and cross-referencing of such intelligence.]

- 11.3.2** All anti-doping intelligence captured or received by an Anti-Doping Organization should be collated and analyzed to establish patterns, trends and relationships that may assist the Anti-Doping Organization in developing an effective anti-doping strategy and/or in determining (where the intelligence relates to a particular case) whether there is reasonable cause to suspect that an anti-doping rule violation may have been committed, such that further investigation is warranted in accordance with Article 12 and the International Standard for Results Management.

11.4 Intelligence Outcomes

- 11.4.1** Anti-doping intelligence shall be used to assist for the following purposes (without limitation): developing, reviewing and revising the Test Distribution Plan and/or determining when to conduct Target Testing, in each case in accordance with Article 4 and/or to create targeted intelligence files to be referred for investigation in accordance with Article 12.
- 11.4.2** Anti-Doping Organizations should also develop and implement policies and procedures for the sharing of intelligence (where appropriate, and subject to applicable law) with other Anti-Doping Organizations (e.g., if the

intelligence relates to Athletes or other Persons under their authority) and/or law enforcement and/or other relevant regulatory or disciplinary authorities (e.g., if the intelligence suggests the possible commission of a crime or regulatory offence or breach of other rules of conduct).

- 11.4.3** Anti-Doping Organizations should develop and implement policies and procedures to facilitate and encourage confidential sources as outlined within WADA's Confidential Source Policy available on WADA's website.

12.0 Investigations

12.1 Objective

The objective of Article 12 is to establish standards for the efficient and effective conduct of investigations that Anti-Doping Organizations must implement under the Code, including but not limited to:

- (a) The investigation of Atypical Findings, Atypical Passport Findings and Adverse Passport Findings, in accordance with the International Standard for Results Management;
- (b) The investigation of any other analytical or non-analytical information and/or intelligence where there is reasonable cause to suspect that an anti-doping rule violation may have been committed, in accordance with the International Standard for Results Management;
- (c) The investigation of the circumstances surrounding and/or arising from an Adverse Analytical Finding to gain further intelligence on other Persons or methods involved in doping (e.g., Interviewing the relevant Athlete); and
- (d) Where an anti-doping rule violation by an Athlete is established, the investigation into whether Athlete Support Personnel or other Persons may have been involved in that violation, in accordance with Code Article 20.

- 12.1.1** In each case, the purpose of the investigation is to achieve one of the following either;

- (a) to rule out the possible violation/involvement in a violation;
- (b) to develop evidence that supports the initiation of an anti-doping rule violation proceeding in accordance with Code Article 8; or
- (c) to provide evidence of a breach of the Code or applicable International Standard.

12.2 Investigating Possible Anti-doping Rule Violations

12.2.1 Anti-Doping Organizations shall ensure that they are able to investigate confidentially and effectively any analytical or non-analytical information or intelligence that indicates there is reasonable cause to suspect that an anti-doping rule violation may have been committed, in accordance with the International Standard for Results Management.

[Comment to 12.2.1: Where an attempt to collect a Sample from an Athlete produces information indicating a possible evasion of Sample collection and/or refusal or failure to submit to Sample collection after due notification, in violation of Code Article 2.3, or possible Tampering or Attempted Tampering with Doping Control, in violation of Code Article 2.5, the matter shall be investigated in accordance with the International Standard for Results Management.]

12.2.2 The Anti-Doping Organization shall gather and record all relevant information and documentation as soon as possible, in order to develop that information and documentation into admissible and reliable evidence in relation to the possible anti-doping rule violation, and/or to identify further lines of enquiry that may lead to the discovery of such evidence. The Anti-Doping Organization shall ensure that investigations are conducted fairly, objectively and impartially at all times. The conduct of investigations, the evaluation of information and evidence identified in the course of that investigation, and the outcome of the investigation, shall be fully documented.

[Comment to 12.2.2: It is important that information is provided to and gathered by the investigating Anti-Doping Organization as quickly as possible and in as much detail

as possible because the longer the period between the incident and investigation, the greater the risk that certain evidence may no longer exist. Investigations should not be conducted with a closed mind, pursuing only one outcome (e.g., institution of anti-doping rule violation proceedings against an Athlete or other Person). Rather, the investigator(s) should be open to and should consider all possible outcomes at each key stage of the investigation, and should seek to gather not only any available evidence indicating that there is a case to answer but also any available evidence indicating that there is no case to answer.]

12.2.3 The Anti-Doping Organization should make use of all investigative resources reasonably available to it to conduct its investigation. This may include obtaining information and assistance from law enforcement and other relevant authorities, including other regulators. However, the Anti-Doping Organization should also make full use of all investigative resources at its own disposal, including the Athlete Biological Passport program, investigative powers conferred under applicable rules (e.g., the power to demand the production of relevant documents and information, and the power to interview both potential witnesses and the Athlete or other Person who is the subject of the investigation), and the power to suspend a period of Ineligibility imposed on an Athlete or other Person in return for the provision of Substantial Assistance in accordance with Code Article 10.7.1.

12.2.4 Athletes and Athlete Support Personnel are required under Code Article 21 to cooperate with investigations conducted by Anti-Doping Organizations. If they fail to do so, disciplinary action should be taken against them under applicable rules. If their conduct amounts to subversion of the investigation process (e.g., by providing false, misleading or incomplete information, and/or by destroying potential evidence), the Anti-Doping Organization should bring proceedings against them for violation of Code Article 2.5 (Tampering or Attempted Tampering).

12.3 Investigation Outcomes

12.3.1 The Anti-Doping Organization shall come to a decision efficiently and without undue delay as to whether proceedings should be brought against the Athlete or other Person asserting commission of an anti-doping rule violation. As set out in Code Article 13.3, if an Anti-Doping Organization fails to make such decision within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if the Anti-Doping Organization had rendered a decision finding that no anti-doping rule violation has been committed. As noted in the comment to Code Article 13.3, however, before taking such action WADA will consult with the Anti-Doping Organization and give it an opportunity to explain why it has not yet rendered a decision.

12.3.2 Where the Anti-Doping Organization concludes based on the results of its investigation that proceedings should be brought against the Athlete or other Person asserting commission of an anti-doping rule violation, it shall give notice of that decision in the manner set out in the International Standard for Results Management and shall bring forward the proceedings against the Athlete or other Person in question in accordance with Code Article 8.

12.3.3 Where the Anti-Doping Organization concludes, based on the results of its investigation, that proceedings should not be brought forward against the Athlete or other Person asserting commission of an anti-doping rule violation:

12.3.3.1 It shall notify WADA and the Athlete's or other Person's International Federation and National Anti-Doping Organization in writing of that decision, with reasons, in accordance with Code Article 14.1.4.

12.3.3.2 It shall provide such other information about the investigation as is reasonably required by WADA and/or the International Federation and/or National Anti-Doping Organization in order to determine whether to appeal against that decision.

12.3.3.3 In any event, it shall consider whether any of the intelligence obtained and/or lessons learned during the investigation should be used to inform the development of its Test

Distribution Plan and/or to plan Target Testing, and/or should be shared with any other body in accordance with Article 11.4.2.

ANNEX A - MODIFICATIONS FOR ATHLETES WITH IMPAIRMENTS

A.1. Objective

To ensure, where possible, that the particular needs of Athletes with impairments are considered in relation to the provision of a Sample without compromising the integrity of the Sample Collection Session.

A.2. Scope

Determining whether modifications are necessary starts with identification of situations where Sample collection involves Athletes with impairments and ends with modifications to Sample.

A.3. Responsibility

A.3.1 The Testing Authority or Sample Collection Authority (as applicable) has responsibility for ensuring, when possible, that the DCO has any information and Sample Collection Equipment necessary to conduct a Sample Collection Session with an Athlete with an impairment, including details of such impairment that may affect the procedure to be followed in conducting a Sample Collection Session.

A.3.2 The DCO has responsibility for Sample collection.

A.4. Requirements

A.4.1. All aspects of notification and Sample collection for Athletes with impairments shall be carried out in accordance with the standard notification and Sample collection procedures unless modifications are necessary due to the Athlete's impairment.

[Comment to A.4.1: The Testing Authority in the case of an Athlete with an intellectual impairment, shall decide whether to obtain consent to Testing from their representative and inform the Sample Collection Authority and Sample Collection Personnel.]

- A.4.2.** In planning or arranging Sample collection, the Sample Collection Authority and DCO shall consider whether there will be any Sample collection for Athletes with impairments that may require modifications to the standard procedures for notification or Sample collection, including Sample Collection Equipment and Doping Control Station.
- A.4.3.** The Sample Collection Authority and DCO shall have the authority to make modifications as the situation requires when possible and as long as such modifications will not compromise the integrity, identity, and security of the Sample. The DCO shall consult the Athlete in order to determine what modifications may be necessary for the Athlete's impairment. All such modifications shall be documented.
- A.4.4.** An Athlete with an intellectual, physical or sensorial impairment may be assisted by the Athlete's representative or Sample Collection Personnel during the Sample Collection Session where authorized by the Athlete and agreed to by the DCO.
- A.4.5.** The DCO may decide that alternative Sample Collection Equipment or an alternative Doping Control Station will be used when required to enable the Athlete to provide the Sample, as long as the Sample's integrity, identity and security will not be affected.
- A.4.6.** Athletes who are using urine collection or drainage systems are required to eliminate existing urine from such systems before providing a urine Sample for analysis. Where possible, the existing urine collection or drainage system should be replaced with a new, unused catheter or drainage system prior to collection of the Sample.
- A.4.7.** Should an Athlete require any additional equipment in order to be able to provide a Sample, including but not limited to catheters and drainage systems, it is the sole responsibility of the Athlete to have the necessary equipment available for this purpose and understand how to use it.
- A.4.8.** For Athletes with vision or intellectual impairments, the DCO and/or Athlete may determine if they shall have a representative present during the Sample Collection Session. During the Sample Collection Session, a representative of the Athlete and/or a representative of the DCO may observe the witnessing DCO/Chaperone while the Athlete is passing the

urine Sample. This representative or these representatives may not directly observe the passing of the urine Sample, unless requested to do so by the Athlete.

- A.4.9. The DCO shall record modifications made to the standard Sample collection procedures for Athletes with impairments, including any applicable modifications specified in the above actions.

ANNEX B - MODIFICATIONS FOR ATHLETES WHO ARE MINORS

B.1 Objective

To ensure, where possible, that the particular needs of Athletes who are Minors are met in relation to the provision of a Sample, without compromising the integrity of the Sample Collection Session.

B.2 Scope

Determining whether modifications are necessary starts with identification of situations where Sample collection involves Athletes who are Minors and ends with modifications to Sample collection procedures where necessary and where possible.

B.3 Responsibility

B.3.1 The Testing Authority has responsibility for ensuring, when possible, that the Sample Collection Authority and/or the DCO has any information necessary to conduct a Sample Collection Session with an Athlete who is a Minor. This includes confirming wherever necessary, the parental consent for Testing any participating Athlete who is a Minor.

B.3.2 Where Sample collection involves an Athlete who is a Minor, the Testing Authority and/or the Sample Collection Authority shall assign, at a minimum, two Sample Collection Personnel to the Sample Collection Session. Sample Collection Personnel shall be informed, in advance, that Sample collection involves (or may involve) Athletes who are Minors.

[Comment to B.3.2: For clarity, the two Sample Collection Personnel may be two DCOs or a DCO and a BCO or a DCO and a Chaperone. The two Sample Collection Personnel shall always be present in the Doping Control Station for Sample Collection Sessions involving an Athlete who is a Minor.]

B.3.3 The DCO has responsibility for Sample collection.

B.4 Requirements

B.4.1 All aspects of notification and Sample collection for Athletes who are Minors shall be carried out in accordance with the standard notification and Sample collection procedures unless modifications are necessary due to the Athlete being a Minor.

B.4.2 The Sample Collection Authority and the DCO shall have the authority to make modifications as the situation requires as long as such modifications will not compromise the integrity, identity and security of the Sample. All such modifications shall be documented.

B.4.3 Athletes who are Minors should be notified in the presence of an Athlete representative (who is not a Minor) and should also be accompanied by a representative throughout the entire Sample Collection Session.

[Comment to B.4.3: It is recommended that an Athlete who is a Minor be accompanied by an Athlete representative. Reasonable efforts should be made by the Sample Collection Personnel to encourage the Athlete who is a Minor to have an Athlete representative throughout the Sample Collection Session and to assist the Athlete in locating one. In situations where the Athlete is unable to locate a representative then two Sample Collection Personnel shall always accompany the Athlete until their Sample Collection Session is completed, however, if an Athlete representative is located and present with the Athlete, the second Sample Collection Personnel is not required to accompany the Athlete with the exception of when the Athlete is ready to provide a Sample in accordance with the procedures outlined in Annex B.4.5.]

B.4.4 Should an Athlete who is a Minor decline to have a representative present during the collection of a Sample, this does not invalidate the Test but shall be clearly documented by the DCO. Any follow up action taken by the DCO and/or Chaperone to encourage and assist the Athlete in locating a representative should also be documented.

B.4.5 The representative of the Athlete who is a Minor, if present, shall only observe the DCO/Chaperone during the passing of the urine Sample, unless requested by the Athlete who is a Minor to observe the passing of the urine Sample directly. The second

member of the Sample Collection Personnel shall only observe the DCO/Chaperone and shall not directly observe the passing of the Sample.

- B.4.6** The preferred venue for all Out-of-Competition Testing of the Athlete who is a Minor is a location where the presence of an Athlete representative (who is not a Minor) is most likely to be available for the duration of the Sample Collection Session, e.g., a training venue.

ANNEX C - COLLECTION OF URINE SAMPLE

C.1 Objective

To collect an Athlete's urine Sample in a manner that ensures:

- (a) Consistency with relevant principles of internationally recognized standard precautions in healthcare settings so that the health and safety of the Athlete and Sample Collection Personnel are not compromised;
- (b) The Sample meets the Suitable Specific Gravity for Analysis and the Suitable Volume of Urine for Analysis. Failure of a Sample to meet these requirements in no way invalidates the suitability of the Sample for analysis. The determination of a Sample's suitability for analysis is the decision of the relevant Laboratory, in consultation with the Testing Authority for the Sample Collection Session in question.

[Comment to C.1 (b): The measurements taken in the field for Suitable Specific Gravity for Analysis and the Suitable Volume of Urine for Analysis are preliminary in nature, to assess whether the Sample meets the requirements for analysis. It is possible there could be discrepancies between the field readings and the final Laboratory readings due to the precision of the Laboratory equipment. The Laboratory reading will be considered final, and such discrepancies (if any) shall not constitute a basis for Athletes to seek to invalidate or otherwise challenge an Adverse Analytical Finding.]

- (c) the Sample has not been manipulated, substituted, contaminated or otherwise tampered with in anyway;
- (d) the Sample is clearly and accurately identified; and
- (e) the Sample is securely sealed in a Tamper Evident kit.

C.2 Scope

The collection of a urine Sample begins with ensuring the Athlete is informed of the Sample collection requirements and ends with discarding any residual urine remaining at the end of the Athlete's Sample Collection Session.

C.3 Responsibility

C.3.1 The DCO has the responsibility for ensuring that each Sample is properly collected, identified and sealed.

C.3.2 The DCO/Chaperone has the responsibility for directly witnessing the passing of the urine Sample.

C.4 Requirements

C.4.1 The DCO shall ensure that the Athlete is informed of the requirements of the Sample Collection Session, including any modifications as provided for in Annex A - Modifications for Athletes with Impairments and/or in Annex B - Modifications for Athletes who are Minors.

C.4.2 The DCO shall ensure that the Athlete is offered a choice of Sample collection vessels for collecting the Sample. If the nature of an Athlete's impairment requires that they must use additional or other equipment as provided for in Annex A - Modifications for Athletes with Impairments, the DCO shall inspect that equipment to ensure that it will not affect the integrity, identity or security of the Sample.

C.4.3 When the Athlete selects a collection vessel, and for selection of all other Sample Collection Equipment that directly holds the urine Sample, the DCO will instruct the Athlete to check that all seals on the selected equipment are intact and the equipment has not been tampered with. If the Athlete is not satisfied with the selected equipment, they may select another. If the Athlete is not satisfied with any of the equipment available for selection, this shall be recorded by the DCO. If the DCO does not agree with the Athlete that all of the equipment available for the selection is unsatisfactory, the DCO shall instruct the Athlete to proceed with the Sample Collection Session. If the DCO agrees with the Athlete that all of the equipment available for the selection is unsatisfactory, the DCO shall terminate the urine Sample collection, and this shall be recorded by the DCO.

- C.4.4** The Athlete shall retain control of the collection vessel and any Sample provided until the Sample (or partial Sample) is sealed, unless assistance is required by reason of an Athlete's impairment as provided for in Annex A - Modifications for Athletes with Impairments. Additional assistance may be provided in exceptional circumstances to any Athlete by the Athlete's representative or Sample Collection Personnel during the Sample Collection Session where authorized by the Athlete and agreed to by the DCO.
- C.4.5** The DCO/Chaperone who witnesses the passing of the Sample shall be of the same gender as the Athlete providing the Sample and where applicable, based on the gender of the Event the Athlete competed in.
- C.4.6** The DCO/Chaperone shall, where practicable, ensure the Athlete thoroughly washes their hands with water only prior to the provision of the Sample or wears suitable (e.g., disposable) gloves during provision of the Sample.
- C.4.7** The DCO/Chaperone and Athlete shall proceed to an area of privacy to collect a Sample.
- C.4.8** The DCO/Chaperone shall ensure an unobstructed view of the Sample leaving the Athlete's body and shall continue to observe the Sample after provision until the Sample is securely sealed. In order to ensure a clear and unobstructed view of the passing of the Sample, the DCO/Chaperone shall instruct the Athlete to remove or adjust any clothing which restricts the DCO's/Chaperone's clear view of Sample provision.
- C.4.9** The DCO/Chaperone shall ensure that urine passed by the Athlete is collected in the collection vessel to its maximum capacity and thereafter the Athlete is encouraged to fully empty their bladder into the toilet. The DCO shall verify, in full view of the Athlete, that the Suitable Volume of Urine for Analysis has been provided.
- C.4.10** Where the volume of urine provided by the Athlete is insufficient, the DCO shall follow the partial Sample collection procedure set out in Annex E - Urine Samples – Insufficient Volume.
- C.4.11** Once the volume of urine provided by the Athlete is sufficient, the DCO shall instruct the Athlete to select a Sample collection

kit containing A and B bottles or containers in accordance with Annex C.4.3.

- C.4.12** Once a Sample collection kit has been selected, the DCO and the Athlete shall check that all Sample code numbers match and that this code number is recorded accurately by the DCO on the Doping Control form. If the Athlete or DCO finds that the numbers are not the same, the DCO shall instruct the Athlete to choose another kit in accordance with Annex C.4.3. The DCO shall record the matter.
- C.4.13** The Athlete shall pour the minimum Suitable Volume of Urine for Analysis into the B bottle or container (to a minimum of 30 mL), and then pour the remainder of the urine into the A bottle or container (to a minimum of 60 mL). The Suitable Volume of Urine for Analysis shall be viewed as an absolute minimum. If more than the minimum Suitable Volume of Urine for Analysis has been provided, the DCO shall ensure that the Athlete fills the A bottle or container to capacity as per the recommendation of the equipment manufacturer. Should there still be urine remaining, the DCO shall ensure that the Athlete fills the B bottle or container to capacity as per the recommendation of the equipment manufacturer. The DCO shall instruct the Athlete to ensure that a small amount of urine is left in the collection vessel, explaining that this is to enable the DCO to test the residual urine in accordance with Annex C.4.15.
- C.4.14** The Athlete shall then seal the A and B bottles or containers as directed by the DCO. The DCO shall check, in full view of the Athlete, that the bottles or containers have been properly sealed.
- C.4.15** The DCO shall test the residual urine in the collection vessel to determine if the Sample has a Suitable Specific Gravity for Analysis. If the DCO's field reading indicates that the Sample does not have a Suitable Specific Gravity for Analysis, then the DCO shall follow Annex F - Urine Samples that do not meet the requirement for Suitable Specific Gravity for Analysis.
- C.4.16** Urine should only be discarded when both the A and B bottles or containers have been sealed and the residual urine has been tested in accordance with Annex C.4.15.
- C.4.17** The Athlete shall be given the option of witnessing the discarding of any residual urine.

ANNEX D - COLLECTION OF VENOUS BLOOD SAMPLES

D.1 Objective

To collect an Athlete's blood Sample by venipuncture in a manner that ensures:

- (a) Consistency with relevant principles of internationally recognized standard precautions in healthcare settings, and is collected by a suitably qualified Person, so that the health and safety of the Athlete and Sample Collection Personnel are not compromised;
- (b) The Sample is of a quality and quantity that meets the relevant analytical guidelines and requirements defined by the Laboratory;
- (c) The Sample has not been manipulated, substituted, contaminated or otherwise tampered with in anyway;
- (d) The Sample is clearly and accurately identified; and
- (e) The Sample is securely sealed in a Tamper Evident kit.

D.2 Scope

The requirements of this Annex apply to venous blood Samples collected for the purposes of specific analysis and/or all modules of the Athlete Biological Passport. The collection of a venous blood Sample begins with ensuring the Athlete is informed of the Sample collection requirements and ends with properly storing the Sample prior to transport to the Laboratory that will be analyzing the Sample.

[Comment to D.2: Additional requirements applicable only to whole blood Samples collected for the hematological module of the Athlete Biological Passport are contained in Annex I - Collection, Storage and Transport of Blood Athlete Biological Passport Samples and, requirements for dried blood spot Samples are contained in Annex J - Collection, Storage and Transport of Dried Blood Spot Samples.]

D.3 Responsibility

D.3.1 The DCO has the responsibility for ensuring that:

- (a) Each Sample is properly collected, identified and sealed;
- (b) All Samples have been properly stored and dispatched in accordance with the relevant analytical guidelines.

- D.3.2** The BCO has the responsibility for collecting the blood Sample, answering related questions during the provision of the Sample, and proper disposal of used blood sampling equipment not required to complete the Sample Collection Session.

D.4 Requirements

- D.4.1** Procedures involving blood shall be consistent with the local standards and regulatory requirements regarding precautions in healthcare settings where those standards and requirements exceed the requirements set out below.
- D.4.2** Blood Sample Collection Equipment shall consist of:
- (a) Collection tube(s); and/or
 - (b) A and B bottles/containers for the secure transportation of collection tube(s); and/or
 - (c) Unique labels for collection tube(s) with a Sample code number; and/or
 - (d) Such other types of equipment to be used in connection with the collection of blood as set out in Article 6.3.4 and WADA's Guidelines for Sample Collection.
- D.4.3** The DCO shall ensure that the Athlete is properly notified of the requirements of the Sample collection, including any modifications as provided for in Annex A - Modifications for Athletes with Impairments.
- D.4.4** The DCO/Chaperone and Athlete shall proceed to the area where the Sample will be provided.
- D.4.5** The DCO/BCO shall ensure the Athlete is offered comfortable conditions and shall instruct the Athlete to remain in an upright, stationary seated position with feet on the floor for at least 10 minutes prior to providing a blood Sample. If the Athlete's feet cannot reach the floor and/or the Athlete's impairment does not allow feet on the floor, the Athlete shall remain in an upright, stationary seated position.
- D.4.6** The DCO/BCO shall instruct the Athlete to select the Sample Collection Equipment required for collecting the Sample and to check that the selected equipment has not been tampered with and any seals are intact. If the Athlete is not satisfied with the

selected equipment, they may select another. If the Athlete is not satisfied with any equipment and no other is available, this shall be recorded by the DCO. If the DCO does not agree with the Athlete that all of the available equipment is unsatisfactory, the DCO shall instruct the Athlete to proceed with the Sample Collection Session. If the DCO agrees with the Athlete that all available equipment is unsatisfactory, the DCO shall terminate the blood Sample collection, and this shall be recorded by the DCO.

- D.4.7** When a Sample collection kit has been selected, the DCO and the Athlete shall check that all Sample code numbers match and that this Sample code number is recorded accurately by the DCO on the Doping Control form. If the Athlete or DCO finds that the numbers are not the same, the DCO shall instruct the Athlete to choose another kit. The DCO shall record the matter. If the collection tube(s) are not pre-labelled, the DCO/BCO shall label them with a unique Sample code number prior to the blood being drawn and the Athlete shall check that the code numbers match.
- D.4.8** The BCO shall assess the most suitable location for venipuncture that is unlikely to adversely affect the Athlete or their performance. This should be the non-dominant arm, unless the BCO assesses the other arm to be more suitable. The BCO shall clean the skin with a sterile disinfectant wipe or swab and, if required apply a tourniquet. The BCO shall take the blood Sample from a superficial vein into the tube. The tourniquet, if applied, shall be immediately removed after the venipuncture has been made.
- D.4.9** The amount of blood removed shall be adequate to satisfy the relevant analytical requirements for the Sample analysis to be performed, as set out in WADA's Guidelines for Sample Collection.
- D.4.10** If the amount of blood that can be removed from the Athlete at the first attempt is insufficient, the BCO shall repeat the procedure up to a maximum of three (3) attempts in total. Should all three (3) attempts fail to produce a sufficient amount of blood, then the BCO shall inform the DCO. The DCO shall terminate the blood Sample collection and record the reasons for terminating.
- D.4.11** The BCO shall apply a dressing to the puncture site(s).

- D.4.12** The BCO shall dispose of used blood sampling equipment not required to complete the Sample Collection Session in accordance with the required local standards for handling blood.
- D.4.13** After the blood flow into the tube ceases, the BCO shall remove the tube from the holder and homogenize the blood in the tube manually by inverting the tube gently at least three (3) times). The Athlete shall remain in the blood collection area and observe their Sample until it is sealed in a Tamper Evident kit.
- D.4.14** The Athlete shall seal their Sample into a Tamper Evident kit as directed by the DCO. In full view of the Athlete, the DCO shall check that the sealing is satisfactory. The Athlete and the BCO/DCO shall sign the Doping Control form.
- D.4.15** The sealed Sample shall be stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station to the Laboratory that will be analyzing the Sample.
- D.4.16** Blood Samples shall be transported in accordance with Article 9 and WADA's Guidelines for Sample Collection. The transport procedure is the responsibility of the DCO. Blood Samples shall be transported in a device that maintains the integrity of Samples over time, in a cool and constant environment, measured by a temperature data logger notwithstanding changes in external temperature. The transport device shall be transported by secure means using a method authorized by the Testing Authority or Sample Collection Authority.

ANNEX E - URINE SAMPLES - INSUFFICIENT VOLUME

E.1 Objective

To ensure that where a Suitable Volume of Urine for Analysis is not provided, appropriate procedures are followed.

E.2 Scope

The procedure begins with informing the Athlete that the Sample that they have provided is not of Suitable Volume of Urine for Analysis and ends with the Athlete's provision of a Sample of sufficient volume.

E.3 Responsibility

The DCO has the responsibility for declaring the Sample volume insufficient and for collecting the additional Sample(s) to obtain a combined Sample of sufficient volume.

E.4 Requirements

- E.4.1** If the Sample collected is of insufficient volume, the DCO shall inform the Athlete that a further Sample shall be collected to meet the Suitable Volume of Urine for Analysis requirements.
- E.4.2** The DCO shall instruct the Athlete to select partial Sample Collection Equipment in accordance with Annex C.4.3.
- E.4.3** The DCO shall then instruct the Athlete to open the relevant equipment, pour the insufficient Sample into the new container (unless the Sample Collection Authority's procedures permit retention of the insufficient Sample in the original collection vessel) and seal it using a partial Sample sealing system, as directed by the DCO. The DCO shall check, in full view of the Athlete, that the container (or original collection vessel, if applicable) has been properly sealed.
- E.4.4** The DCO shall record the partial Sample number and the volume of the insufficient Sample on the Doping Control form and confirm its accuracy with the Athlete. The DCO shall retain control of the sealed partial Sample.
- E.4.5** While waiting to provide an additional Sample, the Athlete shall remain under continuous observation and be given the opportunity to hydrate in accordance with Article 7.3.3.
- E.4.6** When the Athlete is able to provide an additional Sample, the procedures for collection of the Sample shall be repeated as prescribed in Annex C - Collection of Urine Samples, until a sufficient volume of urine will be provided by combining the initial and additional Sample(s).
- E.4.7** Following each Sample provided, the DCO and Athlete shall check the integrity of the seal(s) on the container(s) containing the previously provided partial Sample(s). Any irregularity with the integrity of the seal(s) will be recorded by the DCO and investigated according to Annex A - Review of a Possible Failure to Comply of the International Standard for Results Management. The DCO may request that an additional Sample is collected from the Athlete. A refusal to provide a further Sample if requested, where the minimum requirements for

Sample collection volume are not met, shall be recorded by the DCO and dealt with as a potential Failure to Comply in accordance with the International Standard for Results Management.

E.4.8 The DCO shall then direct the Athlete to break the seal(s) and combine the Samples, ensuring that additional Samples are added in the order they were collected to the original partial Sample until, as a minimum, the requirement for Suitable Volume of Urine for Analysis is met.

E.4.9 The DCO and the Athlete shall then continue with Annex C.4.12 or Annex C.4.14 as appropriate.

ANNEX F - URINE SAMPLES THAT DO NOT MEET THE REQUIREMENT FOR SUITABLE SPECIFIC GRAVITY FOR ANALYSIS

F.1 Objective

To ensure that when the urine Sample does not meet the requirement for Suitable Specific Gravity for Analysis, appropriate procedures are followed.

F.2 Scope

The procedure begins with the DCO informing the Athlete that a further Sample is required and ends with the collection of a Sample that meets the requirements for Suitable Specific Gravity for Analysis, or appropriate follow-up action by the Testing Authority if required.

F.3 Responsibility

F.3.1 The Sample Collection Authority is responsible for establishing procedures to ensure that a suitable Sample is collected, if the original Sample collected does not meet the requirement for Suitable Specific Gravity for Analysis.

F.3.2 The DCO is responsible for collecting additional Samples until a suitable Sample is obtained.

F.4 Requirements

F.4.1 The DCO shall determine that the requirements for Suitable Specific Gravity for Analysis have not been met.

F.4.2 The DCO shall inform the Athlete that they are required to provide a further Sample.

F.4.3 While waiting to provide a further Sample, the Athlete shall remain under continuous observation and shall be advised not to hydrate, since this may delay the production of a suitable Sample. In appropriate circumstances, further hydration after the provision of an unsuitable Sample may be pursued as a violation of Code Article 2.5.

[Comment to F.4.3: It is the responsibility of the Athlete to provide a Sample with a Suitable Specific Gravity for Analysis. Sample Collection Personnel shall advise the Athlete and Athlete Support Personnel as appropriate of this requirement at the time of notification in order to discourage excessive hydration prior to the provision of the Athlete's first Sample. If the Athlete's first Sample does not have a Suitable Specific Gravity for Analysis, they shall be advised to not hydrate any further until a Sample with a Suitable Specific Gravity for Analysis is provided.]

F.4.4 When the Athlete is able to provide an additional Sample, the DCO shall repeat the procedures for Sample collection set out in Annex C - Collection of Urine Samples.

F.4.5 The DCO shall continue to collect additional Samples until the requirement for Suitable Specific Gravity for Analysis is met, or until the DCO determines that there are exceptional circumstances which mean it is impossible to continue with the Sample Collection Session. Such exceptional circumstances shall be documented accordingly by the DCO.

[Comment to F.4.5: Sample Collection Authorities and DCOs should ensure they have adequate equipment to comply with the requirements of Annex F. The DCO should wait as long as necessary to collect such additional Sample(s) with a Suitable Specific Gravity for Analysis. The Testing Authority may specify procedures to be followed by the DCO in determining whether exceptional circumstances exist that make it impossible to continue with the Sample Collection Session.]

F.4.6 The DCO shall record that the Samples collected belong to a single Athlete and the order in which the Samples were provided.

- F.4.7** The DCO shall then continue with the Sample Collection Session in accordance with Annex C.4.17.
- F.4.8** The DCO shall send to the Laboratory for analysis all Samples which were collected, irrespective of whether or not they meet the requirement for Suitable Specific Gravity for Analysis.
- F.4.9** When two (2) Samples are collected from an Athlete, during the same Sample Collection Session, both Samples shall be analyzed by the Laboratory. In cases where three (3) or more Samples are collected during the same Sample Collection Session, the Laboratory shall prioritize and analyze the first and the subsequent collected Sample with the highest specific gravity, as recorded on the Doping Control form. The Laboratory, in conjunction with the Testing Authority, may determine if the other Samples need to be analyzed.

ANNEX G - SAMPLE COLLECTION PERSONNEL REQUIREMENTS

G.1 Objective

To ensure that Sample Collection Personnel have no conflict of interest and have adequate qualifications and experience to conduct Sample Collection Sessions

G.2 Scope

Sample Collection Personnel requirements start with the development of the necessary competencies for Sample Collection Personnel and end with the provision of identifiable accreditation.

G.3 Responsibility

The Sample Collection Authority has the responsibility for all activities defined in this Annex.

G.4 Requirements - Qualifications and Training

G.4.1 The Sample Collection Authority shall:

- (a) Determine the necessary competence, eligibility and qualification requirements for the positions of DCO, Chaperone and BCO; and

(b) Develop duty statements for all Sample Collection Personnel that outline their respective responsibilities. As a minimum:

(i) Sample Collection Personnel shall not be Minors; and

(ii) BCOs shall have adequate qualifications and practical skills required to perform blood collection from a vein.

G.4.2 The Sample Collection Authority shall ensure that Sample Collection Personnel sign an agreement dealing with conflicts of interest, confidentiality and code of conduct.

G.4.3 Sample Collection Personnel shall not be appointed to a Sample Collection Session where they have an interest in the outcome of a Sample Collection Session. At a minimum, Sample Collection Personnel are deemed to have such an interest if they are:

(a) Involved in the participation or administration of the sport at the level for which Testing is being conducted;

(b) Related to, or involved in the personal affairs of, any Athlete who might provide a Sample at that Sample Collection Session;

(c) Have family members actively involved in the daily activities of the sport at the level for which Testing is being conducted (e.g., administration, coaching, training, officiating, competitor, medical);

(d) Are engaged in business with, have a financial interest in or personal stake in a sport that has Athletes who are subject to Testing;

(e) Are drawing or likely to draw personal and/or professional gain or advantage directly or indirectly from a third party due to their own decisions taken in the fulfillment of their official functions; and/or

(f) Appear to have private or personal interests that detract from their ability to perform their duties with integrity in an independent and purposeful manner.

- G.4.4** The Sample Collection Authority shall establish a system that ensures that Sample Collection Personnel are adequately trained to carry out their duties.
- G.4.4.1** The training program for BCOs shall include, as a minimum, studies of all relevant requirements of the Testing process and familiarization with relevant standard precautions in healthcare settings.
- G.4.4.2** The training program for DCOs shall include, as a minimum:
- (a) Comprehensive theoretical training in those Doping Control activities relevant to the DCO position;
 - (b) Observation of all Sample Collection Session activities that are the responsibility of the DCO as set out in this International Standard for Testing and Investigations, preferably on-site; and
 - (c) The satisfactory performance of one complete Sample Collection Session on-site under observation by a qualified DCO or similar. The requirement related to the actual passing of a urine Sample shall not be included in the on-site observations.
- G.4.4.3** The training program for Chaperones shall include all relevant requirements of the Sample Collection Session including but not limited to situations dealing with Failure to Comply, Athletes who are Minors and/or Athletes with impairments.
- G.4.4.4** A Sample Collection Authority that collects Samples from Athletes who are of a different nationality to its Sample Collection Personnel (e.g., at an International Event or in an Out-of-Competition context) should ensure that such Sample Collection Personnel are adequately trained to carry out their duties in respect of such Athletes.
- G.4.4.5** The Sample Collection Authority shall maintain records of education, training, skills and experience of all Sample Collection Personnel.

G.5 Requirements - Accreditation, Re-Accreditation and Delegation

- G.5.1** The Sample Collection Authority shall establish a system for accrediting and re-accrediting Sample Collection Personnel.
- G.5.2** The Sample Collection Authority shall ensure that Sample Collection Personnel have completed the training program and are familiar with the requirements of this International Standard for Testing and Investigations (including, where G.4.4.4 applies, in relation to the collection of Samples from Athletes who are of a different nationality than the Sample Collection Personnel) before granting accreditation.
- G.5.3** Accreditation shall only be valid for a maximum of two (2) years. Sample Collection Personnel shall be subject to an assessment (theoretical and/or practical) before being re-accredited and shall be required to repeat a full training program if they have not participated in Sample collection activities within the year prior to re-accreditation.
- G.5.4** Only Sample Collection Personnel who have an accreditation recognized by the Sample Collection Authority shall be authorized to conduct Sample collection activities on behalf of the Sample Collection Authority.
- G.5.5** The Sample Collection Authority shall develop a system to monitor the performance of Sample Collection Personnel during the period of accreditation, including defining and implementing criteria for revoking accreditation.
- G.5.6** DCOs may personally perform any activities involved in the Sample Collection Session, with the exception of blood collection unless particularly qualified, or they may direct a Chaperone to perform specified activities that fall within the scope of the Chaperone's authorized duties as determined by the Sample Collection Authority.

[Comment to G.5.6: Due to the absence of venipuncture during dried blood spot collection, in many jurisdictions, dried blood spot Samples may be collected by a DCO without the need for a specialized BCO if standard precautions in healthcare settings are followed and the DCO is suitably trained in accordance with Annex J.3.

ANNEX II - EVENT TESTING

H.1 Objective

To ensure there is a procedure to follow when a request is made by an Anti-Doping Organization for permission to conduct Testing at an Event where they have been unable to reach agreement on such Testing with the ruling body of the Event. WADA's objective in considering such requests is to:

- (a) Encourage collaboration and coordination between different Anti-Doping Organizations to optimize the effectiveness of their respective Testing programs;
- (b) Ensure that each Anti-Doping Organization's responsibilities are properly managed; and
- (c) Avoid creating operational disturbance and harassment for Athletes.

H.2 Scope

The procedure starts with the Anti-Doping Organization that is not responsible for initiating or directing Testing at an Event contacting the ruling body of the Event in writing to seek permission to conduct Testing and ends with WADA issuing a decision as to who shall be responsible to conduct Testing at the Event.

H.3 Responsibility

Both Anti-Doping Organizations seeking permission to conduct Testing at an Event and the ruling body of the Event should collaborate and where possible coordinate Testing at the Event. However, if this is not possible, then both Anti-Doping Organizations are required to submit their reasoning's to WADA within the timeframes outlined. WADA then has the responsibility of reviewing the circumstances and issuing a decision in accordance with the procedures set out in this Annex.

H.4 Requirements

Any Anti-Doping Organization that is not responsible for initiating and directing Testing at an Event in accordance with Code Article 5.3.2, but which nevertheless desires to conduct Testing at such Event shall, prior to contacting WADA, request such permission from the ruling body of the Event in written form with full supporting reasons.

- H.4.1** Such request shall be sent to the ruling body at least thirty-five (35) days prior to the beginning of the Event (i.e., thirty-five (35) days prior to the beginning of the In Competition period as defined by the rules of the International Federation in charge of that sport).
- H.4.2** If the ruling body refuses or does not respond within seven (7) days from receipt of the request, the requesting Anti-Doping Organization may send to WADA (with a copy to the ruling body) a written request with full supporting reasons, a clear description of the situation, and all the relevant correspondence between the ruling body and the requesting Anti-Doping Organization. Such request must be received by WADA no later than twenty-one (21) days prior to the beginning of the Event.
- H.4.3** Upon receipt of such request, WADA will immediately ask the ruling body for its position on the request and the grounds for its refusal. The ruling body shall send WADA an answer within seven (7) days of receipt of WADA's request.
- H.4.4** Upon receipt by WADA of the ruling body's answer, or if no answer is provided by the ruling body within the seven (7) days, WADA will render a reasoned decision within the next seven (7) days. In making its decision, WADA will consider, amongst others, the following:
- (a) The Test Distribution Plan for the Event, including the number and type of Testing planned for the Event;
 - (b) The menu of Prohibited Substances for which the Samples collected will be analyzed;
 - (c) The overall anti-doping program applied in the sport;
 - (d) The logistical issues that would be created by allowing the requesting Anti-Doping Organization to conduct Testing at the Event;
 - (e) Any other grounds submitted by the requesting Anti-Doping Organization and/or the ruling body refusing such Testing; and
 - (f) Any other available information that WADA considers relevant.

- H.4.5** If an Anti-Doping Organization who is not the ruling body for an Event in the country in which the Event is being hosted, has or receives intelligence regarding potential doping by an Athlete(s) who is due to compete at the Event, the Anti-Doping Organization shall share the intelligence with the ruling body of the Event as soon as possible. If no Testing is planned by the ruling body for the Event and the Anti-Doping Organization is in a position to conduct Testing itself, the ruling body for the Event shall assess whether it or the Anti-Doping Organization can conduct Testing regardless of whether the intelligence is provided by the Anti-Doping Organization within the thirty-five (35) day period preceding the Event. If the ruling body of the Event fails to engage with the Anti-Doping Organization that provided the intelligence or decides it is not able to conduct Testing itself or does not authorize the Anti-Doping Organization to conduct Testing at the Event, then the Anti-Doping Organization shall notify WADA immediately.
- H.4.6** If WADA decides that permission for Testing at the Event should be granted, either as requested by the requesting Anti-Doping Organization or as proposed by WADA, WADA may give the ruling body the possibility of conducting such Testing, unless WADA judges that this is not realistic and/or appropriate in the circumstances.

ANNEX I - COLLECTION, STORAGE AND TRANSPORT OF BLOOD ATHLETE BIOLOGICAL PASSPORT SAMPLES

I.1 Objective

To collect an Athlete's blood Sample by venipuncture, intended for use in connection with the measurement of individual Athlete blood variables within the framework of the hematological module of the Athlete Biological Passport program, in a manner appropriate for such use. The requirements of this Annex are additional requirements to those contained in Annex D - Collection of Venous Blood Samples.

I.2 Requirements

I.2.1 Planning shall consider the Athlete's whereabouts information to ensure Sample collection does not occur within two (2) hours of the Athlete's training, participation in Competition or other similar physical activity. If the Athlete has trained or competed less than two (2) hours before the time the Athlete has been notified of their selection, the DCO or other designated Sample

Collection Personnel shall chaperone the Athlete until this two-hour period has elapsed.

- I.2.2** If the Sample was collected within two (2) hours of training or Competition, the nature, duration and intensity of the exertion shall be recorded by the DCO to make this information available to the APMU.
- I.2.3** Although a single blood Sample is sufficient within the framework of the hematological module of the Athlete Biological Passport, it is recommended to collect an additional (B) Sample for a possible subsequent analysis of Prohibited Substances and Prohibited Methods in whole blood (e.g., detection of homologous blood transfusion (HBT) and/or erythropoietin receptor agonists (ERAs))
- I.2.4** For Out-of-Competition Testing, A and B urine Samples should be collected together with the blood Athlete Biological Passport Sample(s) in order to permit Analytical Testing for ERAs unless otherwise justified by a specific intelligent Testing strategy.

[Comment to I.2.4: WADA's Guidelines for Sample Collection reflect these protocols and include practical information on the integration of Athlete Biological Passport Testing into "traditional" Testing activities. A table has been included within WADA's Guidelines for Sample Collection that identifies which particular timelines for delivery are appropriate when combining particular types of analysis (e.g., blood Athlete Biological Passport and growth hormone (GH), blood Athlete Biological Passport and HBT, etc.), and which types of Samples may be suited for simultaneous transport.]

- I.2.5** The Sample shall be refrigerated from its collection until its analysis with the exception of when the Sample is analyzed immediately following collection. The storage procedure is the DCO's responsibility.
- I.2.6** The storage and transport device shall be capable of maintaining blood Athlete Biological Passport Samples at a cool temperature during storage. Whole blood Samples shall not be allowed to freeze at any time. In choosing the storage and transport device, the DCO shall take into account the time of storage, the number of Samples to be stored in the device and the prevailing environmental conditions (hot or cold temperatures). The storage device shall be one of the following:

- (a) Refrigerator;
- (b) Insulated cool box;
- (c) Isotherm bag; or
- (d) Any other device that possesses the capabilities mentioned above.

1.2.7 A temperature data logger shall be used to record the temperature from the collection to the analysis of the Sample except when the Sample is analyzed immediately following collection. The temperature data logger shall be able to:

- (a) Record the temperature in degrees Celsius at least once per minute;
- (b) Record time in GMT;
- (c) Report the temperature profile over time in text format with one line per measurement following the format “YYYY-MM-DD HH:MM T”; and
- (d) Have a unique ID of at least six characters.

1.2.8 Following notification to the Athlete that they have been selected for Sample collection and following the DCO/BCO’s explanation of the Athlete’s rights and responsibilities in the Sample collection process, the DCO/BCO shall ask the Athlete to remain still, in an upright, stationary seated position, with feet on the floor for at least ten (10) minutes prior to providing a blood Sample. If the Athlete’s feet cannot reach the floor and/or the Athlete’s impairment does not allow feet on the floor, the Athlete shall remain in an upright, stationary seated position.

[Comment to 1.2.8: The Athlete shall not stand up at any time during the ten (10) minutes prior to Sample collection. To have the Athlete seated during ten (10) minutes in a waiting room and then to call the Athlete into a blood collection room is not acceptable.]

1.2.9 The DCO/BCO shall collect and record the following additional information on an Athlete Biological Passport supplementary form, Athlete Biological Passport specific Doping Control form or other related report form to be signed by the Athlete and the DCO/BCO:

- (a) Has the Athlete been seated for at least ten (10) minutes with their feet on the floor prior to blood collection, as per Annex I.2.8?
- (b) Was the Sample collected immediately following at least three (3) consecutive days of an intensive endurance Competition, such as a stage race in cycling?
- (c) Has the Athlete had a training session or Competition in the two (2) hours prior to the blood collection?
- (d) Did the Athlete train, compete or reside at an altitude greater than 1,500 meters within the prior two (2) weeks? If so, or if in doubt, the name and location of the place where the Athlete had been, and the dates and the duration of their stay shall be recorded. The estimated altitude shall be entered, if known.
- (e) Did the Athlete use any form of altitude simulation such as a hypoxic tent, mask, etc. during the prior two (2) weeks? If so, as much information as possible on the type of device and the manner in which it was used (e.g., frequency, duration, intensity) should be recorded.
- (f) Did the Athlete receive any blood transfusion(s) during the prior three (3) months? Was there any blood loss due to accident, pathology or donation in the prior three (3) months? If so, the estimated volume should be recorded.
- (g) Has the Athlete been exposed to any extreme environmental conditions during the last two (2) hours prior to blood collection, including any sessions in any artificial heat environment, such as a sauna? If so, the details should be recorded.

I.2.10 The DCO/BCO shall start the temperature data logger and place it in the storage device. It is important to start recording the temperature before Sample collection.

I.2.11 The storage device shall be located in the Doping Control Station and shall be kept secure.

I.2.12 The DCO/BCO instructs the Athlete to select the Sample Collection Equipment in accordance with Annex D.4.6 and

continue the Sample Collection Session in accordance with Annex D.4.7.

I.3 The Sample Collection Procedure

- I.3.1** The Sample collection procedure for the collection of blood for the purposes of the Athlete Biological Passport is consistent with the procedure set out in Annex D.4, including the ten (10) minute (or more) seated period.
- I.3.2** The Athlete and the DCO/BCO sign the Doping Control and Athlete Biological Passport supplementary form(s), when applicable.
- I.3.3** The blood Sample is sealed and deposited in the storage device containing the temperature data logger.

I.4 Transportation Requirements

- I.4.1** Blood Samples shall be transported in a device that maintains the integrity of Samples over time, due to changes in external temperature.
- I.4.2** The transport procedure is the DCO's responsibility. The transport device shall be transported by secure means using a Sample Collection Authority authorized transport method.
- I.4.3** The integrity of the Markers used in the hematological module of the Athlete Biological Passport is guaranteed when the Blood Stability Score (BSS) remains below eighty-five (85), where the BSS is computed as: $BSS = 3 * T + CAT$ with CAT being the Collection to Analysis Time (in hours), and T the average Temperature (in degrees Celsius) measured by the data logger between Sample collection and analysis.
- I.4.4** Within the framework of the BSS, the following table can be used by the DCO/BCO to estimate the maximal transport time to a Laboratory or ABP Laboratory, called the Collection to Reception Time (CRT), for a given average temperature (T), e.g., if shipped at 4°C, the maximal CRT is 60 h.:

T [°C]	CRT [h]
15	27

12	36
10	42
9	45
8	48
7	51
6	54
5	57
4	60

I.4.5 The DCO/BCO shall as soon as possible transport the Sample to a Laboratory or ABP Laboratory.

I.4.6 The Testing Authority or Sample Collection Authority shall report without delay into ADAMS:

- (a) The Doping Control form, as per Article 4.9.1 b);
- (b) The Athlete Biological Passport supplementary form, and/or the additional information specific to the Athlete Biological Passport collected on a related report form;
- (c) In the Chain of Custody, the temperature data logger ID (without any time reference) and the time zone of the Testing location in GMT.

ANNEX J - COLLECTION, STORAGE AND TRANSPORT OF DRIED BLOOD SPOT SAMPLES

J.1 Objective

To collect an Athlete's blood as a dried blood spot Sample in a manner that ensures:

- (a) Consistency with relevant principles of internationally-recognized standard precautions in healthcare settings, and is collected by a suitably trained Person, so that the health and safety of the Athlete and Sample Collection Personnel are not compromised;
- (b) The Sample is of a quality and quantity that meets the relevant analytical requirements;
- (c) The Sample has not been manipulated, substituted, contaminated or otherwise tampered with in anyway;

- (d) The Sample is clearly and accurately identified; and
- (e) The Sample is securely sealed in a Tamper Evident kit.

J.2 Scope

The collection of a dried blood spot Sample begins with ensuring the Athlete is informed of the Sample collection requirements and ends with properly storing the Sample prior to transport to the Laboratory that will be analysing the Sample. Dried blood spot Samples are collected by puncture/incision of the skin to access capillary vessels (small blood vessels). One dried blood spot Sample consists of a series of small volumes of capillary blood, which are collected within the same Sample Collection Session and allowed to dry on an absorbent Sample support.

[Comment to J.2: In this context, the term "dried blood spot" refers to a capillary blood Sample that is collected and allowed to dry on an absorbent Sample support, including Samples collected by "spotting" capillary blood directly onto a cellulose-based card or other absorbent Sample support made of cellulose or of another material, as well as those collected via a specific device with integrated microneedle(s)/microlancet(s).]

J.3 Responsibility

Due to the absence of venipuncture during dried blood spot collection, dried blood spot Samples may be collected by a DCO without the need for a specialized BCO if standard precautions in healthcare settings are followed and the DCO is suitably trained. Procedures for dried blood spot collection shall be consistent with local standards and regulatory requirements. The DCO and/or the BCO have the responsibility for:

- a) Collecting the dried blood spot Sample;
- b) Ensuring that each Sample is properly identified and sealed;
- c) Answering relevant questions during the provision of the Sample;
- d) Properly disposing of dried blood spot sampling equipment that is opened but not used, or used pieces of equipment not sealed with the absorbent Sample support; and
- e) Properly storing and dispatching each Sample.

J.4 Requirements for Dried Blood Spot Collection Equipment

The dried blood spot Sample Collection Equipment shall fulfill the following criteria:

- a) Contain a single-use Sample collection device (e.g., disposable lancets to be used in conjunction with cellulose cards, devices with integrated microneedle(s)/microlancet(s)) for the puncture/incision and collection of capillary blood at the fingertip and/or from the upper arm (alternative sites of punctures may be authorized for Athletes with physical impairments, if required);
- b) The "A" and "B" absorbent Sample support shall allow the collection of distinct "A" and "B" spots (or equivalent) with a minimum total of approximately 40 μL of capillary blood in the "A" spot(s) and with a minimum total of approximately 20 μL of capillary blood in the "B" spot(s) and;

[Comment to J.4 (b): Depending on the dried blood spot Sample Collection Equipment used, the volume and number of spots may vary. If a spot has a small volume (e.g., less than 20 μL), several spots may be combined to perform the required Analytical Testing Procedure(s).]

- c) The Sample container and/or storage sleeves/packages/receptacles shall contain a desiccant to allow the spots to dry expeditiously when already sealed (without having to wait before sealing) and offering protection against possible premature degradation or contamination of the Sample.

[Comment to J.4: Additional guidance for dried blood spot Sample Collection Equipment can be found in WADA's Guidelines for Sample Collection.]

J.5 Dried Blood Spot Sample Provision

Procedures involving blood collection shall be consistent with the local standards and regulatory requirements regarding precautions in healthcare settings where those standards and requirements exceed the requirements set out below.

- J.5.1 The DCO shall ensure that the Athlete is properly notified of the requirements of the Sample collection, including any modifications as provided for in Annex A - Modifications for Athletes with Impairments and/or in Annex B - Modifications for Athletes who are Minors.

J.5.2 The DCO/Chaperone and Athlete shall proceed to the area where the Sample will be provided.

J.5.3 The DCO/BCO shall wear gloves during the Sample collection process and until the Sample is sealed.

J.5.4 The DCO/Chaperone shall, where practicable, ensure the Athlete thoroughly washes their hands with water only prior to the provision of the Sample.

[Comment to J.5.4: Any traces of talcum powder, resin, or other products that Athletes use should be thoroughly cleaned, and alcohol pads or swabs may be used if needed.]

J.5.5 The DCO/BCO shall ensure that the Athlete is offered comfortable conditions for the provision of the Sample.

[Comment to J.5.5: The requirement for the Athlete to be seated in an upright stationary position for at least 10 minutes with feet on the floor as contained in Annex D.4.5 prior to providing a blood Sample does not apply before the provision of a dried blood spot Sample.]

J.5.6 The DCO/BCO shall instruct the Athlete to select the Sample Collection Equipment required for collecting the Sample and to check that the selected equipment has not been tampered with and any seals are intact. If the Athlete is not satisfied with the selected equipment, they may select another. If the Athlete is not satisfied with any equipment and no other is available, this shall be recorded by the DCO. If the DCO does not agree with the Athlete that all of the available equipment is unsatisfactory, the DCO shall instruct the Athlete to proceed with the Sample Collection Session. If the DCO agrees with the Athlete that all available equipment is unsatisfactory, the DCO shall terminate the collection of dried blood spot Samples and this shall be recorded by the DCO.

J.5.7 When a Sample collection kit has been selected, the DCO and the Athlete shall check that all Sample code numbers match and that this Sample code number is recorded accurately by the DCO on the Doping Control form. If the Athlete or DCO finds that the numbers are not the same, the DCO shall instruct the Athlete to choose another kit. The DCO shall record the matter.

J.5.8 The DCO/BCO shall assess the most suitable location for puncture at the fingertip and/or from the upper arm that is

unlikely to adversely affect the Athlete or their sporting performance (e.g., non-dominant hand/arm). This should be a site of puncture that is free of any calluses, cuts, scars and tattoos. The DCO /BCO should select an alternative suitable site of puncture for Athletes with physical impairments if applicable.

[Comment to J.5.8: The DCO/BCO should decide whether the dried blood spot Sample be collected from the right or left hand/arm. However, they may not be given the choice of the collection between the hand or arm, as this is dependent on the Sample Collection Equipment used by the SCA.]

J.5.9 The DCO/BCO shall instruct the Athlete to warm the Sample collection site by, for example, washing the hands in warm water, shaking the hand/arm, massaging the puncture site, or placing the hand/arm in a warm blanket or equivalent.

J.5.10 The DCO/BCO shall clean the skin with a sterile alcohol pad or swab. Disinfectant gels shall not be used. Once the skin is completely dried, the DCO/BCO shall take the capillary blood Sample from the fingertip or an area on the upper arm using the dried blood spot collection device in accordance with the instructions provided by the equipment manufacturers.

For dried blood spot Samples collected from the fingertip:

- a) The middle or ring finger should be selected if possible. The little finger may also be selected but the collection may be more painful;
- b) The puncture should be done with a lancet, slightly lateral to the pad of the finger, on the last phalanx of the finger;
- c) Blood flow can be increased by gently massaging the proximal portion of the finger in a distal direction. However, squeezing or milking the finger should be avoided as it may cause hemolysis and dilution of the Sample;
- d) The first drop of blood shall be wiped away with a dry sterile compress/gauze pad;
- e) Only the drop of blood shall enter into contact with the dried blood spot absorbent Sample support, while the finger shall not touch it. The drop of blood should not be smeared onto the absorbent Sample support; and

- f) Only one drop of blood shall be applied per spot, because the dripping of several drops onto the same spot would cause an inhomogeneous Sample.

For dried blood spot Samples collected from the upper arm with a device with integrated microneedle(s)/microlancet(s):

- g) The DCO/BCO shall be responsible for applying and removing the device from the Athlete's arm. The Athlete is permitted to press the button to engage the microneedle(s)/microlancet(s) after having received the necessary instructions from the DCO/BCO. Otherwise, the DCO/BCO will press the button.

J.5.11 The volume of capillary blood removed shall be adequate to satisfy the relevant analytical requirements for the Sample analysis to be performed, i.e., a minimum total of approximately 40 µL of capillary blood in the "A" spot(s) and a minimum total of approximately 20 µL of capillary blood in the "B" spot(s) for chromatography-mass spectrometric Analytical Methods. Other special analyses may require additional Samples and/or increased Sample volume.

J.5.12 The DCO/BCO shall verify that capillary blood is deposited on the absorbent Sample support and that a sufficient number of spots in the "A" and "B" Samples (to produce a sufficient amount of capillary blood, as described in Annex J.5.11) are saturated with blood.

J.5.13 If the volume of capillary blood collected from the Athlete at the first attempt is insufficient, the DCO/BCO shall repeat the procedure up to a maximum of three (3) attempts in total. Should all three (3) attempts fail to produce a sufficient volume of capillary blood, the DCO shall terminate the collection of dried blood spot Samples and record the reasons for its termination. If more than one attempt is needed, another site of puncture shall be selected by the DCO/BCO. The skin shall be cleaned and a new lancet/Sample Collection device shall be used for the puncture of the skin.

[Comment to J.5.13: An attempt is defined as the act of puncturing the skin, i.e., only if the lancet or microneedle(s)/microlancet(s) has(ve) been engaged and punctured the skin.]

- J.5.14** After collection, the DCO/BCO shall apply pressure to the puncture site(s) or ask the Athlete to do so. The DCO/BCO shall then apply a dressing(s).
- J.5.15** The DCO/BCO shall dispose of used pieces of equipment that are not sealed with the absorbent Sample support in accordance with the required local standards for handling blood.
- J.5.16** If the Sample requires further on-site processing, such as removal of the absorbent support (e.g., cellulose paper, cartridge) from the collection device, the DCO/BCO shall do so and then transfer the Sample into the Tamper Evident kit. The Athlete shall remain in the collection area and observe their Sample until it is sealed in a Tamper Evident kit.
- J.5.17** The Athlete shall seal their Sample in the Tamper Evident kit as directed by the DCO. In full view of the Athlete, the DCO shall check that the sealing is satisfactory. The Athlete and the DCO/BCO shall sign the Sample collection documentation; and
- J.5.18** The sealed dried blood spot Sample can be stored at room temperature and shall be stored in a manner which minimizes the potential for Sample degradation due to factors such as time delays, exposure to light and extreme temperature variations.

J.6 Requirements for Transport

- J.6.1** Dried blood spot Samples shall be transported in accordance with Articles 9.1 to 9.3, with the following specifications:
- a) Dried blood spot Samples can be shipped as non-hazardous materials using regular mail or courier services, subject to any applicable regulations;
 - b) While the Sample containers shall be transparent, it is recommended to transport dried blood spot Samples in a non-transparent transport box/bag to protect the Samples from light exposure; and
 - c) Dried blood spot Samples can be transported at ambient temperature. If collecting other blood Samples (e.g., blood Athlete Biological Passport Samples) during the same Sample Collection Session, dried blood spot Samples can also be shipped

ANNEX K - COLLECTION OF URINE SAMPLES IN A VIRTUAL ENVIRONMENT DURING A PANDEMIC¹

K.1 Objective

To provide a modified Sample collection procedure in a virtual environment that may only be implemented during a pandemic and/or a national epidemic when local or national government health restrictions in place allow an in-person notification of an Athlete but restrict in-person collection of a urine sample by a DCO.

[Comment to K.1: The ability to collect Samples during a pandemic may vary among countries based on the national approach to the pandemic and/or national epidemic, including the international, national and regional laws in place. As a result, Sample collection in a virtual environment is not mandatory. Before considering the implementation of Sample collection in a virtual environment an ADO should liaise with the applicable national health and data privacy authorities. If an ADO can conduct Sample collection in a virtual environment in the circumstances permitted by this Annex K, then the modified Sample collection procedures set out in this Annex, in particular complying with the additional standards referenced in Annex K.3.1 and K.3.2, are mandatory. Additional guidance on how to implement several of the requirements outlined in this Annex are provided in the Guidelines for Testing During a Pandemic.]

K.2 Scope

The procedure begins with the DCO notifying an Athlete at the testing location and handing the Athlete a package of Sample Collection Equipment and ends with the DCO collecting the sealed Sample and the corresponding Sample collection documentation from the Athlete at the location where notification to the Athlete of their selection for Testing and requirement to provide a Sample occurred, or at another location that the DCO and Athlete will agree to.

K.3 Responsibility

K.3.1 In times of a pandemic and/or a national epidemic, all Anti-Doping Organizations shall follow the advice of national governments and health authorities to ensure the health and safety of Athletes and Sample Collection Personnel is protected. Specific requirements must be taken into consideration from any relevant international, national and regional laws when considering the implementation of Sample collection procedures (e.g., mandatory or recommended occupational

health and safety practices such as social distancing, hand washing, mask wearing, vaccination etc.)

- K.3.2** Prior to implementation, Anti-Doping Organizations shall assess modified Sample collection procedures in a virtual environment, including any selected IT system and any Third-Party Agent involved in such procedures or IT system, against the requirements of the International Standard for the Protection of Privacy and Personal Information and applicable laws, such as privacy/data protection and if necessary, shall implement 1 As declared by the World Health Organization. In addition, an ADO shall consider implementing the Sample collection in a virtual environment when the national government declares a national epidemic in a certain country or region. appropriate physical, organizational, technical, and other measures to mitigate privacy and information security risks identified in such assessment.
- K.3.3** The DCO has the responsibility for providing the Athlete with instructions from the point of the in-person notification and then virtually via the IT system used, and that each Sample is properly collected, identified, documented, sealed, and the integrity of the Sample is maintained throughout the virtual collection and sealing process.

K.4 Requirements

- K.4.1** When initial contact is made, the DCO shall inform the Athlete, at the testing location, that they are required to undergo a Sample collection. The notification of the Athlete shall be in accordance with Article 5.4.1.
- K.4.2** The DCO shall ensure that the Athlete is informed that the Sample collection and sealing procedure will be conducted in a virtual environment during their Sample Collection Session, including any modifications as provided for in Annex A - Modifications for Athletes with Impairments and/or in Annex B - Modifications for Athletes who are Minors.
- K.4.3** The DCO shall complete the 'Athlete Notification' part of the Sample collection documentation (either in paper or electronic) and the Athlete shall sign it to acknowledge and accept the notification. If the Athlete refuses to sign that they have been notified, or evades the notification, the DCO shall, if possible, inform the Athlete of the Consequences of a Failure to Comply. The DCO shall document the facts in a detailed report and report

the circumstances to the Testing Authority. The Testing Authority shall follow the steps prescribed in Annex A - Review of a Possible Failure to Comply of the International Standard for Results Management.

- K.4.4** The DCO shall start a two-way video and audio connection via the selected IT system (e.g., tablet, mobile phone, or body camera) with supporting mounting device (if applicable) and provide it to the Athlete. The DCO shall advise the Athlete that they must remain on camera with the DCO via the IT system for the duration of the Sample Collection Session. The DCO shall also inform the Athlete that recording functions have been completely disabled.
- K.4.5** The DCO shall then provide the Athlete with the package that includes Sample Collection Equipment, other supporting devices such as temperature monitoring strips, and applicable documentation. The DCO shall inform the Athlete to proceed with the Sample Collection Equipment to a suitable Sample collection location that is private and where the Sample Collection Session can continue. The DCO shall also ensure they are in a private location.
- K.4.6** When the Athlete is positioned in the Sample Collection location where the Sample Collection Session will be conducted, the DCO, connected virtually via the IT system, shall instruct the Athlete to:
- a) Confirm if an Athlete representative is present with the Athlete in the Sample Collection location;
 - b) Show the DCO on camera via the IT system the Sample Collection location selected where the Sample Collection Session will be conducted; and
 - c) Confirm satisfactory audio and visual quality of the IT system used.
- K.4.7** The DCO shall confirm to the Athlete that the DCO will also be on camera for the duration of the Sample Collection Session and that the Sample Collection Session is not being recorded.
- K.4.8** The DCO shall then ask the Athlete to place the IT system in a location where the DCO will have a view of the Athlete (including upper body and hands) and have full view of the Sample Collection Equipment.

- K.4.9** The Athlete shall place the content of the package with the Sample Collection Equipment, supporting devices and documentation on a steady surface in the Sample collection location in full view of the DCO.
- K.4.10** The Athlete shall complete the 'Athlete Information' part of the Sample collection documentation (either in paper or electronic) with the assistance of the DCO.
- K.4.11** The DCO shall instruct the Athlete to select a collection vessel in accordance with Annex C,4.3. The DCO shall then ask the Athlete to apply a temperature monitoring strip to the outside of the collection vessel.
- K.4.12** When the Athlete is ready to provide a urine Sample, the DCO shall ask the Athlete to move to the toilet area and show the DCO on camera the toilet area in which they will be providing their Sample. The DCO should direct the Athlete as to the best location for the IT system to be positioned during the Sample provision. Anything suspicious e.g., other urine Samples or doping paraphernalia in the toilet area with potential to compromise the Sample collection shall be documented in detail by the DCO.
- K.4.13** The DCO shall also inform the Athlete that Sample provision will not be directly witnessed as it normally would be, i.e., the DCO observing the urine Sample directly leaving their body, however, the Athlete will be continuously observed via the IT system in the toilet area. The camera shall be set in a position in the toilet area that provides the DCO with a full view of the Athlete's upper body (i.e., waist to top of head) and arms while they are waiting to provide a Sample and/or during the Sample provision.
- K.4.14** The Athlete shall be reminded of the importance to stay on camera during the sample provision and be advised of the possible Consequences of a Failure to Comply. Any loss of connection should be documented including exact time and duration, as well as any further re-connection attempts and explanations from the Athlete. If the Athlete does not remain visible in the camera field of view or the Sample once provided by the Athlete does not remain visible in the camera field of view and if the circumstances are deemed suspicious by the DCO, the DCO shall consider collecting an additional Sample from the Athlete. The DCO shall document the facts in a

detailed report and report the circumstances to the Testing Authority.

[Comment to K.4.12 and K.4.14: If appropriate, the Testing Authority shall follow the steps prescribed in Annex A - Review of a Possible Failure to Comply in the International Standard for Results Management.]

- K.4.15** Once the Athlete provides the required volume of urine, the DCO shall ask the Athlete to show them the collection vessel with the volume measurement scale on camera to validate that the Suitable Volume of Urine for Analysis has been provided. Where the volume of urine provided by the Athlete is insufficient, the DCO shall provide instructions to the Athlete follow the partial Sample collection procedure in accordance with Annex E - Urine Sample – Insufficient Volume.
- K.4.16** Once the lid of the collection vessel has been secured, the DCO shall then ask the Athlete whilst in the toilet area to show the temperature monitoring strip measurement on camera to allow the DCO to confirm the temperature of the urine Sample.
- K.4.17** The Athlete shall exit the toilet area and return to the Sample collection location, ensuring they keep their Sample visible on camera. On return to the Sample collection location, the Athlete shall position the camera in the same location as it was at the start of the procedure so that their Sample are in full view of the DCO until the Sample is sealed.
- K.4.18** The DCO shall guide the Athlete through the process of selecting and opening a Sample collection kit containing A and B bottles in accordance with Annex C.4.3 and Annex C.4.12. The Athlete shall show the DCO the Sample code numbers and the DCO should document them (and later confirm upon receipt of the Sample).
- K.4.19** The division of the Sample into the A and B bottles and the sealing of the A and B bottles shall be conducted by the Athlete in full view of the DCO in accordance with Annex C.4.13 and C.4.14.
- K.4.20** Once the Athlete has finished the sealing of the A and B bottles, the Athlete shall test the residual urine in the collection vessel to determine if the Sample has a Suitable Specific Gravity for Analysis with the assistance of the DCO. When the urine Sample does not meet the requirement for Suitable Specific

Gravity for Analysis, the DCO shall provide instructions to the Athlete to follow the appropriate procedures in accordance with Annex F - Urine Samples that do not meet the requirement for Suitable Specific Gravity for Analysis.

- K.4.21** The Athlete shall complete the Sample collection documentation with the assistance of the DCO, The Athlete and the DCO shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the Sample Collection Session. The DCO shall ensure that the Athlete is advised to keep a copy of the Sample collection documentation (if in paper) or that the Athlete receives a copy of the Sample collection documentation (if electronic).
- K.4.22** Upon completion, the DCO shall ask the Athlete to pack their Sample, all Sample Collection Equipment and documentation and meet the DCO in the initial location where the Athlete was notified or an agreed upon location.
- K.4.23** The Athlete shall remain on camera until they have concluded the Sample Collection Session, and they meet the DCO in-person.
- K.4.24** The DCO, upon receiving the requested equipment and documentation from the Athlete, shall conduct a review of all Sample Collection Equipment, supporting devices and documentation, and confirm, in writing, that Sample collection documentation and corresponding Sample(s) are enclosed.

Section 17.
[7 of 2023].

SCHEDULE 4
WORLD ANTI-DOPING CODE
INTERNATIONAL STANDARD
THERAPEUTIC USE EXEMPTIONS

PART ONE
INTRODUCTION, CODE PROVISIONS, INTERNATIONAL STANDARD
PROVISIONS AND DEFINITIONS

1.0 Introduction and Scope

The International Standard for Therapeutic Use Exemptions is a mandatory International Standard developed as part of the World Anti-Doping Program.

The purpose of the International Standard for Therapeutic Use Exemptions is to establish (a) the conditions that must be satisfied in order for a Therapeutic Use Exemption (or *TUE*) to be granted, permitting the presence of a Prohibited Substance in an Athlete's Sample or the Athlete's Use or Attempted Use, Possession and/or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method for Therapeutic reasons; (b) the responsibilities imposed on Anti-Doping Organizations in making and communicating *TUE* decisions; (c) the process for an Athlete to apply for a *TUE*; (d) the process for an Athlete to get a *TUE* granted by one Anti-Doping Organization recognized by another Anti-Doping Organization; (e) the process for *WADA* to review *TUE* decisions; and (f) the strict confidentiality provisions that apply to the *TUE* process.

Terms used in this International Standard that are defined terms from the Code are italicized. Terms that are defined in this or another International Standard are underlined.

2.0 Code Provisions

The following articles in the 2021 Code are directly relevant to the International Standard for Therapeutic Use Exemptions; they can be obtained by referring to the Code itself:

- Code Article 4.4 Therapeutic Use Exemptions ("*TUEs*")
- Code Article 13.4 Appeals Relating to *TUEs*

3.0 Definitions and Interpretation

3.1 Defined terms from the 2021 Code that are used in the International Standard for Therapeutic Use Exemptions

ADAMS: The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and *WADA* in their anti-doping operations in conjunction with data protection legislation.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the Use or Attempted Use by another Person of a Prohibited Substance or Prohibited Method. However, this definition shall not include the actions of bona fide medical personnel involving a Prohibited Substance or Prohibited Method Used for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving Prohibited Substances which

are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate that such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the International Standard for Laboratories, establishes in a Sample the presence of a Prohibited Substance or its Metabolites or Markers or evidence of the Use of a Prohibited Method.

Anti-Doping Organization: *WADA* or a Signatory that is responsible for adopting rules for initiating, implementing or enforcing any part of the Doping Control process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other Major Event Organizations that conduct Testing at their Events, International Federations, and National Anti-Doping Organizations.

Athlete: Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of "Athlete". In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to: conduct limited Testing or no Testing at all; analyze Samples for less than the full menu of Prohibited Substances; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any Athlete over whom an Anti-Doping Organization has elected to exercise its authority to test and who competes below the international or national level, then the Consequences set forth in the Code must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and Education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

[Comment to Athlete: Individuals who participate in sport may fall in one of five categories: 1) International-Level Athlete, 2) National-Level Athlete, 3) individuals who are not International or National-Level Athletes but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Athlete, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen

to, exercise authority. All International and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.]

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 Person renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport contests where prizes are awarded on a daily or other interim basis the distinction between a Competition and an Event will be as provided in the rules of the applicable International Federation.

Education: The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

Event: A series of individual Competitions conducted together under one ruling body (e.g., the Olympic Games, World Championships of an International Federation, or Pan American Games).

In-Competition: The period commencing at 11:59 p.m. on the day before a Competition in which the Athlete is scheduled to participate through the end of such Competition and the Sample collection process related to such Competition. Provided, however, WADA may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by WADA, the alternative definition shall be followed by all Major Event Organizations for that particular sport.

[Comment to In-Competition: Having a universally accepted definition for In-Competition provides greater harmonization among Athletes across all sports, eliminates or reduces confusion among Athletes about the relevant timeframe for In-Competition Testing,

avoids inadvertent Adverse Analytical Findings in between Competitions during an Event and assists in preventing any potential performance enhancement benefits from substances prohibited Out-of-Competition being carried over to the Competition period.]

International Event: An Event or Competition where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major Event Organization, or another international sport organization is the ruling body for the Event or appoints the technical officials for the Event.

International-Level Athlete: Athletes who compete in sport at the international level, as defined by each International Federation, consistent with the International Standard for Testing and Investigations.

[Comment to International-Level Athlete: Consistent with the International Standard for Testing and Investigations, the International Federation is free to determine the criteria it will use to classify Athletes as International-Level Athletes, e.g., by ranking, by participation in particular International Events, by type of license, etc. However, it must publish those criteria in clear and concise form, so that Athletes are able to ascertain quickly and easily when they will become classified as International-Level Athletes. For example, if the criteria include participation in certain International Events, then the International Federation must publish a list of those International Events.]

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

Major Event Organizations: The continental associations of National Olympic Committees and other international multi-sport organizations that function as the ruling body for any continental, regional or other International Event.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, manage test results and conduct Results Management at the national level. If this designation has not been made by the competent

public authority(ies), the entity shall be the country's National Olympic Committee or its designee.

National-Level Athlete: Athletes who compete in sport at the national level, as defined by each National Anti-Doping Organization, consistent with the International Standard for Testing and Investigations.

Out-of-Competition: Any period which is not In-Competition.

Possession: The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited 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 Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organization. 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 Person who makes the purchase.

[Comment to Possession: Under this definition, anabolic steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the anabolic steroids and intended to have control over them. Similarly, in the example of anabolic steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the steroids were in the cabinet and that the Athlete intended to exercise control over them. The act of purchasing a Prohibited Substance alone constitutes Possession, even where, for example, the product does not arrive, is received by someone else, or is sent to a third-party address.]

Prohibited List: The list identifying the Prohibited Substances and Prohibited Methods.

Prohibited Method: Any method so described on the Prohibited List.

Prohibited Substance: Any substance, or class of substances, so described on the Prohibited List.

Recreational Athlete: A natural Person who is so defined by the relevant National Anti-Doping Organization; provided, however, the term shall not include any Person who, within the five (5) years prior to committing any anti-doping rule violation, has been an International-Level Athlete (as defined by each International Federation consistent with the International Standard for Testing and Investigations) or National-Level Athlete (as defined by each National Anti-Doping Organization consistent with the International Standard for Testing and Investigations), has represented any country in an International Event in an open category or has been included within any Registered Testing Pool or other whereabouts information pool maintained by any International Federation or National Anti-Doping Organization.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the International Standard for Results Management, or in certain cases (e.g., Atypical Finding, Athlete Biological Passport, Whereabouts Failure), such pre-notification steps expressly provided for in Article 5 of the International Standard for Results Management, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

Sample or Specimen: Any biological material collected for the purposes of Doping Control.

[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood Samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

Testing: The parts of the Doping Control process involving test distribution planning, Sample collection, Sample handling, and Sample transport to the laboratory.

Therapeutic Use Exemption (TUE): A Therapeutic Use Exemption allows an Athlete with a medical condition to use a Prohibited Substance or Prohibited Method, but only if the conditions set out in Article 4.4 and the International Standard for Therapeutic Use Exemptions are met.

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

WADA: The World Anti-Doping Agency.

3.2 Defined terms from the International Standard for the Protection of Privacy and Personal Information

Personal Information: Information, including without limitation Sensitive Personal Information, relating to an identified or identifiable Participant or other Person whose information is Processed solely in the context of an Anti-Doping Organization's Anti-Doping Activities.

[Comment to Personal Information: It is understood that Personal Information includes, but is not limited to, information relating to an Athlete's name, date of birth, contact details and sporting affiliations, whereabouts, designated TUEs (if any), anti-doping test results, and Results Management (including disciplinary hearings, appeals and sanctions). Personal Information also includes personal details and contact information relating to other Persons, such as medical professionals and other Persons working with, treating or assisting an Athlete in the context of Anti-Doping Activities. Such information remains Personal Information and is regulated by this International Standard for the entire duration of its Processing, irrespective of whether the relevant individual remains involved in organized sport.]

Processing (and its cognates, **Process** and **Processed**): Collecting, accessing, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of Personal Information.

3.3 Defined terms specific to the International Standard for Therapeutic Use Exemptions

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

Therapeutic Use Exemption Committee (or "TUEC"): The panel established by an Anti-Doping Organization to consider applications for TUEs.

WADA TUEC: The panel established by WADA to review the TUE decisions of other *Anti-Doping Organizations*.

3.4 Interpretation

- 3.4.1 The official text of the International Standard for Therapeutic Use Exemptions shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.
- 3.4.2 Like the Code, the International Standard for Therapeutic Use Exemptions has been drafted giving consideration to the principles of proportionality, human rights, and other applicable legal principles. It shall be interpreted and applied in that light.
- 3.4.3 The comments annotating various provisions of the International Standard for Therapeutic Use Exemptions shall be used to guide its interpretation.
- 3.4.4 Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the International Standard for Therapeutic Use Exemptions.
- 3.4.5 Where the term "days" is used in the International Standard for Therapeutic Use Exemptions, it shall mean calendar days unless otherwise specified.
- 3.4.6 The Annexes to the International Standard for Therapeutic Use Exemptions have the same mandatory status as the rest of the International Standard.

PART TWO

STANDARDS AND PROCESS FOR GRANTING TUES

4.0 Obtaining a TUE

An Athlete who needs to Use a Prohibited Substance or Prohibited Method for Therapeutic reasons must apply for and obtain a TUE prior to Using or Possessing the substance or method in question, unless the Athlete is entitled to apply for a TUE retroactively under Article 4.1. In both cases, the Article 4.2 conditions must be satisfied.

[Comment to Article 4.0: There may be situations where an Athlete has a medical condition and is Using or Possessing a Prohibited Substance or Prohibited Method prior to becoming subject to anti-doping rules. In that case, such prior Use/Possession does not require a TUE and a prospective TUE will be sufficient.]

- 4.1** A retroactive *TUE* provides an Athlete the opportunity to apply for a *TUE* for a Prohibited Substance or Prohibited Method after Using or Possessing the substance or method in question.

An Athlete may apply retroactively for a *TUE* (but must still meet the conditions in Article 4.2) if any one of the following exceptions applies:

- a) Emergency or urgent treatment of a medical condition was necessary;
- b) There was insufficient time, opportunity or other exceptional circumstances that prevented the Athlete from submitting (or the TUEC to consider) an application for the *TUE* prior to Sample collection;
- c) Due to national level prioritization of certain sports or disciplines, the Athlete's National Anti-Doping Organization did not permit or require the Athlete to apply for a prospective *TUE* (see comment to Article 5.1);
- d) If an Anti-Doping Organization chooses to collect a Sample from an Athlete who is not an International-Level Athlete or National-Level Athlete, and that Athlete is Using a Prohibited Substance or Prohibited Method for Therapeutic reasons, the Anti-Doping Organization must permit the Athlete to apply for a retroactive *TUE*; or
- e) The Athlete Used Out-of-Competition, for Therapeutic reasons, a Prohibited Substance that is only prohibited In-Competition.

[Comment to Article 4.1: The fulfillment of one of the retroactive exceptions does not mean that a TUE will necessarily be granted; it means that the Athlete's application may be evaluated under Article 4.2 to determine if the specified TUE conditions have been satisfied.]

[Comment to Article 4.1(c), (d) and (e): Such Athletes are strongly advised to have a medical file prepared and ready to demonstrate their satisfaction of the TUE conditions set out at Article 4.2, in case an application for a retroactive TUE is necessary following Sample collection.]

[Comment to Article 4.1(e): This seeks to address situations where, for Therapeutic reasons, an Athlete Uses a substance Out-of-Competition that is only prohibited In-Competition, but there is a risk that the substance will remain in their system In-Competition. In such

situations, the Anti-Doping Organization must permit the Athlete to apply for a retroactive TUE (where the Athlete has not applied in advance). This also seeks to prevent Anti-Doping Organizations from having to assess advance TUE applications that may not be necessary.]

4.2 An Athlete may be granted a TUE if (and only if) they can show, on the balance of probabilities, that each of the following conditions is met:

a) The Prohibited Substance or Prohibited Method in question is needed to treat a diagnosed medical condition supported by relevant clinical evidence.

[Comment to Article 4.2(a): The Use of the Prohibited Substance or Prohibited Method may be part of a necessary diagnostic investigation rather than a treatment per se.]

b) 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 Athlete's normal state of health following the treatment of the medical condition.

[Comment to Article 4.2(b): An Athlete's normal state of health will need to be determined on an individual basis. A normal state of health for a specific Athlete is their state of health but for the medical condition for which the Athlete is seeking a TUE.]

c) The Prohibited Substance or Prohibited Method is an indicated treatment for the medical condition, and there is no reasonable permitted Therapeutic alternative.

[Comment to Article 4.2(c): 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.]

d) The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.

[Comment to Article 4.2: The WADA documents titled "TUE Physician Guidelines", posted on WADA's website, should be used to assist in the application of these criteria in relation to particular medical conditions.

The granting of a TUE is based solely on consideration of the conditions set out in Article 4.2. It does not consider whether the Prohibited Substance or Prohibited Method is the most clinically appropriate or safe, or whether its Use is legal in all jurisdictions.

When an International Federation or Major Event Organization TUEC is deciding whether or not to recognize a TUE granted by another Anti-Doping Organization (see Article 7), and when WADA is reviewing a decision to grant (or not to grant) a TUE (see Article 8), the issue will be the same as it is for a TUEC that is considering an application for a TUE under Article 6, i.e., has the Athlete demonstrated on the balance of probabilities that each of the conditions set out in Article 4.2 is met?]

- 4.3** In exceptional circumstances and notwithstanding any other provision in this International Standard for Therapeutic Use Exemptions, an Athlete may apply for and be granted retroactive approval for their Therapeutic Use of a Prohibited Substance or Prohibited Method if, considering the purpose of the Code, it would be manifestly unfair not to grant a retroactive TUE. For International-Level Athletes and National-Level Athletes, an Anti-Doping Organization may grant an Athlete's application for a retroactive TUE pursuant to this Article only with the prior approval of WADA (and WADA may in its absolute discretion agree with or reject the Anti-Doping Organization's decision).

For Athletes who are not International-Level Athletes or National-Level Athletes, the relevant Anti-Doping Organization may grant an Athlete's application for a retroactive TUE pursuant to this Article without first consulting WADA; however, WADA may at any time review an Anti-Doping Organization's decision to grant a retroactive TUE pursuant to this Article, and may in its absolute discretion, agree with or reverse the decision.

Any decision made by WADA and/or an Anti-Doping Organization under this Article may not be challenged either as a defense to proceedings for an anti-doping rule violation, or by way of appeal, or otherwise.

All decisions of an Anti-Doping Organization under this Article 4.3, whether granting or denying a TUE, must be reported through ADAMS in accordance with Article 5.5.

[Comment to Article 4.3: For the avoidance of doubt, retroactive approval may be granted under Article 4.3 even if the conditions in Article 4.2 are not met (although satisfaction of such conditions will be a relevant consideration). Other relevant factors might include, without limitation, the reasons why the Athlete did not apply in advance; the Athlete's experience; the Education previously received by the Athlete; whether the Athlete declared the Use of the substance or method on the Doping Control form; and the recent expiration of the Athlete's TUE. In making its decision, WADA may, at its discretion, consult with a member(s) of a WADA TUEC.]

5.0 TUE Responsibilities of Anti-Doping Organizations

- 5.1** Code Article 4.4 specifies (a) which Anti-Doping Organizations have authority to make TUE decisions; (b) how those TUE decisions should be recognized and respected by other Anti-Doping Organizations; and (c) when TUE decisions may be reviewed and/or appealed.

[Comment to Article 5.1: See Annex 1 – Code Article 4.4 Flowchart summarizing the key provisions of Code Article 4.4.

Where national policy requirements and imperatives lead a National Anti-Doping Organization to prioritize certain sports or disciplines over others in its test distribution planning (as contemplated by Article 4.4.1 of the International Standard for Testing and Investigations), the National Anti-Doping Organization may decline to consider advance applications for TUEs from Athletes in some or all of the non-priority sports or disciplines, but in that case it must permit any such Athlete from whom a Sample is subsequently collected to apply for a retroactive TUE. The National Anti-Doping Organization should publicize any such policy on its website for the benefit of affected Athletes.

Code Article 4.4.2 specifies the authority of a National Anti-Doping Organization to make TUE decisions in respect of Athletes who are not International-Level Athletes. In case of dispute as to which National Anti-Doping Organization should deal with the TUE application of an Athlete who is not an International-Level Athlete, WADA will decide. WADA's decision will be final and not subject to appeal.]

- 5.2** For the avoidance of doubt, when a National Anti-Doping Organization grants a TUE to an Athlete, that TUE is valid at national

level on a global basis and does not need to be formally recognized by other National Anti-Doping Organizations under Article 7.0 (for example, if an Athlete is granted a *TUE* by their National Anti-Doping Organization and then trains or competes in the country of another National Anti-Doping Organization, that *TUE* will be valid if the Athlete is then tested by such other National *Anti-Doping Organization*).

- 5.3** Each National Anti-Doping Organization, International Federation and Major Event Organization must establish a *TUEC* to consider whether applications for grant or recognition of *TUE*s meet the conditions set out in Article 4.2.

[Comment to Article 5.3: For the avoidance of doubt, the fulfilment of the conditions set out in Articles 4.1 and 4.3 may be determined by the relevant Anti-Doping Organization in consultation with a member(s) of the TUEC.]

While a Major Event Organization may choose to recognize pre-existing TUEs automatically, there must be a mechanism for Athletes participating in the Event to obtain a new TUE if the need arises. It is up to each Major Event Organization whether it sets up its own TUEC for this purpose, or rather whether it outsources the task by agreement to a third party. The aim in each case is to ensure that Athletes competing in such Events have the ability to obtain TUEs quickly and efficiently before they compete.]

- a) *TUECs* should include at least three (3) physicians with experience in the care and treatment of Athletes and a sound knowledge of clinical, sports and exercise medicine. In cases where specific expertise is required (for example, for Athletes with impairments where the substance or method pertains to the Athlete's impairment), at least one (1) *TUEC* member or expert should possess such expertise. One (1) physician member should act as chair of the *TUEC*.
- b) In order to ensure impartiality of decisions, all members of the *TUEC* must sign a conflict of interest and confidentiality declaration (a template declaration is available on *WADA's* website).
- 5.4** Each National Anti-Doping Organization, International Federation and Major Event Organization must establish a clear process for applying to its *TUEC* for a *TUE* that complies with the requirements of this International Standard. It must also publish details

of that process by (at a minimum) posting the information in a conspicuous place on its website.

5.5 Each National Anti-Doping Organization, International Federation and Major Event Organization must promptly report (in English or French) all decisions of its TUEC granting or denying TUEs, and all decisions to recognize or refusing to recognize other Anti-Doping Organizations' TUE decisions, through ADAMS as soon as possible and in any event within twenty-one (21) days of receipt of the decision. A decision to deny a TUE shall include an explanation of the reason(s) for the denial. In respect of TUEs granted, the information reported shall include (in English or French);

- a) Whether the Athlete was permitted to apply for a TUE retroactively under Article 4.1 and an explanation of the reason(s) why, or whether the Athlete was permitted to apply for and was granted a TUE retroactively under Article 4.3 and an explanation of the reason(s) why;
- b) The approved substance or method, the dosage(s), frequency, route of Administration permitted, the duration of the TUE (and, if different, the duration of prescribed treatment), and any conditions imposed in connection with the TUE; and
- c) The TUE application form (if not completed electronically in ADAMS) and the relevant clinical information establishing that the Article 4.2 conditions have been satisfied in respect of such TUE (for access only by WADA, the Athlete's National Anti-Doping Organization and International Federation, and the Major Event Organization organizing an Event in which the Athlete wishes to compete).

[Comment to Article 5.5: If a TUE application form is used it may be translated into other languages by Anti-Doping Organizations, but the original English or French text must remain on the form, and an English or French translation of the content must be provided.]

The full medical file, including diagnostic tests, laboratory results and values must be provided, but need not be translated into English or French. However, a translated summary of all the key information (including key diagnostic tests) must be entered into ADAMS, with sufficient information to clearly establish the diagnosis. It is strongly suggested that the summary be prepared by a physician or other person with adequate medical knowledge, in order to properly understand and summarize the medical

information. More detailed/full translations may be required by the relevant Anti-Doping Organization or WADA, upon request.]

- 5.6** When a National Anti-Doping Organization grants a *TUE* to an Athlete, it must warn him/her in writing that (a) the *TUE* is valid at national level only, and (b) if the Athlete becomes an International-Level Athlete or competes in an International Event, that *TUE* will not be valid for those purposes unless it is recognized by the relevant International Federation or Major Event Organization in accordance with Article 7.0. Thereafter, the National Anti-Doping Organization should help the Athlete to determine when they need to submit the *TUE* to an International Federation or Major Event Organization for recognition, and should guide and support the Athlete through the recognition process.
- 5.7** Each International Federation and Major Event Organization must publish and keep updated a notice (at a minimum, by posting it in a conspicuous place on its website and sending it to *WADA*) that sets out clearly (1) which Athletes under its jurisdiction are required to apply to it for a *TUE*, and when; (2) which *TUE* decisions of other Anti-Doping Organizations it will automatically recognize in lieu of such application, in accordance with Article 7.1(a); and (3) which *TUE* decisions of other Anti-Doping Organizations will have to be submitted to it for recognition, in accordance with Article 7.1(b).
- 5.8** If a National Anti-Doping Organization grants a *TUE* to an Athlete and the Athlete subsequently becomes an International-Level Athlete or competes in an International Event, the *TUE* will not be valid unless and until the relevant International Federation recognizes that *TUE* in accordance with Article 7.0. If an International Federation grants a *TUE* to an Athlete and the Athlete then competes in an International Event organized by a Major Event Organization, the *TUE* will not be valid unless and until the relevant Major Event Organization recognizes that *TUE* in accordance with Article 7.0. As a result, if the International Federation or Major Event Organization (as applicable) declines to recognize that *TUE*, then (subject to the Athlete's rights of review and appeal) that *TUE* may not be relied upon to excuse the presence, Use, Possession or Administration of the Prohibited Substance or Prohibited Method mentioned in the *TUE* vis-à-vis that International Federation or Major Event Organization.

6.0 TUE Application Process

- 6.1** An Athlete who needs a *TUE* should apply as soon as possible. For substances prohibited In-Competition only, the Athlete should apply

for a TUE at least thirty (30) days before their next Competition, unless it is an emergency or exceptional situation.

- 6.2** The Athlete should apply to their National Anti-Doping Organization, International Federation and/or a Major Event Organization (as applicable), online or using the TUE application form provided. Anti-Doping Organizations shall make the application form or process they want Athletes to use available on their websites. If an application form is used, it must be based on the “TUE Application Form” template available on WADA’s website. The template may be modified by Anti-Doping Organizations to include additional requests for information, but no sections or items may be removed.

[Comment to Article 6.2: In certain situations, an Athlete may not know which National Anti-Doping Organization they should apply to for a TUE. In such circumstances, the Athlete should consult the National Anti-Doping Organization of the country of the sport organization for which they compete (or with which they are a member or license holder), to determine if they fall within that National Anti-Doping Organization’s TUE jurisdiction, according to their rules.

If that National Anti-Doping Organization refuses to evaluate the TUE application because the Athlete does not fall within its TUE jurisdiction, the Athlete should consult the anti-doping rules of the National Anti-Doping Organization of the country in which they reside (if different).

If the Athlete still does not fall within that National Anti-Doping Organization’s TUE jurisdiction, the Athlete should then consult the anti-doping rules of the National Anti-Doping Organization of their country of citizenship (if different from where they compete or reside).

Athletes may contact any of the above-referenced National Anti-Doping Organizations for assistance with determining whether the National Anti-Doping Organization has TUE jurisdiction. In the event that none of the above-mentioned National Anti-Doping Organizations have TUE jurisdiction, where there is an Adverse Analytical Finding, the Athlete should ordinarily be permitted to apply for a retroactive TUE from the Anti-Doping Organization that has Results Management authority. See also the summary flowcharts on “Where to Apply?” in the medical section of WADA’s website.]

- 6.3** An Athlete may not apply to more than one (1) Anti-Doping Organization for a TUE for the Use of the same Prohibited Substance or Prohibited Method for the same medical condition. Nor may an Athlete have more than one (1) TUE at a time for the Use of the same

Prohibited Substance or Prohibited Method for the same medical condition (and any such new *TUE* will supersede the previous *TUE*, which should be cancelled by the relevant *Anti-Doping Organization*).

- 6.4 The Athlete should submit the *TUE* application to the relevant Anti-Doping Organization via *ADAMS* or as otherwise specified by the *Anti-Doping Organization*. The application must be accompanied by a comprehensive medical history, including documentation from the original diagnosing physician(s) (where possible) and the results of all relevant examinations, laboratory investigations and imaging studies. The application must include the physician's signature, in the designated area.

[Comment to Article 6.4: The information submitted in relation to the diagnosis and treatment should be guided by the relevant WADA documents posted on WADA's website.]

- 6.5 The Athlete should keep a complete copy of the *TUE* application and of all materials and information submitted to their *Anti-Doping Organization*.
- 6.6 A *TUE* application will only be considered by the TUEC following the receipt of a properly completed application, accompanied by all relevant documents. Incomplete applications will be returned to the Athlete for completion and re-submission.
- 6.7 The TUEC may request from the Athlete or their physician any additional information, examinations or imaging studies, or other information that it deems necessary in order to consider the Athlete's application; and/or it may seek the assistance of such other medical or scientific experts as it deems appropriate.
- 6.8 Any costs incurred by the Athlete in making the *TUE* application and in supplementing it as required by the TUEC are the responsibility of the Athlete.
- 6.9 The TUEC shall decide whether or not to grant the application as soon as possible, and usually (i.e., unless exceptional circumstances apply) within no more than twenty-one (21) days of receipt of a complete application. Where a *TUE* application is made in a reasonable time prior to an Event, the TUEC must use its best endeavors to issue its decision before the start of the Event.
- 6.10 The TUEC's decision must be communicated in writing to the Athlete and must be made available to *WADA* and to other Anti-Doping Organizations via *ADAMS*, in accordance with Article 5.5.

- 6.11** Each *TUE* will have a specified duration, as decided by the *TUEC*, at the end of which the *TUE* will expire automatically. If the Athlete needs to continue to Use the Prohibited Substance or Prohibited Method after the expiry date, they must submit an application for a new *TUE* well in advance of that expiry date, so that there is sufficient time for a decision to be made on the application before the expiry date.

[Comment to Article 6.11: Where applicable, the duration of validity should be guided by the WADA documents titled "TUE Physician Guidelines".]

- 6.12** A *TUE* will be withdrawn prior to expiry if the Athlete does not promptly comply with any requirements or conditions imposed by the Anti-Doping Organization granting the *TUE*. Alternatively a *TUE* may be reversed upon review by *WADA* or on appeal.

- 6.13** Where an *Adverse Analytical Finding* is issued shortly after a *TUE* for the Prohibited Substance in question has expired or has been withdrawn or reversed, the *Anti-Doping Organization* conducting the initial review of the *Adverse Analytical Finding*, in accordance with Article 5.1.1.1 of the International Standard for Results Management shall consider whether the finding is consistent with Use of the Prohibited Substance prior to the expiry, withdrawal or reversal of the *TUE*. If so, such Use (and any resulting presence of the Prohibited Substance in the Athlete's Sample) is not an anti-doping rule violation.

- 6.14** In the event that, after their *TUE* is granted, the Athlete requires a materially different dosage, frequency, route or duration of Administration of the Prohibited Substance or Prohibited Method to that specified in the *TUE*, they must contact the relevant *Anti-Doping Organization*, who will then determine whether the Athlete needs to apply for a new *TUE*. If the presence, Use, Possession or Administration of the Prohibited Substance or Prohibited Method is not consistent with the terms of the *TUE* granted, the fact that the Athlete has the *TUE* will not prevent the finding of an anti-doping rule violation.

[Comment to Article 6.14: It is recognized that for certain medical conditions, dosages may fluctuate, particularly during the early stages of the establishment of a treatment regime or for a condition such as insulin-dependent diabetes. Such potential fluctuations should be accounted for in the TUE. However, in the event of a change that is not accounted for in the TUE, the Athlete must contact the relevant Anti-Doping Organization to determine whether a new TUE is required.]

7.0 TUE Recognition Process

7.1 Code Article 4.4 requires *Anti-Doping Organizations* to recognize *TUEs* granted by other *Anti-Doping Organizations* that satisfy the Article 4.2 conditions. Therefore, if an Athlete who becomes subject to the *TUE* requirements of an International Federation or Major Event Organization already has a *TUE*, they should not submit an application for a new *TUE* to the International Federation or *Major Event Organization*. Instead:

- a) The International Federation or *Major Event Organization* may publish notice that it will automatically recognize *TUE* decisions made pursuant to Code Article 4.4 (or certain categories of such decisions, e.g., those made by specified *Anti-Doping Organizations*, or those relating to particular *Prohibited Substances*), provided that such *TUE* decisions have been reported in accordance with Article 5.5. If the *Athlete's TUE* falls into a category of *TUEs* that are automatically recognized in this way at the time the *TUE* is granted, they do not need to take any further action. The *TUE* may not be subject to further review by the *Anti-Doping Organization* once automatically recognized.

[Comment to Article 7.1(a): Automatic recognition of TUE decisions can ease the burden on Athletes. Nevertheless, International Federations and Major Event Organizations should carefully select the Anti-Doping Organizations and/or substances for which they will automatically recognize. If an International Federation or Major Event Organization is willing to grant automatic recognition of TUE decisions, it should publish on its website and keep updated a list of Anti-Doping Organizations whose TUE decisions it will recognize automatically, and/or a list of those Prohibited Substances for which TUE decisions will be recognized automatically.]

- b) In the absence of such automatic recognition, the Athlete shall submit a request for recognition of the granted *TUE* to the International Federation or *Major Event Organization* in question, via *ADAMS* or as otherwise specified by that International Federation or *Major Event Organization*.

[Comment to Article 7.1(b): Recognition is based solely on satisfaction of the Article 4.2 conditions. Accordingly, TUE duration alone is not a reason to deny recognition (unless it relates to satisfaction of the Article 4.2 conditions). Where applicable,

[TUE duration should be guided by the WADA TUE Physician Guidelines.]

- 7.2 Incomplete requests for recognition of a *TUE* will be returned to the Athlete for completion and re-submission. In addition, the TUEC may request from the *Athlete* or their physician any additional information, examinations or imaging studies, or other information that it deems necessary in order to consider the Athlete's request for recognition of the *TUE*; and/or it may seek the assistance of such other medical or scientific experts as it deems appropriate.
- 7.3 Any costs incurred by the *Athlete* in making the request for recognition of the *TUE* and in supplementing it as required by the TUEC are the responsibility of the *Athlete*.
- 7.4 The TUEC shall decide whether or not to recognize the *TUE* as soon as possible, and usually (i.e., unless exceptional circumstances apply) within no more than twenty-one (21) days of receipt of a complete request for recognition. Where the request is made a reasonable time prior to an Event, the TUEC must use its best endeavors to issue its decision before the start of the Event.
- 7.5 The TUEC's decision will be notified in writing to the *Athlete* and will be made available to *WADA* and to other *Anti-Doping Organizations* via *ADAMS*. A decision not to recognize a *TUE* must include an explanation of the reason(s) for the non-recognition.
- 7.6 If an International Federation chooses to test an *Athlete* who is not an *International-Level Athlete*, it must recognize a *TUE* granted by that Athlete's National Anti-Doping Organization unless the *Athlete* is required to apply for recognition of the *TUE* pursuant to Articles 5.8 and 7.0, i.e., because the *Athlete* is competing in an *International Event*.

8.0 Review of *TUE* Decisions by *WADA*

- 8.1 Code Article 4.4.6 provides that *WADA*, in certain cases, must review *TUE* decisions of International Federations, and that it may review any other *TUE* decisions, in each case to determine compliance with the Article 4.1 and 4.2 conditions. In relation to the Article 4.2 conditions, *WADA* shall establish a WADA TUEC that meets the requirements of Article 5.3 to carry out such reviews. In relation to the Article 4.1 conditions, these can be reviewed by *WADA* (which may, at its discretion, consult with a member(s) of a WADA TUEC).

- 8.2 Each request for review must be submitted to *WADA* in writing and must be accompanied by payment of the application fee established by *WADA*, as well as copies of all of the information specified in Article 6.4 (or, in the case of review of a *TUE* denial, all of the information that the *Athlete* submitted in connection with the original *TUE* application). The request must be copied to the *Anti-Doping Organization* whose decision would be the subject of the review, and to the *Athlete* (if they are not requesting the review).
- 8.3 Where the request is for review of a *TUE* decision that *WADA* is not obliged to review, *WADA* shall advise the *Athlete* as soon as practicable following receipt of the request whether or not it will review the *TUE* decision. Any decision by *WADA* not to review the *TUE* decision is final and may not be appealed. However, the *TUE* decision may still be appealable, as set out in *Code Article 4.4.7*.
- 8.4 Where the request is for review of a *TUE* decision of an International Federation that *WADA* is obliged to review, *WADA* may nevertheless refer the decision back to the International Federation (a) for clarification (for example, if the reasons are not clearly set out in the decision); and/or (b) for re-consideration by the International Federation (for example, if the *TUE* was only denied because medical tests or other information required to demonstrate satisfaction of the Article 4.2 conditions were missing).
- [Comment to Article 8.4: If an International Federation refuses to recognize a TUE granted by a National Anti-Doping Organization only because medical tests or other information required to demonstrate satisfaction of the Article 4.2 conditions are missing, the matter should not be referred to WADA. Instead, the file should be completed and re-submitted to the International Federation.]*
- 8.5 Where a request for review is referred to the *WADA TUEC*, the *WADA TUEC* may seek additional information from the *Anti-Doping Organization* and/or the *Athlete*, including further studies as described in Article 6.7, and/or it may obtain the assistance of other medical or scientific experts as it deems appropriate.
- 8.6 *WADA* shall reverse any grant of a *TUE* that does not comply with the Article 4.1 and 4.2 conditions (as applicable). Where the *TUE* reversed was a prospective *TUE* (rather than a retroactive *TUE*), such reversal shall take effect upon the date specified by *WADA* (which shall not be earlier than the date of *WADA*'s notification to the *Athlete*). The reversal shall not apply retroactively and the *Athlete*'s results prior to such notification shall not be Disqualified. Where the *TUE* reversed was a retroactive *TUE*, however, the reversal shall also be retroactive.

- 8.7 *WADA* shall reverse any denial of a TUE where the TUE application met the Article 4.1 and 4.2 conditions (as applicable), i.e., it shall grant the TUE.
- 8.8 Where *WADA* reviews a decision of an International Federation that has been referred to it pursuant to Code Article 4.4.3 (i.e., a mandatory review), it may require whichever *Anti-Doping Organization* “loses” the review (i.e., the *Anti-Doping Organization* whose view it does not uphold) (a) to reimburse the application fee to the party that referred the decision to *WADA* (if applicable); and/or (b) to pay the costs incurred by *WADA* in respect of that review, to the extent they are not covered by the application fee.
- 8.9 Where *WADA* reverses a TUE decision that *WADA* has decided in its discretion to review, *WADA* may require the *Anti-Doping Organization* that made the decision to pay the costs incurred by *WADA* in respect of that review.
- 8.10 If applicable, *WADA* shall communicate the reasoned decision of the WADA TUEC promptly to the *Athlete* and to their National *Anti-Doping Organization* and International Federation (and, if applicable, the *Major Event Organization*).

9.0 Confidentiality of Information

- 9.1 The Processing of Personal Information during the TUE process by *Anti-Doping Organizations* shall comply with the *International Standard for the Protection of Privacy and Personal Information*. *Anti-Doping Organizations* shall ensure that they have a valid legal authority or basis for such *Processing*, in accordance with the *International Standard for the Protection of Privacy and Personal Information* and applicable laws.
- 9.2 *Anti-Doping Organizations* shall communicate in writing the following information to *Athletes* as well as any other relevant information in accordance with Article 7.1 of the *International Standard for the Protection of Privacy and Personal Information* in connection with an *Athlete's* application for the grant or recognition of a TUE:
- a) All information pertaining to the application will be transmitted to members of all TUECs with authority under this *International Standard* to review the file and, as required, other independent medical or scientific experts, and to all necessary staff (including

WADA staff) involved in the management, review or appeal of *TUE* applications;

- b) The *Athlete* must authorize their physician(s) to release to any relevant TUEC upon request any health information that any such TUEC deems necessary in order to consider and determine the *Athlete's* application; and
- c) The decision on the application will be made available to all *Anti-Doping Organizations* with Testing authority and/or Results Management authority over the *Athlete*. [Comment to Article 9.2: Where *Anti-Doping Organizations* are relying upon the *Athlete's* consent to Process Personal Information in connection with the *TUE* process, the *Athlete* applying for the grant or recognition of a *TUE* shall provide written and explicit consent to the foregoing.]

9.3 The *TUE* application shall be dealt with in accordance with the principles of strict medical confidentiality. The members of all relevant TUECs, any consulted independent experts and the relevant staff of the *Anti-Doping Organization* shall conduct all of their activities relating to the process in strict confidence and shall sign appropriate confidentiality agreements. In particular, they shall keep the following information confidential:

- a) All medical information provided by the *Athlete* and physician(s) involved in the *Athlete's* care; and
- b) All details of the application, including the name of the physician(s) involved in the process.

9.4 Should the *Athlete* wish to revoke the right of a TUEC to obtain any health information on their behalf, the *Athlete* shall notify their physician in writing of such revocation; provided that, as a result of that revocation, the *Athlete's* application for a *TUE* or for recognition of an existing *TUE* will be deemed withdrawn without approval/recognition having been granted.

9.5 *Anti-Doping Organizations* shall only use information submitted by an *Athlete* in connection with a *TUE* application to evaluate the application and in the context of potential anti-doping rule violation investigations and proceedings.