



## **ANTI-DOPING RULES**

(In force from 31 March 2023)

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## 1. Introduction

### 1.1 Implementation of the 2021 World Anti-Doping Code

- 1.1.1 World Athletics is a Signatory to the World Anti-Doping Code ("**Code**"). These Anti-Doping Rules have been adopted by the World Athletics Council and will be implemented to comply with World Athletics' obligations as a Signatory, and to further World Athletics' continuing efforts to eradicate doping in the sport of Athletics.
- 1.1.2 These Anti-Doping Rules are intended to implement the requirements of the 2021 version of the Code in the sport of Athletics and will be interpreted and applied in a manner that is consistent with the Code and the International Standards. The Code and the International Standards (each as amended from time to time) are integral parts of these Anti-Doping Rules and will prevail over these Anti-Doping Rules in case of conflict. These Anti-Doping Rules must be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of any Signatory or government. The comments annotating various provisions of these Anti-Doping Rules, the Code and the International Standards will be used as an aid to interpretation of these Anti-Doping Rules.
- 1.1.3 Unless otherwise stated, defined words and terms in these Anti-Doping Rules (denoted by capital letters) bear the meaning given to them in the Definitions section in Appendix 1. If they are not defined in Appendix 1, or elsewhere in these Anti-Doping Rules, they bear the meaning given to them in the World Athletics Constitution. Unless otherwise specified, references to Rules are to Rules in these Anti-Doping Rules.
- 1.1.4 These Anti-Doping Rules may be amended from time to time by the World Athletics Council on the recommendation of the Integrity Unit Board, or following consultation with the Integrity Unit Board, and such amendments shall come into effect on the date specified by the Council. However, for the avoidance of doubt, amendments made by WADA to the Code, the Prohibited List and any International Standard will come into effect automatically in the manner set out in the Code, and such amendments will be binding upon all Athletes, Athlete Support Persons and other Persons without further formality.
- 1.1.5 In the case of conflict between the provisions of these Anti-Doping Rules and the provisions of any part of the Integrity Code of Conduct or any other World Athletics Rules, the provisions of these Anti-Doping Rules will prevail.

### 1.2 The Athletics Integrity Unit

- 1.2.1 In accordance with the World Athletics Constitution, World Athletics has established an Athletics Integrity Unit ("**Integrity Unit**") whose role is to protect the integrity of Athletics, including fulfilling World Athletics' obligations as a Signatory to the Code.

- 1.2.2 World Athletics has delegated implementation of these Anti-Doping Rules to the Integrity Unit, including but not limited to the following activities in respect of International-Level Athletes and Athlete Support Personnel: Education, Testing, Investigations, Results Management, Hearings, Sanctions and Appeals. As such, references in these Anti-Doping Rules to the Integrity Unit will, where applicable, be references to the Integrity Unit acting on behalf of World Athletics. For the avoidance of doubt, while the Integrity Unit may act on World Athletics' behalf, World Athletics will be considered as the party asserting anti-doping rule violations and for the purposes of any actions to be taken within the Results Management process, as the responding party in appeals, and as the party in any other matter under these Anti-Doping Rules where that role would appropriately fall to a Signatory under the Code.
- 1.2.3 The Integrity Unit may delegate any aspect of Doping Control or anti-doping Education to a Delegated Third Party. However, the Integrity Unit will require the Delegated Third Party to perform such aspects in compliance with these Anti-Doping Rules (and any protocols adopted pursuant to these Anti-Doping Rules), the Code and the International Standards, and the Integrity Unit remains responsible for such compliance. Any relevant reference to the Integrity Unit in these Anti-Doping Rules encompasses any such Delegated Third Party, where applicable and within the context of the afore-mentioned delegation.

### **1.3 The Disciplinary Tribunal**

World Athletics has established a Disciplinary Tribunal (the "**Disciplinary Tribunal**") to hear alleged anti-doping rule violations and other breaches of these Anti-Doping Rules. The Disciplinary Tribunal operates with Operational Independence in compliance with the International Standard for Results Management.

### **1.4 Scope of Application of the Anti-Doping Rules**

- 1.4.1 These Anti-Doping Rules shall apply to World Athletics and to each of its Member Federations and Area Associations. All Member Federations and Area Associations shall comply with the Anti-Doping Rules. These Anti-Doping Rules shall be incorporated either directly, or by reference, into the rules or regulations of each Member Federation and Area Association, and each Member Federation and Area Association shall include in its rules the procedural regulations or by-laws necessary to implement the Anti-Doping Rules effectively (and any changes that may be made to them from time to time). The rules of each Member Federation and Area Association shall specifically provide that all Athletes and other Persons under their jurisdiction shall be bound by these Anti-Doping Rules, including submitting to the Results Management authority set out in these Rules.
- 1.4.2 Without limitation to the above, these Anti-Doping Rules shall apply to:
- (a) World Athletics, including its Council Members, Executive Board Members and other Officials as defined in the World Athletics Constitution;

- (b) the Integrity Unit Board and consultants and advisors to the Integrity Unit;
- (c) subject to applicable laws, any World Athletics employee who works for the Integrity Unit or who is involved in any aspect of Doping Control on behalf of World Athletics/Integrity Unit;
- (d) Delegated Third Parties (and their employees) who are involved in any aspect of Doping Control and/or anti-doping Education on behalf of World Athletics/Integrity Unit;

*[Comment to Rule 1.4.2(d): Delegated Third Parties involved in any aspect of Doping Control on behalf of World Athletics/Integrity Unit include any individuals serving as independent contractors who perform Doping Control services (e.g., non-employee Doping Control officers or chaperones)].*

- (e) each of World Athletics' Member Federations, including their council and board members, directors, officers, consultants and advisors, and any employees and Delegated Third Parties (and their employees) who are involved in any aspect of Doping Control on behalf of a Member Federation; and
- (f) the following Athletes, Athlete Support Personnel and other Persons:
  - (i) all Athletes who have signed an agreement with World Athletics or have been accredited or granted an official status by World Athletics/the Integrity Unit (for example, by way of inclusion in the International Registered Testing Pool or by designation of a Platinum, Gold, Silver or Bronze Label status) and all Athlete Support Personnel who have been accredited or granted an official status by World Athletics (for example, by way of an identity card) or who participate in International Competitions organised or sanctioned by World Athletics;
  - (ii) all Athletes, Athlete Support Personnel and other Persons who are members of or authorised by any Member Federation, or any member or affiliate organisation of any Member Federation (including any clubs, teams, associations or leagues);
  - (iii) all Athletes, Athlete Support Personnel and other Persons preparing for or participating in such capacity in Competitions and/or other activities organised, convened, authorised, sanctioned or recognised by (i) World Athletics (ii) any Member Federation or any member or affiliate organisation of any Member Federation (including any clubs, teams, associations or leagues), or (iii) any Area Association, wherever held, and all Athlete Support Personnel supporting or associated with such Athletes' preparation or participation; and

- (iv) any other Athlete or Athlete Support Personnel or other Person who, whether by virtue of an accreditation, a licence or other contractual arrangement, or otherwise, is subject to the authority of World Athletics, or of any Member Federation, or of any member or affiliate organisation of any Member Federation (including any clubs, teams, associations or leagues), for purposes of anti-doping; and
- (v) Athletes who are not regular members of World Athletics or of one of its Members Federations, but who want to be eligible to compete in a particular International Competition, and all Athlete Support Personnel supporting such Athletes' participation in the relevant International Competition(s).

1.4.3 Each of the Persons covered by Rule 1.4.2 is deemed, as a condition of their membership, accreditation, participation, employment and/or involvement in the sport, to have agreed to be bound by these Anti-Doping Rules, and to have submitted to the authority of the Integrity Unit to enforce these Anti-Doping Rules on behalf of World Athletics, including any Consequences for breach thereof, and (with the exception of World Athletics' employees) to the jurisdiction of the hearing panels identified below to hear and determine cases and appeals brought under these Anti-Doping Rules.

*[Comment to Rule 1.4.3: Under the laws of Monaco, World Athletics' employees cannot be required to submit to the jurisdiction of the Disciplinary Tribunal and any breach of these Anti-Doping Rules by a World Athletics' employee shall be resolved before the relevant tribunal or authority in Monaco in accordance with the disciplinary processes prescribed under such laws. For the avoidance of doubt, Rule 1.4.3 is binding on consultants and advisors to World Athletics/the Integrity Unit who are not employees of World Athletics.]*

1.4.4 Within the overall pool of Athletes set out above who are bound by and required to comply with these Anti-Doping Rules, each of the following Athletes at the relevant time shall be considered to be an International-Level Athlete ("**International-Level Athlete**") for the purposes of these Anti-Doping Rules and therefore the specific provisions in these Anti-Doping Rules applicable to International-Level Athletes (e.g., Testing, TUEs, whereabouts and Results Management) shall apply to such Athletes:

- (a) An Athlete who is in the International Registered Testing Pool as published from time to time on the Integrity Unit website: <https://www.athleticsintegrity.org/know-the-process/registered-testing-pool>;
- (b) An Athlete who is entered for, or is competing in, any of the following International Competitions:
  - (i) World Athletics Series Competitions;
  - (ii) the Athletics programme of the Olympic Games; and
  - (iii) such other International Competitions as shall be determined and published by the Integrity Unit on its website.

*[Comment to Rule 1.4.4(b)(ii). Athletes will only be International-Level Athletes for the purposes of these Anti-Doping Rules if they are included on the final list of entries for the relevant edition of the Olympic Games].*

- (c) An Athlete who has Platinum or Gold Status under the World Athletics Label Road Races Programme, as published by the Integrity Unit on its website.
- (d) For the purposes of Results Management responsibility, in addition to having Results Management responsibility over any Athlete falling within Rule 1.4.4(a), (b) or (c) above, the Integrity Unit shall have Results Management responsibility over Athletes or other Persons whenever the asserted anti-doping rule violation results from (i) Testing conducted under the Testing authority of World Athletics; (ii) an investigation conducted by the Integrity Unit, or (iii) in any of the other circumstances in which World Athletics/the Integrity Unit has Results Management responsibility under Rule 7.

## **1.5 Responsibilities of Athletes, Athlete Support Personnel, other Persons, and Member Federations**

### **1.5.1 Athletes must:**

- (a) be knowledgeable of and comply with these Anti-Doping Rules at all times;
- (b) know what constitutes an anti-doping rule violation and the substances and methods that have been included on the Prohibited List;
- (c) be available for Sample collection at all times;
- (d) take responsibility, in the context of anti-doping, for what they ingest and Use;
- (e) carry out research regarding any products or substances that they intend to Use (prior to such Use) to ensure that Using them will not constitute or result in an anti-doping rule violation. Such research must, at a minimum, include a reasonable internet search of:
  - (i) the name of the product or substance;
  - (ii) the ingredients/substances listed on the product or substance label;
  - (iii) other related information revealed through research of points (i) and (ii).

- (f) inform medical personnel of their obligation not to Use Prohibited Substances and Prohibited Methods, and make sure that any medical treatment they receive does not violate these Anti-Doping Rules;
- (g) disclose to their National Anti-Doping Organisation and the Integrity Unit any decision (whether by a Signatory or a non-Signatory) that they committed an anti-doping rule violation within the previous ten years;
- (h) co-operate fully with the Integrity Unit and any other Anti-Doping Organisations investigating possible anti-doping rule violations and/or other breaches of these Anti-Doping Rules. Failure by an Athlete to cooperate in full with the Integrity Unit investigating anti-doping rule violations or other breaches of these Anti-Doping Rules will constitute a violation of Rule 12; and
- (i) disclose the identity of their Athlete Support Personnel upon request by the Integrity Unit, a Member Federation, and/or any other Anti-Doping Organisation with authority over the Athlete.

1.5.2 Athlete Support Personnel must:

- (a) be knowledgeable of and comply with these Anti-Doping Rules at all times;
- (b) co-operate with Doping Control;
- (c) use their influence on Athlete values and behaviour to foster anti-doping attitudes;
- (d) disclose to their National Anti-Doping Organisation and the Integrity Unit any decision (whether by a Signatory or by a non-Signatory) finding that they committed an anti-doping rule violation within the previous ten years;
- (e) co-operate fully with the Integrity Unit and any other Anti-Doping Organisations investigating possible anti-doping rule violations and/or other breaches of these Anti-Doping Rules. Failure by any Athlete Support Person to cooperate in full with the Integrity Unit investigating anti-doping rule violations or other breaches of these Anti-Doping Rules will constitute a violation of Rule 12; and
- (f) not Use or possess any Prohibited Substance or Prohibited Method without valid justification. Use or Possession of a Prohibited Substance or Prohibited Method by an Athlete Support Person without valid justification will constitute a violation of Rule 2.

1.5.3 Other Persons subject to these Anti-Doping Rules must:



- (a) be knowledgeable of and comply with these Anti-Doping Rules at all times;
- (b) disclose to the Integrity Unit (and, if applicable, their National Anti-Doping Organisation) any decision (whether by a Signatory or by a non-Signatory) finding that they committed an anti-doping rule violation within the previous ten years; and
- (c) co-operate fully with the Integrity Unit and any other Anti-Doping Organisations investigating possible anti-doping rule violations and/or other breaches of these Anti-Doping Rules. Failure by any other Person to cooperate in full with the Integrity Unit and/or other Anti-Doping Organisations investigating anti-doping rule violations and/or other breaches of these Anti-Doping Rules will constitute a violation of Rule 12.

1.5.4 Offensive conduct by an Athlete, Athlete Support Person or other Person towards a Doping Control official or other Person involved in Doping Control that does not otherwise constitute Tampering is a violation and may be prosecuted as such under Rule 12 of these Anti-Doping Rules and/or the Integrity Code of Conduct.

## 1.6 Notices and time-limits

1.6.1 Any notice to be given under these Anti-Doping Rules by the Integrity Unit or any party ("**Notifying Party**") will be deemed to have been given sufficiently to the party to whom the notice is required to be sent ("**Receiving Party**") if it is given in writing and delivered by one of the following means to the Receiving Party:

- (a) by post to the last known address of the Receiving Party;
- (b) by personal delivery (including by courier) to the published physical address of the Receiving Party;
- (c) by electronic mail or other electronic means of communication, to the email or other electronic address of the Receiving Party; or
- (d) by facsimile to the published facsimile number of the Receiving Party.

*[Comment to 1.6.1(c): In the case of notice to an Athlete, notice will be effective if the Integrity Unit sends it to the e-mail address recorded for that Athlete in ADAMS and, in the case of notice to a Member Federation, notice will be effective if the Integrity Unit sends it to the Member Federation's [@mf.worldathletics.org](mailto:@mf.worldathletics.org) e-mail address published by World Athletics].*

1.6.2 Alternatively, where the Receiving Party is a member of or affiliated to a Member Federation, notification may be accomplished by delivery of the notice by one of the foregoing means to the Member Federation. It will be the responsibility of the Member Federation to without delay (i) forward the notice to the Receiving Party, and (ii) inform the Notifying Party of such notification.

*[Comment to 1.6.2: Notice will be effective under Rule 1.6.2 if the Integrity Unit sends the notice to the Member Federation's [@mf.worldathletics.org](mailto:@mf.worldathletics.org) e-mail address published by World Athletics].*

- 1.6.3 Any time-limits stated in these Anti-Doping Rules will begin on the working day after the day on which the Notifying Party sends the notification that triggers the time-limit. Official holidays and non-working days are included in the calculation of time-limits, save that if the last day of the time-limit falls on an official holiday or non-working day in the country where the party who is subject to the time-limit resides, then the last day of the time-limit will be deemed to be the next working day. A time-limit will be deemed to have been met if the notification is received before midnight Central European Time on the last day of the specified time limit.

## **1.7 Effective Date and Transitional Provisions**

- 1.7.1 These 2023 Anti-Doping Rules come into full force and effect on 31 March 2023 (the "**Effective Date**") replacing the 2021 World Athletics Anti-Doping Rules that were in force prior to the Effective Date.
- 1.7.2 These Anti-Doping Rules do not apply retroactively to matters pending before the Effective Date, save that:
- (a) Anti-doping rule violations taking place prior to the Effective Date count as 'first violations' or 'second violations' for the purposes of determining the Consequences under Rule 10.9 for anti-doping rule violations taking place after the Effective Date.
  - (b) Any anti-doping rule violation case that is pending as of the Effective Date or is brought after the Effective Date but based on an anti-doping rule violation that 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 these Anti-Doping Rules, unless the hearing panel determines that the principle of *lex mitior* appropriately applies under the circumstances of the case, and with respect to procedural matters by these Anti-Doping Rules (unless by the Effective Date the case has already been referred to a hearing body in accordance with Rule 38 of the 2016-2017 IAAF Competition Rules, in which event the case shall proceed before such hearing body under the 2016-2017 IAAF Competition Rules). For the purposes of this Rule, the retrospective periods in which prior violations can be considered for the purposes of multiple violations under Rule 10.9.4 and the statute of limitations set out in Rule 18 are procedural rules, not substantive rules, and should be applied retroactively, along with all the other procedural rules in these Anti-Doping Rules (provided however that Rule 18 will only be applied retroactively if the statute of limitations period – whether the original one or as extended by subsequent rules – has not already expired by the Effective Date).

- (c) Any Rule 2.4 whereabouts failure (whether a filing failure or a missed test, as defined in the International Standard for Results Management) that took place prior to the Effective Date may be relied upon as one of the requisite elements of a Rule 2.4 anti-doping rule violation under these Anti-Doping Rules until 12 months after it took place.
- (d) 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 Integrity Unit or other Anti-Doping Organisation that had Results Management responsibility for the anti-doping rule violation to consider a reduction in the period of Ineligibility in light of these Anti-Doping Rules. Such application must be made before the period of Ineligibility has expired. The decision rendered may be appealed pursuant to Rule 13.2. These Anti-Doping Rules will have no application to any case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.
- (e) For the purposes of assessing the period of Ineligibility for a second violation under Rule 10.9.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of Ineligibility that would have been assessed for that first violation, had these Anti-Doping Rules been applicable at that time, will be applied.
- [Comment to Rule 1.6.2(e): Other than the situation described in Rule 1.6.2(e), where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date and the period of Ineligibility imposed has been completely served, these Anti-Doping Rules may not be used to re-characterise the prior violation.]*
- (f) Changes to the WADA Prohibited List and/or to Technical Documents relating to substances or methods on the Prohibited List will not be applied retroactively unless they specifically so provide. However, where the effect of the change is to remove a Prohibited Substance or Prohibited Method from the Prohibited List, an Athlete or other Person who is serving a period of Ineligibility on account of that (former) Prohibited Substance or Prohibited Method may apply to the Integrity Unit or other Anti-Doping Organisation that had Results Management responsibility for the anti-doping rule violation to consider a reduction in the period of Ineligibility in light of its removal from the Prohibited List.
- (g) The analytical results and data from Samples collected before the Effective Date may be used for any legitimate purpose under World Athletics Rules or Regulations, for example, to monitor the eligibility of Athletes under those Rules or Regulations in accordance with Article 23.2.2 of the Code.

## **2. Anti-Doping Rule Violations**

Doping is defined as the occurrence of one or more of the violations set out in Rules 2.1 to 2.11 below.

The purpose of this Rule 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 that have been included on the Prohibited List.

Each of the following constitutes an anti-doping rule violation:

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

- 2.1.1 It is each Athlete's personal duty to ensure that no Prohibited Substance enters their body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary to demonstrate intent, Fault, Negligence or knowing Use on the Athlete's part in order to establish a Rule 2.1 anti-doping rule violation.
- 2.1.2 Sufficient proof of an anti-doping rule violation under Rule 2.1 is established by any of the following: (i) the 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 analysed; (ii) where 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 (iii) 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 will constitute an anti-doping rule violation.
- 2.1.4 As an exception to the general rule of Rule 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 Athlete's personal duty to ensure that no Prohibited Substance enters their body and that no Prohibited Method is Used. Accordingly, it is not necessary to demonstrate intent, Fault, Negligence or knowing Use on the Athlete's part in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method.

*[Comment to Rule 2.2: It has always been the case that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any reliable means. As noted in the Comment to Rule 3.2, unlike the proof required to establish an anti-doping rule violation under Rule 2.1, Use or Attempted Use may also be established by other reliable means such as admissions by the Athlete, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the Athlete Biological Passport, or other analytical information that does not otherwise satisfy all the requirements to establish the presence of a Prohibited Substance under Rule 2.1. For example, Use may be established based upon reliable analytical data from the analysis of an A Sample (without confirmation from an analysis of a B Sample) or from the analysis of a B Sample alone where the Anti-Doping Organisation provides a satisfactory explanation for the lack of confirmation in the other Sample.]*

- 2.2.2 The success or failure of the Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an anti-doping rule violation to be committed.

*[Comment to Rule 2.2.2: Demonstrating the Attempted Use of a Prohibited Substance or a Prohibited Method requires proof of intent on the Athlete's part. The fact that intent may be required to prove Attempted Use does not undermine the strict liability principle established for violations of Rule 2.1 and violations of Rule 2.2 in respect of Use of a Prohibited Substance or Prohibited Method. An Athlete's Use of a Prohibited Substance constitutes an anti-doping rule violation unless such Prohibited Substance is not prohibited Out-of-Competition and the Athlete's Use takes place Out-of-Competition. However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition will be a violation of Rule 2.1, regardless of when that Prohibited Substance might have been Administered.]*

### **2.3 Evading, Refusing or Failing to submit to Sample Collection by an Athlete**

An Athlete evading Sample collection; or refusing or failing to submit to Sample collection without compelling justification after notification by a duly authorised Person.

*[Comment to Rule 2.3: For example, it would be an anti-doping rule violation of 'evading Sample collection' if it were established that an Athlete was deliberately avoiding a Doping Control official to evade notification or Testing. A violation of 'failing to submit to Sample collection' may be based on either intentional or negligent conduct of the Athlete, while 'evading' or 'refusing' Sample collection contemplates intentional conduct by the Athlete.]*

### **2.4 Whereabouts Failures by an Athlete in a Registered Testing Pool**

Any combination of three missed tests and/or filing failures, as defined in the International Standard for Results Management, within a 12-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 Method or any Prohibited Substance, or Possession by an Athlete Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited Out-of-Competition, unless the Athlete establishes that the Possession is consistent with a TUE granted in accordance with Rule 4.3 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 Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method that 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 Rule 4.3 or other acceptable justification.

*[Comment to Rules 2.6.1 and 2.6.2: Acceptable justification may include, for example, (a) an Athlete or a team doctor carrying Prohibited Substances or Prohibited Methods for dealing with acute and emergency situations (e.g., an epinephrine auto-injector), or (b) an Athlete Possessing a Prohibited Substance or Prohibited Method for therapeutic reasons shortly prior to applying for and receiving a determination on a TUE. Acceptable justification would not include, for example, buying or Possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician's prescription, e.g., buying insulin for a diabetic child.]*

**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 Method or Prohibited Substance, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Method or any Prohibited Substance 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, an Attempted anti-doping rule violation, or violation of Rule 10.14.1 by another Person.

*[Comment to Rule 2.9: Complicity or Attempted Complicity may include either physical or psychological assistance.]*

**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 Organisation in a professional or sport-related capacity with any Athlete Support Person who:

- (a) if subject to the authority of an Anti-Doping Organisation, is serving a period of Ineligibility; or
- (b) if not subject to the authority of an Anti-Doping Organisation 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 that would have constituted a violation of anti-doping rules if rules compliant with the Code had been applicable to such Person. The disqualifying status of such Person will be in force for the longer of (i) six years from

the criminal, professional or disciplinary decision or (ii) the duration of the criminal, disciplinary or professional sanction imposed; or

- (c) is serving as a front or intermediary for an individual described in Rule 2.10.1(a) or 2.10.1(b).

- 2.10.2 To establish a Rule 2.10 anti-doping rule violation, the Integrity Unit or other Anti-Doping Organisation must establish that the Athlete or other Person knew of the Athlete Support Person's disqualifying status.

The burden will be on the Athlete or other Person to establish that any association with an Athlete Support Person described in Rule 2.10.1(a) and 2.10.1(b) is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

If the Integrity Unit (or other Anti-Doping Organisation) becomes aware of any Athlete Support Person who meets the criteria described in Rules 2.10.1(a), 2.10.1(b), or 2.10.1(c), it must submit that information to WADA.

*[Comment to Rule 2.10: Athletes and other Persons must not work with coaches, trainers, physicians or other Athlete Support Personnel who are Ineligible on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. This also prohibits association with any other Athlete who is acting as a coach or Athlete Support Person while serving a period of Ineligibility. Some examples of the types of association that are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the Athlete Support Person to serve as an agent or representative. Prohibited association need not involve any form of compensation. While Rule 2.10 does not require the Integrity Unit or other Anti-Doping Organisation to notify the Athlete or other Person about the Athlete Support Person's disqualifying status, such notice, if provided, would be important evidence to establish that the Athlete or other Person knew about the disqualifying status of the Athlete Support Person. If the Athlete or other Person discharges the burden on them under Rule 2.10.2, that will be a complete defence to the charge that the Athlete or other Person has committed a Rule 2.10 anti-doping rule violation.]*

## 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 Rule 2.5 (Tampering):

- 2.11.1 Any act that 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 these Anti-Doping Rules or the Code to WADA, the Integrity Unit, another Anti-Doping Organisation, a law enforcement, regulatory or professional disciplinary body, a hearing body, or a Person conducting an investigation for WADA or the Integrity Unit or another Anti-Doping Organisation.
- 2.11.2 Retaliation against a Person who has provided evidence or information in good faith that relates to an alleged anti-doping rule violation or alleged non-compliance with these Anti-Doping Rules or the Code to WADA, the Integrity Unit, another Anti-Doping Organisation, a law enforcement, regulatory or professional disciplinary body, a

hearing body, or a Person conducting an investigation for WADA or the Integrity Unit or another Anti-Doping Organisation.

*[Comment to Rule 2.11.2: This Rule is intended to protect Persons who make good faith reports and does not protect Persons who knowingly make false reports.]*

2.11.3 For the purposes of Rule 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.

*[Comment to Rule 2.11.3: Retaliation would include, for example, actions that threaten the physical or mental well-being or economic interests of the reporting Persons, their families or associates. Retaliation would not include an Anti-Doping Organisation asserting in good faith an anti-doping rule violation against the reporting Person. For the purposes of Rule 2.11, a report is not made in good faith where the Person making the report knows the report to be false.]*

### **3. Proof of Doping**

#### **3.1 Burdens and Standards of Proof**

The Integrity Unit or other Anti-Doping Organisation will have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof will be whether the Integrity Unit or other Anti-Doping Organisation has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegation that has been 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 these Anti-Doping Rules place 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 Rules 3.2.3 and 3.2.4, the standard of proof will be by a balance of probability.

*[Comment to Rule 3.1: This standard of proof required to be met by the Integrity Unit is comparable to the standard that is applied in most countries to cases involving professional misconduct.]*

#### **3.2 Methods of establishing Facts and Presumptions**

Facts related to anti-doping rule violations may be established by any reliable means, including admissions.

*[Comment to Rule 3.2: For example, the Integrity Unit may establish an anti-doping rule violation under Rule 2.2 (Use of a Prohibited Substance or Prohibited Method) based on the Athlete's admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the comments to Rule 2.2, or conclusions drawn from the profile of a series of the Athlete's blood or urine Samples, such as data from the Athlete's Biological Passport.]*

The following rules of proof will be applicable in doping cases:

3.2.1 Analytical methods or Decision Limits that have been approved by WADA after consultation within the relevant scientific community or that 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 will, 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 may also (on its own initiative) inform WADA of any such challenge. Within ten days of WADA's receipt of such notice and the case file related to such challenge, WADA will 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 will appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

*[Comment to Rule 3.2.1: For certain Prohibited Substances, WADA may instruct WADA-accredited laboratories not to report Samples as an Adverse Analytical Finding if the estimated concentration of the Prohibited Substance or its Metabolites or Markers is below a Minimum Reporting Level. WADA's decision in determining that Minimum Reporting Level or in determining which Prohibited Substances should be subject to Minimum Reporting Levels is not subject to challenge. Further, the laboratory's estimated concentration of such Prohibited Substance in a Sample may only be an estimate. In no event will the possibility that the exact concentration of the Prohibited Substance in the Sample may be below the Minimum Reporting Level constitute a defence to an anti-doping rule violation based on the presence of that Prohibited Substance in the Sample.]*

- 3.2.2 Compliance with an International Standard (as opposed to an alternative standard, practice or procedure) will be sufficient to conclude that the procedures addressed by the International Standard were performed properly.
- 3.2.3 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 that 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 that could reasonably have caused the Adverse Analytical Finding, then the Integrity Unit will have the burden of establishing that such departure did not cause the Adverse Analytical Finding.

*[Comment to Rule 3.2.3: The burden is on the Athlete or other Person to establish, by a balance of probability, a departure from the International Standard for Laboratories that could reasonably have caused the Adverse Analytical Finding. Thus, once the Athlete or other Person establishes the departure by a balance of probability, the Athlete's or other Person's burden on causation is the somewhat lower standard of proof – 'could reasonably have caused'. If the Athlete or other Person satisfies these standards, the burden shifts to the Integrity Unit to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.]*

- 3.2.4 Departures from any other International Standard or other anti-doping rule policy set forth or referred to in the World Anti-Doping Code or in these Anti-Doping Rules will not invalidate analytical results or other evidence of an anti-doping rule violation or other breach of these Anti-Doping Rules and will not constitute a defence to an anti-doping rule violation or other breach of these Anti-Doping Rules; 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 Integrity Unit will have the burden of establishing that such a departure did not cause the Adverse Analytical Finding or the whereabouts failure:

- (a) a departure from the International Standard for Testing and Investigations relating to Sample collection or Sample handling that could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case the Integrity Unit will have the burden to establish that such departure did not cause the Adverse Analytical Finding;
- (b) a departure from the International Standard for Results Management or International Standard for Testing and Investigations relating to an Adverse Passport Finding that could reasonably have caused an anti-doping rule violation, in which case the Integrity Unit will have the burden to establish that such departure did not cause the anti-doping rule violation;
- (c) a departure from the International Standard for Results Management relating to the requirement to provide notice to the Athlete of the B Sample opening that could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case the Integrity Unit will have the burden to establish that such departure did not cause the Adverse Analytical Finding; or

*[Comment to Rule 3.2.4(c): The Integrity Unit would meet its burden to establish that such departure did not cause the Adverse Analytical Finding by showing that, for example, the B Sample opening and analysis were observed by an independent witness and no irregularities were observed.]*

- (d) a departure from the International Standard for Results Management relating to Athlete notification that could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case the Integrity Unit will have the burden to establish that such departure did not cause the whereabouts failure.

*[Comment to Rule 3.2.4: Departures from an International Standard or other rule unrelated to Sample collection or handling, Adverse Passport Finding, or Athlete notification relating to whereabouts failure or B Sample opening – e.g., the International Standard for Education, International Standard for the Protection of Privacy and Personal Information or International Standard for Therapeutic Use Exemptions – may result in compliance proceedings by WADA but are not a defence in an anti-doping rule violation proceeding and are not relevant on the issue of whether the Athlete committed an anti-doping rule violation. Similarly, a violation of the Athlete's Anti-Doping Rights Act by the Integrity Unit (or other relevant body) will not constitute a defence to an anti-doping rule violation.]*

- 3.2.5 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction that is not the subject of a pending appeal will be irrefutable 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.

3.2.6 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 by telephone as directed by the hearing panel) and to answer questions either from the hearing panel or from the Integrity Unit or other Anti-Doping Organisation asserting the anti-doping rule violation.

## **4. The Prohibited List**

### **4.1 Incorporation of the Prohibited List**

4.1.1 These Anti-Doping Rules incorporate the Prohibited List, which is published and revised by WADA as described in Article 4.1 of the Code.

4.1.2 Unless provided otherwise in the Prohibited List and/or a revision, the Prohibited List and revisions will come into effect under these Anti-Doping Rules three months after publication of the Prohibited List or revision by WADA automatically, i.e., without requiring any further action by World Athletics. All Athletes and other Persons will be bound by the Prohibited List and any revisions thereto from the date they come into effect, without further formality. It is the responsibility of all Athletes and other Persons to familiarise themselves with the most up-to-date version of the Prohibited List and all revisions thereto.

*[Comment to Rule 4.1: The current Prohibited List is available on WADA's website at <https://www.wada-ama.org>. The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new Prohibited List will be published every year whether or not changes have been made.]*

### **4.2 Prohibited Substances and Prohibited Methods identified on the Prohibited List**

#### **4.2.1 Prohibited Substances and Prohibited Methods**

- (a) The Prohibited List identifies those substances and methods that are prohibited as doping at all times (i.e., 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 that are prohibited In-Competition only. 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.
- (b) As described in Article 4.2.1 of the Code, WADA may expand the Prohibited List for the sport of Athletics.
- (c) WADA may also include additional substances or methods that have the potential for abuse in the sport of Athletics, in the monitoring program described in Article 4.5 of the Code.

*[Comment to Rule 4.2.1: Out-of-Competition Use of a substance that is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the substance or its Metabolites or Markers is reported for a Sample collected In-Competition.]*

#### 4.2.2 Specified Substances or Specified Methods

For the purposes of the application of Rule 10, all Prohibited Substances will be deemed to be Specified Substances except as identified on the Prohibited List. A Prohibited Method will not be considered to be a Specified Method unless it is specifically identified as a Specified Method on the Prohibited List.

*[Comment to Rule 4.2.2: The Specified Substances and Specified Methods identified in Rule 4.2.2 should not in any way be considered less important or less dangerous than other doping substances. Rather, they are simply substances that are more likely to have been consumed by an Athlete for a purpose other than the enhancement of sport performance.]*

#### 4.2.3 Substances of Abuse

For the purposes of the application of Rule 10, certain Prohibited Substances are specifically identified on the Prohibited List as Substances of Abuse because they are frequently abused in society outside of the context of sport.

#### 4.3 WADA's determination of the Prohibited List

WADA's determination of the Prohibited Substances and Prohibited Methods that are (or 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, and the classification of a substance or method as a Specified Substance, Specified Method or Substance of Abuse, is final and will not be subject to any challenge by an Athlete or other Person, including (without limitation) any challenge based on an argument that the substance or method is not a masking agent or does 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 (Rule 2.1), and/or Use or Attempted Use of a Prohibited Substance or a Prohibited Method (Rule 2.2), Possession of a Prohibited Substance or a Prohibited Method (Rule 2.6), or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method (Rule 2.8), will 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 TUE applications

(a) Athletes who are not International-Level Athletes must apply to their National Anti-Doping Organisation for a TUE. If the National Anti-Doping Organisation denies the application, the Athlete may appeal exclusively to the national-level appeal body described in Rule 13.2.

- (b) Athletes who are International-Level Athletes must apply to World Athletics/the Integrity Unit for a TUE.

#### 4.4.3 TUE recognition

- (a) Where the Athlete already has a TUE granted by their National Anti-Doping Organisation pursuant to Rule 4.4.2(a) for the substance or method in question, and if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, World Athletics/the Integrity Unit will recognise it for purposes of International Competitions. If World Athletics considers that the TUE does not meet those criteria and so refuses to recognise it, World Athletics will notify the Athlete and the Athlete's National Anti-Doping Organisation promptly with reasons. The Athlete or the National Anti-Doping Organisation will have 21 days from such notification to refer the matter to WADA for review in accordance with Rule 4.4.7. If the matter is referred to WADA for review, the TUE granted by the National Anti-Doping Organisation is not valid for International Competitions but remains valid for national-level competition and Out-of-Competition Testing pending WADA's decision. If the matter is not referred to WADA for review within the 21-day deadline the Athlete's National Anti-Doping Organisation must determine whether the original TUE granted by that National Anti-Doping Organisation 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 Organisation's decision, the TUE remains valid for national-level competition and Out-of-Competition Testing (but is not valid for international-level Competition).

*[Comment to Rule 4.4.3(a): Further to Articles 5.7 and 7.1 of the International Standard for Therapeutic Use Exemptions, World Athletics will publish and keep updated a notice on its website and/or the Integrity Unit website that sets out clearly (1) which Athletes under its authority are required to apply to it for a TUE, (2) which TUE decisions it will automatically recognise in lieu of such application (if any), and (3) which TUE decisions of other Anti-Doping Organisations will have to be submitted to it for recognition.]*

- (b) If the Integrity Unit chooses to test an Athlete who is not an International-Level Athlete, the Integrity Unit will recognise a TUE granted to that Athlete by their National Anti-Doping Organisation.

*[Comment to Rule 4.4.3: If the Integrity Unit refuses to recognise a TUE granted by a National Anti-Doping Organisation only because medical records or other information are missing that are needed to demonstrate satisfaction with the criteria in the International Standard for Therapeutic Use Exemptions, the matter should not be referred to WADA. Instead, the file should be completed and re-submitted to the Integrity Unit. The Integrity Unit may agree with a National Anti-Doping Organisation that the National Anti-Doping Organisation will consider TUE applications on behalf of the Integrity Unit.]*

#### 4.4.4 TUE application process

- (a) If the Athlete does not already have a TUE granted by their National Anti-Doping Organisation for the substance or method in question, the Athlete

must apply directly to World Athletics/the Integrity Unit for a TUE in accordance with the process set out in the International Standard for Therapeutic Use Exemptions using the form posted on the World Athletics' website and/or the Integrity Unit website (link).

- (b) An application to World Athletics for grant or recognition of a TUE must be made as soon as possible (save where Articles 4.1 or 4.3 of the International Standard for Therapeutic Use Exemptions applies) and in any event at least 30 days before the Athlete's next Competition.
- (c) World Athletics will appoint a panel to consider applications for the grant or recognition of TUEs (the "**TUE Committee**").
- (d) The TUE Committee will promptly evaluate and decide upon the application in accordance with the relevant provisions of the International Standard for Therapeutic Use Exemptions and any specific World Athletics protocols posted on the World Athletics and/or Integrity Unit website, and usually (i.e., unless exceptional circumstances apply) within no more than 21 days of receipt of a complete application. Where the application is made in a reasonable time prior to a Competition, the TUE Committee will use its best endeavours to issue its decision before the start of the Competition.
- (e) The decision of the TUE Committee will be the final decision of the World Athletics and may be appealed in accordance with Rule 4.4.7. The TUE Committee decision will be notified in writing to the Athlete, and to WADA and other relevant Anti-Doping Organisations, including the Athlete's National Anti-Doping Organisation in accordance with the International Standard for Therapeutic Use Exemptions. It will also promptly be reported into ADAMS.
- (f) If World Athletics (or the National Anti-Doping Organisation, where it has agreed to consider the application on behalf of World Athletics) denies the Athlete's application, it must notify the Athlete promptly, with reasons. If World Athletics grants the Athlete's application, it must notify not only the Athlete but also their National Anti-Doping Organisation. If the National Anti-Doping Organisation considers that the TUE granted by World Athletics does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has 21 days from such notification to refer the matter to WADA for review in accordance with Rule 4.4.7(a).
- (g) If the National Anti-Doping Organisation refers the matter to WADA for review, the TUE granted by World Athletics remains valid for International-Level Competition and Out-of-Competition Testing but is not valid for national-level competition testing pending WADA's decision. If the National Anti-Doping Organisation does not refer the matter to WADA for review, the TUE granted by World Athletics becomes valid for national-level competition Testing as well when the 21-day review deadline expires.

*[Comment to Rule 4.4.4: Submitting to the TUE Committee or the Integrity Unit falsified documents or false or misleadingly incomplete information in support of a TUE application (including but not limited to the failure to advise of the unsuccessful outcome of a prior application to another Anti-Doping Organisation for such a TUE), offering or accepting a bribe to/from a Person to perform or fail to perform an act, procuring false testimony from any witness, or committing any other fraudulent act or any other similar intentional interference or Attempted interference with any aspect of the TUE process will result in a charge of Tampering or Attempted Tampering under Rule 2.5.*

*An Athlete should not assume that their application for grant or recognition of a TUE (or for renewal of a TUE) will be granted. Any Use or Possession or Administration of a Prohibited Substance or Prohibited Method before an application has been granted is entirely at the Athlete's own risk.]*

#### **4.4.5 Retroactive TUE applications**

- (a) Subject to Rule 4.4.5(b), an Athlete may apply for a retroactive TUE on the grounds set out in Articles 4.1 and 4.3 of the International Standard for Therapeutic Use Exemptions.
- (b) If the Integrity Unit chooses to test an Athlete who is not an International-Level Athlete or a National-Level Athlete, the Integrity Unit will permit that Athlete to apply for a retroactive TUE for any Prohibited Substance or Prohibited Method that the Athlete is Using for therapeutic reasons.

#### **4.4.6 Expiration, cancellation, withdrawal or reversal of a TUE**

- (a) A TUE granted pursuant to these Anti-Doping Rules:
  - (i) will expire automatically at the end of any period for which it was granted, without the need for any further notice or other formality;
  - (ii) will be cancelled if the Athlete does not promptly comply with any requirements or conditions imposed by the TUE Committee upon grant of the TUE;
  - (iii) may be withdrawn by the TUE Committee if it is subsequently determined that the criteria for grant of a TUE are not in fact met; or
  - (iv) may be reversed on review by WADA or on appeal.
- (b) The Athlete will not be subject to any Consequences based on their Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE prior to the effective date of expiry, cancellation, withdrawal or reversal of the TUE. The review pursuant to Article 5.1.1.1 of the International Standard for Results Management of an Adverse Analytical Finding, reported shortly after the TUE expiry, cancellation, withdrawal or reversal, will include consideration of whether such finding is consistent with Use of the Prohibited Substance or Prohibited Method prior to that date, in which event no anti-doping rule violation will be asserted.

#### **4.4.7 Reviews and appeals of TUE decisions**

- (a) WADA must review any decision by World Athletics not to recognise a TUE granted by the National Anti-Doping Organisation that is referred to WADA by the Athlete or the Athlete's National Anti-Doping Organisation. In addition, WADA must review any decision by World Athletics to grant a TUE that is referred to WADA by the Athlete's National Anti-Doping Organisation. 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.

*[Comment to Rule 4.4.7(a): WADA may charge a fee to cover the costs of: (a) any review it is required to conduct in accordance with Rule 4.4.7; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.]*

- (b) Any TUE decision by World Athletics (or by a National Anti-Doping Organisation where it has agreed to consider the application on behalf of World Athletics/the Integrity Unit) 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 Organisation, exclusively to CAS.

*[Comment to Rule 4.4.7(b): In such cases, the decision being appealed is the decision of the TUE Committee, not WADA's decision not to review the TUE Committee decision or (having reviewed it) not to reverse the TUE Committee decision. However, the deadline to appeal the TUE Committee decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA must be given notice of the appeal so that it may participate if it sees fit.]*

- (c) A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the National Anti-Doping Organisation and/or the Integrity Unit on behalf of World Athletics exclusively to CAS.
- (d) A failure to render a decision within a reasonable time on a properly submitted application for grant or recognition of a TUE or for review of a TUE decision will be considered a denial of the application thus triggering the applicable rights of review/appeal.
- (e) Until such time as a TUE decision pursuant to these Anti-Doping Rules has been reversed upon review by WADA or upon appeal, that TUE decision will remain in full force and effect.

## **5. Testing and Investigations**

### **5.1 Purpose of Testing and Investigations**

- 5.1.1 Testing and investigations may be undertaken under these Anti-Doping Rules for any anti-doping purpose. They will be conducted in conformity with the provisions of the International Standard for Testing and Investigations and by the Integrity Unit where



applicable in accordance with the provisions supplementing that International Standard as set out in these Anti-Doping Rules.

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

*[Comment to Rule 5.1.2: Where Testing is conducted for anti-doping purposes, the analytical results and data may be used for other legitimate purposes under these Anti-Doping Rules and/or under other World Athletics Rules or Regulations, for example, to monitor eligibility under the World Athletics Eligibility Regulations for Transgender Athletes or the World Athletics Eligibility Regulations for the Female Classification].*

## **5.2 Authority to test**

- 5.2.1 Subject to the limitations for Competition Testing set out in Rule 5.3, the Integrity Unit will have In-Competition and Out-of-Competition Testing authority over all Athletes who are subject to these Anti-Doping Rules.

- 5.2.2 The Integrity Unit may require any Athlete over whom it has Testing authority (including any Athlete serving a period of Ineligibility) to provide a Sample at any time and at any place.

*[Comment to Rule 5.2.2: The Integrity Unit may obtain additional authority to conduct Testing by means of bilateral or multilateral agreements with Code Signatories. Unless the Athlete has identified a 60-minute Testing window between the hours of 11:00 p.m. and 6:00 a.m., or has otherwise consented to Testing during that period, the Integrity Unit will not test an Athlete during that period unless it has a serious and specific suspicion that the Athlete may be engaged in doping. A challenge to whether the Integrity Unit had sufficient suspicion for Testing during this time period shall not be a defence to an anti-doping rule violation based on such test or attempted test.]*

- 5.2.3 WADA will have In-Competition and Out-of-Competition Testing authority as set out in Article 20.7.10 of the Code.

- 5.2.4 If the Integrity Unit delegates or contracts any part of Testing to a National Anti-Doping Organisation, directly or through a Member Federation, that National Anti-Doping Organisation may collect additional Samples or direct the laboratory to perform additional types of analysis at the National Anti-Doping Organisation's expense. If additional Samples are collected or additional types of analyses are performed, the Integrity Unit must be notified.

## **5.3 Test Distribution Planning**

- 5.3.1 The Integrity Unit will conduct test distribution planning and Testing as required by the International Standard for Testing and Investigations.

- 5.3.2 Where reasonably feasible, Testing will be coordinated by the Integrity Unit and other Anti-Doping Organisations through ADAMS in order to maximise the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing.

## 5.4 In-Competition Testing

- 5.4.1 Except as otherwise provided below, only a single organisation will have authority to conduct Testing at Competition Venues during a Competition Period.
- 5.4.1.1 At International Competitions, the Integrity Unit (or other international organisation that is the ruling body for the International Competition, if not World Athletics) will have authority to conduct Testing.
- 5.4.1.2 At the request of the Integrity Unit on behalf of World Athletics (or other international organisation that is the ruling body for an International Competition), any Testing during the Competition Period outside of the Competition Venues must be coordinated with the Integrity Unit (or the relevant ruling body of the International Competition).
- 5.4.1.3 At National Competitions, the National Anti-Doping Organisation of the country in which the Competition is staged will have authority to conduct Testing.
- 5.4.2 If an Anti-Doping Organisation that would otherwise have Testing authority but is not responsible for initiating and directing Testing at a Competition desires to conduct Testing of Athletes at the Competition Venue(s) during the Competition Period, the Anti-Doping Organisation must first confer with the Integrity Unit on behalf of World Athletics (or other international organisation that is the ruling body of the Competition) to obtain permission to conduct and coordinate such Testing. If the Anti-Doping Organisation is not satisfied with the response from the Integrity Unit (or other international organisation that is the ruling body of the Competition), in accordance with the procedures described in the International Standard for Testing and Investigations, the Anti-Doping Organisation may ask WADA for permission to conduct Testing and to determine how to coordinate such Testing. WADA will not grant approval for such Testing before consulting with and informing the Integrity Unit on behalf of World Athletics (or other international organisation that is the ruling body for the Competition). WADA's decision will be final and not subject to appeal. Unless otherwise provided in the authorisation to conduct Testing, such tests will be considered Out-of-Competition tests. Results Management for any such test will be the responsibility of the Anti-Doping Organisation initiating the test unless provided otherwise in the rules of the ruling body of the Competition.
- 5.4.3 World Athletics/the Integrity Unit may appoint an Anti-Doping Delegate to attend at any of the International Competitions under Rule 5.3.1 for the purpose of supervising the anti-doping operations at such Competitions, advising the local organising committee and ensuring that these Anti-Doping Rules are properly applied. The local organising committees of such Competitions shall do everything

necessary to authorise and facilitate the World Athletics/the Integrity Unit delegate's attendance at such International Competitions.

- 5.4.4 World Athletics and the organising committees for International Competitions, as well as Member Federations and the organising committees for National Competitions, will authorise and facilitate the Independent Observer Program at such competitions where so requested by WADA.

## **5.5 Out-of-Competition Testing and Athlete whereabouts requirements**

- 5.5.1 Any period that is not an In-Competition Period is an Out-of-Competition period for the purposes of these Anti-Doping Rules.
- 5.5.2 Any Sample collected pursuant to a notification given to an Athlete outside of an In-Competition period will be considered to have been collected Out-of-Competition.
- 5.5.3 The Integrity Unit shall identify an International Registered Testing Pool of Athletes who are required to comply with the whereabouts requirements set out in the International Standard for Testing and Investigations, including (a) advising the Integrity Unit of their whereabouts on a quarterly basis; (b) updating that information as necessary so that it remains accurate and complete at all times; and (c) making themselves available for Testing at such whereabouts.
- 5.5.4 For the purposes of Rule 2.4, failure by an Athlete in the International Registered Testing Pool to comply with the requirements of the International Standard for Testing and Investigations shall be deemed a filing failure or a missed test where the conditions set out in Appendix B of the International Standard for Results Management for declaring a filing failure or missed test are met.
- 5.5.5 The Integrity Unit will make available through ADAMS a list which identifies those Athletes included in the International Registered Testing Pool either by name or by clearly defined, specific criteria. The Integrity Unit shall coordinate with National Anti-Doping Organizations in respect of the identification of such Athletes and the collection of their whereabouts information. The Integrity Unit shall review and update as necessary the criteria for including Athletes in the International Registered Testing Pool and shall revise the membership of the International Registered Testing Pool from time to time as appropriate in accordance with the set criteria.
- 5.5.6 Athletes will be notified before they are included in the International Registered Testing Pool and when they are removed from that pool. The notification will contain the information set out in the International Standard for Testing and Investigations.
- 5.5.7 An Athlete in the International Registered Testing Pool will continue to be subject to the obligation to comply with the whereabouts requirements set out in the International Standard for Testing and Investigations unless and until (a) the Athlete gives written notice to World Athletics/the Integrity Unit of their retirement; or (b)

the Integrity Unit has informed the Athlete that they are no longer in the International Registered Testing Pool.

- 5.5.8 The Integrity Unit will coordinate with National Anti-Doping Organisations to identify the Athletes in the International Registered Testing Pool and to collect their whereabouts information. Where an Athlete is included in the International Registered Testing Pool and in a national registered testing pool by their National Anti-Doping Organisation, the National Anti-Doping Organisation and the Integrity Unit will agree which of them will accept that Athlete's whereabouts filings. In no case will an Athlete be required to make whereabouts filings to more than one of them.
- 5.5.9 Whereabouts information relating to an Athlete will be shared (through ADAMS) with WADA and other Anti-Doping Organisations having authority to test that Athlete, will be maintained in strict confidence at all times, will be used exclusively for the purposes set out in Article 5.5 of the Code, and will be destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for these purposes.
- 5.5.10 The Integrity Unit may identify a second tier of Athletes whom it does not require to provide whereabouts information in accordance with the International Standard for Testing and Investigations but for whom it does require some whereabouts information in order to be able to conduct Testing on them (such as basic contact information, the Athlete's main place of residence, regular training location and anticipated competition schedule for the year). The Integrity Unit shall inform the Athletes what whereabouts information is required of them, when it is required of them and in what form it is required. If an Athlete in the second tier fails to comply with the whereabouts requirements applicable to him, the Integrity Unit shall consider moving the Athlete up to the International Registered Testing Pool.

## **5.6 Retired Athletes returning to Competition**

- 5.6.1 Athletes in the International Registered Testing Pool who have given notice of retirement to World Athletics/the Integrity Unit may not resume competing in International Competitions or National Competitions until they have given the World Athletics/the Integrity Unit and their National Anti-Doping Organisation written notice of their intent to resume competing and have made themselves available for Testing for a period of six months before returning to competition, including (if requested) complying with the whereabouts requirements of the International Standard for Testing and Investigations. WADA, in consultation with the Integrity Unit and the Athlete's National Anti-Doping Organisation, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to an Athlete. WADA's decision to grant or not to grant such exemption may be appealed under Rule 13. Any competitive results obtained in violation of this Rule 5.6.1 will be Disqualified, unless the Athlete can establish that they could not have reasonably known that they participated in an International Competition or a National Competition.

- 5.6.2 If an Athlete retires from sport while subject to a period of Ineligibility, the Athlete must notify the Integrity Unit (and, if the period of Ineligibility was not imposed under the Anti-Doping Rules, the Anti-Doping Organisation that imposed the period of Ineligibility) in writing of such retirement. The Athlete may not resume competing in International Competitions or National Competitions until the Athlete has given six months 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 months) to the Integrity Unit and to the Athlete's National Anti-Doping Organisation of their intent to resume competing and has made themselves available for Testing for that notice period, including (if requested) complying with the whereabouts requirements of the International Standard for Testing and Investigations.
- 5.6.3 An Athlete who is not in the International Registered Testing Pool who has given notice of retirement to the Integrity Unit may not resume competing unless they notify the Integrity Unit and their National Anti-Doping Organisation at least six months before they wish to return to Competition and make themselves available for unannounced Out-of-Competition Testing, including (if requested) complying with the whereabouts requirements of the International Standard for Testing and Investigations, during the period before actual return to Competition.

## **5.7 Investigations and Intelligence Gathering**

- 5.7.1 In addition to conducting Testing in accordance with Rule 5 above, the Integrity Unit shall have the power to gather anti-doping intelligence and conduct investigations into matters that may evidence or lead to the discovery of evidence of an anti-doping rule violation or other breach of these Anti-Doping Rules. Such investigations may be conducted in conjunction with, and/or information obtained in such investigations may be shared with, other Signatories and/or relevant authorities. The Integrity Unit shall have discretion, where it deems it appropriate, to stay its own investigation pending the outcome of investigations being conducted by other Signatories and/or other relevant authorities.
- 5.7.2 Where an Athlete or other Person knows or suspects that any other Athlete or other Person has committed an anti-doping rule violation or other breach of these Anti-Doping Rules, it shall be the obligation of the first Athlete or other Person to report such knowledge or suspicion to the Integrity Unit as soon as possible. The first Athlete or other Person shall have a continuing obligation to report any new knowledge or suspicion regarding any anti-doping rule violation or other breach of these Anti-Doping Rules to the Integrity Unit even if their prior knowledge or suspicion has already been reported. In cases of refusal or failure to comply with any of the foregoing without compelling justification, Rule 12 shall apply.
- 5.7.3 Athletes and other Persons must co-operate fully with investigations conducted pursuant to Rule 5.7.1, including without limitation providing accurate and complete information and/or documentation as may be requested by the Integrity Unit (whether as part of a formal Demand or otherwise) and, in case of a refusal or failure to co-operate without compelling justification, Rule 12 shall apply.

- 5.7.4 The Head of the Integrity Unit may at any stage make a written demand (Demand) to an Athlete or other Person to provide the Integrity Unit with any information, record, article or thing in their possession or control that the Head of the Integrity Unit reasonably believes may be relevant to an investigation under Rule 5.7.1. Where an Adverse Analytical Finding or Atypical Finding for a Non-Specified Substance or an Adverse Passport Finding is reported to the Integrity Unit, the Athlete's Electronic Devices and/or Electronic Services and any other records, data, or files in hardcopy or electronic format shall be deemed to be relevant to the investigation for the purposes of this Rule.

*[Comment to Rule 5.7.4: this Rule makes it clear that a Demand may be made at any stage of the process, including without limitation before a first notification is made to an Athlete or other Person under Rule 7 as well as at any time after the Integrity Unit has issued a Notice of Allegation or Notice of Charge].*

- 5.7.5 Without limiting the foregoing, pursuant to Rule 5.7.4, the Head of the Integrity Unit may require an Athlete or other Person to:

- (a) attend before the Integrity Unit for an interview, or to answer any question, or to provide a written statement setting out their knowledge of any relevant facts and circumstances;
- (b) provide (or procure to the best of their ability the provision by any third party) for inspection, extraction, copying and/or downloading any records or data or files in hardcopy or electronic format, that the Head of the Integrity Unit reasonably believes may contain relevant information (such as itemised telephone bills, bank statements, ledgers, notes, files, correspondence, emails, messages, servers, cloud data, cloud services);
- (c) provide (or procure to the best of their ability the provision by any third party) for inspection, extraction, copying and/or downloading any Electronic Devices and/or Electronic Services in or on which the Head of the Integrity Unit reasonably believes relevant information may be stored;
- (d) provide full and unlimited access to their premises for the purpose of securing information, records, articles or things the subject of a Demand;
- (e) provide passwords, login credentials, multi/two-factor authentication, and other information required to access electronically stored data that is the subject of a Demand.

- 5.7.6 The Integrity Unit Board may authorise from time to time a policy that sets out guidance on the extraction and use by the Integrity Unit of data stored on an Athlete or other Person's Electronic Device(s) and/or Electronic Services pursuant to a Demand. The Integrity Unit shall take all reasonable steps to implement the Demand in accordance with the policy.

- 5.7.7 Subject to Rule 5.7.8, an Athlete or other Person must comply with a Demand in such reasonable period of time as determined by the Head of the Integrity Unit and set out in the Demand. Each Athlete or other Person waives and forfeits any rights, defences and privileges provided by any law in any jurisdiction to withhold any information, record, article or thing requested in a Demand or otherwise not to cooperate with an investigation.
- 5.7.8 Where a Demand relates to any information, record, article or thing that the Head of the Integrity Unit reasonably believes is capable of being damaged, altered, destroyed or hidden (any Electronic Device or Electronic Service shall be deemed to meet this criterion), then for the purposes of preserving the evidence, the Integrity Unit may require an Athlete or other Person to comply immediately with the Demand. In such a case:
- (a) the Athlete or other Person must immediately comply with the Demand and permit the Integrity Unit to take immediate possession of, copy, extract and/or download the information, record, article or thing. However, the Integrity Unit may take no steps to inspect, analyse or use the same other than as provided in Rule 5.7.8(d);
  - (b) in case of a refusal or failure by an Athlete or other Person to comply immediately with the Demand, Rule 12 shall apply and any attempted or actual damage, alteration, destruction or hiding of such information, record, article or thing upon receipt of or after the Demand shall constitute an independent violation of Rule 2.5 (Tampering or Attempted Tampering);
  - (c) notwithstanding the Athlete or other Person's obligation to comply immediately with the Demand, the Athlete or other Person has 7 days from receipt of the Demand to file an objection to the Demand by requesting a review by the chairperson of the Disciplinary Tribunal or their delegate in accordance with Rule 7.3;
  - (d) if the Athlete or other Person does not file an objection within 7 days of receipt of the Demand (or files an objection and the chairperson of the Disciplinary Tribunal or their delegate subsequently finds there is a reasonable belief basis to the Demand and dismisses the objection) or notifies the Integrity Unit that they do not object to the Demand, the Integrity Unit may forthwith inspect and analyse the information, record, article or thing and otherwise make use of it in accordance with these Anti-Doping Rules.
- 5.7.9 Any information, record, article or thing provided to the Integrity Unit under this Rule will be kept confidential except when it becomes necessary to disclose such information, record, article or thing to further the investigation of and/or to bring, or as part of, proceedings relating to an anti-doping rule violation, or when such information, record, article or thing is reported to administrative, professional or

judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations, or is otherwise required by law.

- 5.7.10 If an Athlete or other Person obstructs or delays an investigation (e.g., by providing false, misleading or incomplete information or documentation and/or by tampering or destroying any documentation or other information that may be relevant to the investigation), proceedings may be brought against them for a violation of Rule 2.5 (Tampering or Attempted Tampering) and the application of Rule 10.4 (Aggravating Circumstances).
- 5.7.11 A hearing panel in a hearing on an anti-doping rule violation or other breach of these Anti-Doping Rules may draw an inference adverse to the Athlete or other Person charged with an anti-doping rule violation or other breach of these Anti-Doping Rules based on the Athlete or other Person's refusal or failure to comply with a Demand or to co-operate fully (i.e., by refusing or failing to respond to any questions put to them) with a Rule 5 investigation.
- 5.7.12 The Head of the Integrity Unit may at any time require a Member Federation (i) to investigate a possible violation of these Anti-Doping Rules by one or more Athlete or other Person under the Member Federation's jurisdiction (where appropriate, acting in conjunction with the National Anti-Doping Organisation in the Country concerned and/or other relevant national authority or body) and (ii) to provide a written report on such investigation within a reasonable time period as stipulated by the Head of the Integrity Unit. There shall be an automatic investigation conducted by a Member Federation (and a written report of the investigation provided to the Integrity Unit) of Athlete Support Personnel under the Member Federation's jurisdiction in the case of any anti-doping rule violation committed by a Protected Person or where any Athlete Support Personnel has provided support to more than one Athlete found to have committed an anti-doping rule violation. A failure or refusal by a Member Federation to conduct an investigation under this Rule or to produce a written report on such investigation within a reasonable time period as stipulated by the Integrity Unit may lead to the imposition of sanctions on the Member Federation in accordance with Rule 16.
- 5.7.13 Where during the course of an Investigation, the Integrity Unit identifies any additional Athlete or Person whom it considers should be investigated for a potential anti-doping rule violation, the investigation may be expanded to deal with their respective involvement.
- 5.7.14 Where, as a result of an investigation under this Rule 5, the Head of the Integrity Unit forms the view that an Athlete or other Person has a case to answer for commission of an anti-doping rule violation, the matter shall proceed in accordance with Rule 7. Where, as a result of an investigation, the Head of the Integrity Unit forms the view that an Athlete or other Person has a case to answer for commission of a breach of these Rules that is not an anti-doping rule violation, the matter shall proceed in accordance with Rule 12 and/or under the Integrity Code of Conduct.



## **6. Analysis of Samples**

Samples will be analysed in accordance with the following principles:

### **6.1 Use of Accredited/Approved Laboratories and other Laboratories**

- 6.1.1 For the purposes of directly establishing an Adverse Analytical Finding under Rule 2.1, Samples will be analysed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. In the case of Samples collected by the Integrity Unit, the Integrity Unit will send Samples to WADA-accredited or WADA-approved laboratories (or, where applicable, to other WADA-approved entities) determined exclusively by the Integrity Unit.
- 6.1.2 For the purposes of screening a blood (or other non-urine) Sample to determine whether the Athlete's corresponding urine Sample should be analysed as set out at Rule 6.1.1, the Integrity Unit may send Samples either to laboratories that have been accredited or approved by WADA or to any other entity approved by WADA (e.g., a local hospital or a mobile testing unit).
- 6.1.3 For the purposes of ABP Testing, the Integrity Unit may send Samples to a laboratory or laboratories that has/have been accredited or otherwise approved by WADA or to the satellite facility of a WADA-accredited laboratory or using mobile units operated under applicable ISO accreditation by a WADA-accredited laboratory.
- 6.1.4 As provided in Rule 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.

*[Comment to Rule 6.1: Violations of Rule 2.1 may be established only by Sample analysis performed by a laboratory accredited or otherwise approved by WADA. Violations of other Rules may be established using analytical results from other laboratories so long as the results are reliable.]*

### **6.2 Purpose of Analysis of Samples and Data**

Samples and related analytical data or Doping Control information will be analysed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List and other substances as may be directed by WADA pursuant to the monitoring program described in Article 4.5 of the Code, or to assist the Integrity Unit 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.

*[Comment to Rule 6.2: For example, relevant Doping Control-related information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Rule 2.2 (Use of a Prohibited Substance), or both.]*

### **6.3 Research on Samples and related Data**

- 6.3.1 Samples, related analytical data, and Doping Control information may be used for anti-doping research purposes, although no Sample may be used for such purposes

without the Athlete's written consent. Samples and related analytical data or Doping Control information used for research purposes must 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 must adhere to the principles set out in Article 19 of the Code.

- 6.3.2 Samples, related analytical data, and Doping Control information may also be used for non-research purposes, such as method development or to establish reference populations, provided that they are first processed in such a manner as to prevent them being traced back to the Athlete, having due regard to the principles set out in Article 19 of the Code, as well as the requirements of the International Standard for Laboratories and International Standard for the Protection of Privacy and Personal Information.

*[Comment to Rule 6.3: As is the case in most medical or scientific contexts, use of Samples and related information for quality assurance, quality improvement, method improvement and development or to establish reference populations is not considered research. Samples and related information used for such permitted non-research purposes must also first be processed in such a manner as to prevent them from being traced back to the particular Athlete, having due regard to the principles set out in Article 19 of the Code, as well as the requirements of the International Standard for Laboratories and International Standard for the Protection of Privacy and Personal Information.]*

#### **6.4 Standards for Sample Analysis and Reporting**

- 6.4.1 Laboratories will analyse Samples in conformity with the International Standard for Laboratories and Article 4.7 of the International Standard for Testing and Investigations.
- 6.4.2 Laboratories at their own initiative and expense may analyse Samples for Prohibited Substances or Prohibited Methods not included on the standard Sample analysis menu, or as requested by the Integrity Unit (if it initiated and directed Sample collection). Results from any such analyses will be reported to the Integrity Unit and have the same validity and Consequences as any other analytical result.

*[Comment to Rule 6.4: The objective of this Rule is to extend the principle of 'Intelligent Testing' to the Sample analysis menu so as to most effectively and efficiently detect doping. It is recognised that the resources available to fight doping are limited and that increasing the Sample analysis menu may, in some sports and countries, reduce the number of Samples that can be analysed.]*

#### **6.5 Further Analysis of a Sample prior to or during Results Management**

There is no limitation on the authority of a laboratory to conduct repeat or additional analysis on a Sample prior to the time the Integrity Unit notifies an Athlete that the Sample is the basis of a Rule 2.1 anti-doping rule violation charge. If after such notification the Integrity Unit wishes to conduct additional analyses on that Sample, it may do so with the consent of the Athlete or else with the approval of the panel hearing the case against the Athlete.

## **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 Rule 6.2 at any time exclusively at the direction of the Integrity Unit (if it initiated and directed Sample collection), the Anti-Doping Organisation that initiated and directed Sample collection (if not the Integrity Unit) or WADA. Any other Anti-Doping Organisation with authority to test the Athlete that wishes to conduct further analyses on a stored Sample may do so with the permission of the Integrity Unit (if it initiated and directed Sample collection), the Anti-Doping Organisation that initiated and directed Sample collection (if not the Integrity Unit) or WADA, and will be responsible for any follow-up Results Management. Any Sample storage or further analysis initiated by WADA, the Integrity Unit or another Anti-Doping Organisation will be at (respectively) WADA's, the Integrity Unit's or other organisation's expense. Further analysis of Samples must comply with the requirements of the International Standard for Laboratories.

## **6.7 Split of A or B Sample**

Where WADA, the Integrity Unit or other Anti-Doping Organisation with Results Management authority, and/or a WADA-accredited laboratory (with approval from WADA or the Integrity Unit or other Anti-Doping Organisation 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 out in the International Standard for Laboratories must be followed.

## **6.8 WADA's right to take possession of Samples and Data**

6.8.1 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 Organisation. Upon request by WADA, the laboratory or Anti-Doping Organisation in possession of the Sample or data will 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 Organisation before taking possession of a Sample or data, it will provide such notice to the laboratory and each Anti-Doping Organisation whose Samples or data have been taken by WADA within a reasonable time after taking possession.

6.8.2 After analysis and any investigation of a seized Sample or data, WADA may direct another Anti-Doping Organisation 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.

*[Comment to Rule 6.8: Resistance or refusal to WADA taking physical possession of Samples may constitute Tampering, Complicity or an act of non-compliance as provided in the International Standard for Code Compliance by Signatories and may also constitute a violation of the International Standard for Laboratories. Where necessary, the laboratory and/or the Anti-Doping Organisation must assist WADA in ensuring that the seized Sample and related data are not delayed in exiting the applicable country. WADA would not, of course, unilaterally take possession of Samples or analytical data without good cause related to a potential anti-doping rule violation, non-*

*compliance by a Signatory or doping activities by another Person. However, the decision as to whether good cause exists is for WADA to make in its discretion and is not subject to challenge. In particular, whether there is good cause or not shall not be a defence against an anti-doping rule violation or its Consequences.]*

## **7. Results Management: Responsibility, Initial Review, Notice and Provisional Suspensions**

### **7.1 Results Management Rules and Responsibility**

- 7.1.1 These Anti-Doping Rules incorporate the International Standard for Results Management, as amended from time to time. The International Standard for Results Management is therefore binding on all Athletes and other Persons in the same way as these Anti-Doping Rules are binding on them.
- 7.1.2 Except as provided for in Rules 6.6, 6.8 and 7.1.3 below, Results Management and hearings shall be the responsibility of, and shall be governed by, the procedural rules of the Member Federation (acting as a Delegated Third Party) or Anti-Doping Organisation that initiated and directed Sample collection (or, if no Sample collection is involved, the Member Federation (acting as a Delegated Third Party) or Anti-Doping Organisation which first provides notice to an Athlete or other Person of an asserted anti-doping rule violation and then diligently pursues that anti-doping rule violation). Regardless of which organisation conducts Results Management, it shall respect the Results Management principles set out in this Rule, Rule 8, Rule 13 and the International Standard for Results Management.
- 7.1.3 The Integrity Unit shall have Results Management responsibility under these Anti-Doping Rules in the following circumstances:
- (a) For potential violations arising in connection with any Testing conducted under these Anti-Doping Rules by World Athletics/the Integrity Unit, including investigations conducted by the Integrity Unit into Athlete Support Personnel or other Persons potentially involved in such violations.
  - (b) For potential violations arising where World Athletics/the Integrity Unit is the Testing Authority or has been delegated Results Management responsibility.
  - (c) For potential violation of these Anti-Doping Rules where no Testing is involved and where the potential anti-doping rule violation or other breach of these Anti-Doping Rules involves:
    - (i) Any International-Level Athlete, Athlete Support Person or other Person who has an involvement in any capacity in International Competitions or with International-Level Athletes (unless another Anti-Doping Organisation with competent authority has first provided notice to such an Athlete or other Person of an asserted Anti-Doping Rule Violation and has diligently pursued that violation); or

- (ii) Where the Integrity Unit on behalf of World Athletics is the Anti-Doping Organisation which first provides notice to an Athlete or other Person of an asserted Anti-Doping Rule Violation and then diligently pursues that violation.
- (d) For potential violations arising in connection with any investigation conducted by the Integrity Unit in accordance with Rule 5.
- (e) Results Management in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by the Integrity Unit if the Athlete in question is in the International Registered Testing Pool or files their whereabouts information with the Integrity Unit. Any Anti-Doping Organisation that determines a filing failure or missed test shall submit that information to WADA through ADAMS or another system approved by WADA, where it will be made available to other relevant Anti-Doping Organisations.
- (f) The Integrity Unit shall additionally have Results Management responsibility in the following further cases:
  - (i) Where a National Anti-Doping Organisation elects to collect additional Samples pursuant to Rule 5.2.4, then it shall be considered the National Anti-Doping Organisation that initiated and directed Sample collection and shall have Results Management responsibility over such additional Samples. Where however the National Anti-Doping Organisation only directs the laboratory to perform additional types of analysis at the National Anti-Doping Organisation's expense, then the Integrity Unit shall have Results Management responsibility.
  - (ii) In circumstances where the rules of a Member Federation (acting as a Delegated Third Party) or National Anti-Doping Organisation do not give the Member Federation or National Anti-Doping Organisation authority over an Athlete or other Person who is not a national, resident, licence holder or member of a sport organisation of that country, or the Member Federation or National Anti-Doping Organisation fails or declines to exercise such authority, Results Management shall be conducted by the Integrity Unit or by a third party with authority over the Athlete or other Person.
  - (iii) 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 Organisation with authority over the Athlete or other Person to conduct Results Management.
  - (iv) For Results Management relating to a Sample initiated and taken during a Competition organised by a Major Event Organisation, or

an anti-doping rule violation occurring during such Competition, the Major Event Organisation for the Competition 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 Disqualification of results from that Competition, any forfeiture of any medals, points or prizes, and any recovery of costs applicable to the anti-doping rule violation. If the Major Event Organization assumes only limited Results Management responsibility, or there is a prior agreement between the Major Event Organization and the Integrity Unit with respect to Results Management responsibility, the Integrity Unit shall have Results Management responsibility in relation to Consequences beyond exclusion from the International Competition in question, Disqualification of results in that Competition, forfeiture of any medals, points or prizes, and recovery of costs applicable to the anti-doping rule violation. Upon request, the Major Event Organisation (or their delegate) shall provide the Integrity Unit with a copy of the full case file within 15 days.

- (g) Where a Member Federation (acting as a Delegated Third Party) or an Anti-Doping Organisation claims to have Results Management responsibility under applicable rules, the Integrity Unit may at its absolute discretion agree to the Member Federation or Anti-Doping Organisation concerned conducting Results Management and a hearing in the case in accordance with Rule 8 and the International Standard for Results Management. If a dispute arises between World Athletics and a Member Federation or an Anti-Doping Organisation over which organisation has Results Management responsibility, WADA shall decide which organisation has such responsibility. WADA's decision may be appealed to CAS within 7 days of notification of the WADA decision by any of the Anti-Doping Organisations involved in the dispute. The appeal shall be dealt with by CAS in an expedited manner and shall be heard before a single arbitrator.
- (h) 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 legal fees of conducting Results Management to the other Anti-Doping Organization

designated by WADA, and a failure to reimburse costs and legal fees shall be considered an act of noncompliance.

- (i) In any case where the Integrity Unit has Results Management responsibility under these Anti-Doping Rules, it may delegate such responsibility to the Athlete or other Person's Member Federation for it to conduct the Results Management and/or hearing process in accordance with Article 8 of the Code and the International Standard for Results Management.

## **7.2 Review and Notification regarding potential Anti-Doping Rule Violations**

- 7.2.1 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.
- 7.2.2 Before giving an Athlete or other Person notice of a potential anti-doping rule violation, the Integrity Unit or other Anti-Doping Organisation will refer to ADAMS and, if need be, contact WADA and other relevant Anti-Doping Organisations to determine whether any prior anti-doping rule violation exists.
- 7.2.3 Where a Member Federation is delegated responsibility for Results Management as a Delegated Third Party, it must ensure that such Results Management is conducted in accordance with Article 8 of the Code and the International Standard for Results Management.

## **7.3 Review of Demands**

- 7.3.1 An Athlete or other Person may object to a Demand made under Rule 5.7.4 by filing an application with the chairperson of the Disciplinary Tribunal within 7 days of receipt of the Demand specifying the grounds for such objection. Where such an application is made, subject always to Rule 5.7.9 the time for complying with a Demand shall be stayed pending the outcome of the objection.
- 7.3.2 The chairperson of the Disciplinary Tribunal or their delegate shall consider the objection to the Demand with as much expediency as the justice of the matter permits and, unless exceptional circumstances apply, such review shall be conducted by way of written evidence and submissions only. In considering the Demand, the chairperson of the Disciplinary Tribunal or their delegate shall have the discretion but not the obligation to invite submissions from the Integrity Unit and the Athlete or other Person, as they see fit.
- 7.3.3 Where the chairperson of the Disciplinary Tribunal or their delegate determines that there is no reasonable belief basis to the Demand, then the Integrity Unit shall not pursue the Demand with the Athlete or other Person and the information, record, Rule or thing and any copy or download of the same shall either be immediately returned to the Athlete or other Person or destroyed (as applicable), as the case requires.

- 7.3.4 Where the chairperson of the Disciplinary Tribunal or their delegate determines that there is a reasonable belief basis to the Demand, then if the Athlete or other Person fails to produce the information, record, Rule or thing and any copy or download of the same, Rule 12 shall apply.
- 7.3.5 The ruling of the chairperson of the Disciplinary Tribunal or their delegate as to whether there is a reasonable belief basis to a Demand shall not be subject to appeal.
- 7.3.6 If a Demand is set aside, it shall not preclude the Integrity Unit from making any other Demand in relation to the same or another investigation.

#### 7.4 **Provisional Suspensions**

- 7.4.1 **Mandatory Provisional Suspensions:** When an Adverse Analytical Finding is reported for a Prohibited Substance or a Prohibited Method, other than a Specified Substance, or when an Adverse Passport Finding is reported (upon completion of the Adverse Passport Finding review process), the Integrity Unit shall promptly impose a Provisional Suspension upon the review and notification described in Rule 7.2 above. In all such cases, the Athlete shall be given an opportunity for a Provisional Hearing either (at the election of the Integrity Unit) before imposition of the Provisional Suspension or on a timely basis after imposition of the Provisional Suspension. A mandatory Provisional Suspension may be eliminated if the Athlete demonstrates that the violation is likely to have involved a Contaminated Product or the violation involves a Substance of Abuse and the Athlete establishes entitlement to a reduced period of Ineligibility under Rule 10.2.4(a). A 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 Suspensions in the case of an Adverse Analytical Finding for a Specified Substance, Contaminated Product or other Anti-Doping Rule Violations:** Where an Adverse Analytical Finding is reported for a Specified Substance, Contaminated Product, or in the case of other Anti-Doping Rule Violations not covered by Rule 7.4.1, the Integrity Unit may Provisionally Suspend the Athlete or other Person pending resolution of their case, provided however that a Provisional Suspension may not be imposed unless the Athlete or other Person is given an opportunity for a Provisional Hearing either (at the election of the Integrity Unit) before imposition of the Provisional Suspension or on a timely basis after imposition of the Provisional Suspension.
- 7.4.3 **Notice of a Provisional Suspension:** Notice of a Provisional Suspension may be included by the Integrity Unit in the notification under Rule 7 or otherwise provided simultaneously with or upon the Integrity Unit sending an Athlete or other Person a Charge in accordance with Rule 8. The Provisional Suspension shall take effect as from the day indicated in the written notice to the Athlete or other Person.
- 7.4.4 **Provisional Hearing:** Where a Provisional Suspension has been imposed (or may be imposed) in accordance with this Rule 7, the Athlete or other Person may make a



written submission to the Integrity Unit showing cause why the Provisional Suspension should be lifted (or, where it has not yet been imposed, should not be imposed) by establishing that:

- (a) the violation has no reasonable prospect of being upheld, e.g., due to a serious flaw in the case such as the Integrity Unit has no jurisdiction over the Athlete or other Person; or
- (b) there is a strong arguable case that the circumstances are such that no period of Ineligibility is likely to be imposed;
- (c) the violation asserted is likely to have involved a Contaminated Product;
- (d) the violation asserted involves a Substance of Abuse and the Athlete establishes entitlement to a reduced period of Ineligibility under Rule 10.2.4(a);
- (e) other facts exist that make it clearly unfair, in all the circumstances of the case, to impose a Provisional Suspension prior to determination of the anti-doping rule violation(s). This ground is to be construed narrowly and applied only in truly exceptional circumstances. For example, the fact that the Provisional Suspension would prevent the Athlete or other Person competing or participating in a particular Competition shall not qualify as exceptional circumstances for these purposes.

*[Comment to Rule 7.4.4: Rules 7.4.4(c) and (d) only apply to the elimination of Mandatory Provisional Suspensions.]*

**7.4.5 Appeal against a Provisional Suspension:** Where the Integrity Unit imposes (or does not lift) a Provisional Suspension after a Provisional Hearing, the Athlete or other Person has a right to appeal the decision to CAS in accordance with Rule 13 (save that there will be no right to appeal a decision not to eliminate a Provisional Suspension on account of the Athlete's assertion that the violation is likely to have involved a Contaminated Product), provided however that the Provisional Suspension shall remain in effect pending a decision by CAS on the merits of the appeal. For the avoidance of doubt, an appeal to CAS against a Provisional Suspension (or a decision not to lift a Provisional Suspension) shall not stay, delay or otherwise prevent the matter from proceeding to a hearing before the Disciplinary Tribunal in accordance with Rule 8.

#### **7.4.6 Voluntary acceptance of Provisional Suspension**

- (a) An Athlete may voluntarily accept a Provisional Suspension following notice of a potential anti-doping rule violation, provided that they do so no later than the latest of the following dates: (i) 10 days after waiver of the B Sample analysis or receipt of the results of the analysis of the B Sample (as applicable); (ii) 10 days after receipt of an initial notice of a potential anti-doping rule violation other than under Rule 2.1; or (iii) the

date on which the Athlete would otherwise have first competed after such report or notice.

- (b) Other Persons may voluntarily accept a Provisional Suspension within ten days from receipt of the initial notice of a potential anti-doping rule violation.
- (c) A Provisional Suspension that is voluntarily accepted by the applicable deadline will have full effect and be treated in the same manner as if the Provisional Suspension had been imposed under Rule 7.4.1 or 7.4.2.
- (d) The Athlete or other Person may withdraw their acceptance of a voluntary Provisional Suspension at any time, but in that event they will not receive any credit for the Provisional Suspension served.

7.4.7 **A Member Federation's Failure to impose of a Provisional Suspension:** If a Member Federation fails, in the opinion of the Head of the Integrity Unit, to impose a Provisional Suspension as part of its Results Management responsibility acting as a Delegated Third Party, the Head of the Integrity Unit shall impose such a Provisional Suspension. Once the Provisional Suspension is imposed by the Head of the Integrity Unit, it shall be notified to the Member Federation.

7.4.8 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 body with Results Management responsibility to the Integrity Unit, the Athlete's or other Person's National Anti-Doping Organization(s) and WADA and shall promptly be reported into ADAMS.

7.4.9 If a Provisional Suspension is imposed (or voluntarily accepted) based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis 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 Rule 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers). In circumstances where the Athlete (or the Athlete's team as may be) has been removed from a Competition based on a violation of Rule 2.1 and the subsequent B Sample does not confirm the A Sample finding, if, without otherwise affecting the Competition, it is still possible for the Athlete or team to be reinserted, the Athlete or team may continue to take part in the Competition.

*[Comment to Rule 7.4.9: The Integrity Unit 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.]*

7.4.10 During any period of Provisional Suspension (whether imposed or voluntarily accepted), the Athlete or other Person may not participate in any capacity (or, in the case of an Athlete Support Person or other Person, assist an Athlete who is participating in any capacity) in a Competition or activity (other than authorised anti-doping Education or rehabilitation programs) authorised or organised by any Signatory, Signatory's member organisation, or a club or other member

organisation of a Signatory's member organisation, or in Competitions authorised or organised by any professional league or any international-level or national-level Event organisation or any elite or national-level sporting activity funded by a governmental agency.

## **7.5 Results Management Decisions**

Results Management decisions or adjudications under these Anti-Doping Rules (including Provisional Suspensions) must not purport to be limited to a particular geographic area or to Athletics only and will 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 Rules that have been violated, and (ii) all Consequences flowing from the anti-doping rule violation(s), including applicable Disqualifications under Rules 9 and 10.10, any forfeiture of medals, titles, points, prize money, or prizes, any period of Ineligibility (and the date it begins to run), and any Financial Consequences.

*[Comment to Rule 7.5: Results Management decisions include Provisional Suspensions. Each decision by the Integrity Unit should address whether an anti-doping rule violation was committed and all Consequences flowing from the violation, including any Disqualifications other than Disqualification under Rule 10.1 (which is left to the ruling body for an Event). Pursuant to Rule 17, such decision and its imposition of Consequences will 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 Rule 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, unless fairness requires otherwise, are also Disqualified under Rule 10.10; if the Adverse Analytical Finding resulted from Testing at an Event, it would be the Major Event Organisation's responsibility to decide whether the Athlete's other individual results in the Event prior to Sample collection are also Disqualified under Rule 10.1.]*

## **7.6 Notification of Results Management decisions**

The Integrity Unit will notify Athletes, other Persons, Signatories and WADA of Results Management decisions as provided in Rule 14 and in the International Standard for Results Management.

## **7.7 Retirement from Sport**

If an Athlete or other Person retires while the Integrity Unit's Results Management process is underway, the Integrity Unit retains authority to complete its Results Management process. If an Athlete or other Person retires before any Results Management process has begun, and the Integrity Unit 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, the Integrity Unit has authority to conduct Results Management.

*[Comment to Rule 7.7: Conduct by an Athlete or other Person before the Athlete or other Person was subject to the authority of any Anti-Doping Organisation would not constitute an anti-doping rule violation but could be a legitimate basis for denying the Athlete or other Person membership in a sports organisation.]*

## **8. Results Management: Hearing Process and Notice of Hearing Decision**

- 8.1 World Athletics has delegated its Article 8 responsibilities for first instance hearings and decisions to the Disciplinary Tribunal. The Disciplinary Tribunal must ensure that the Athlete or other Person is provided with a fair hearing within a reasonable time by a fair, impartial and Operationally Independent hearing panel, in compliance with these Anti-Doping Rules, the Code and the International Standard for Results Management.
- 8.2 The Disciplinary Tribunal shall have jurisdiction to hear and determine all matters in which:
- (a) an anti-doping rule violation or other breach of these Anti-Doping Rules is asserted and/or Consequences or sanctions are sought by the Integrity Unit against an International-Level Athlete or other Person in accordance with these Anti-Doping Rules;
  - (b) an anti-doping rule violation is asserted and/or Consequences are sought by a Member Federation (acting as a Delegated Third Party under these Anti-Doping Rules) or other Anti-Doping Organisation under its rules and all parties agree to submit the matter to the Disciplinary Tribunal with the agreement of the Integrity Unit;
  - (c) the Integrity Unit elects to have a case referred directly to the Disciplinary Tribunal based on the failure by another organisation (including a Member Federation acting as a Delegated Third Party under these Anti-Doping Rules) to initiate or diligently pursue a hearing process, or where the Integrity Unit otherwise finds it appropriate to do so for a fair hearing process to be granted;
  - (d) an Athlete or other Person objects to a Demand in accordance with Rules 5.7.7 and 7.3;
  - (e) the Integrity Unit elects in its sole discretion to have a case referred directly to the Disciplinary Tribunal pursuant to an application made to the Integrity Unit under Rule 1.7.2(d).
- 8.3 When, following the review or investigation process described in Rule 7, an anti-doping rule violation or other breach of these Anti-Doping Rules is asserted, the Athlete or other Person shall be notified in accordance with Rule 8.5.2.
- 8.4 In all other cases where an anti-doping rule violation or other breach of these Anti-Doping Rules is asserted (including where the Integrity Unit has delegated Results Management responsibility to a Member Federation acting as a Delegated Third Party to conduct the Results Management and hearing process pursuant to Rule 7.1.3), the Athlete or other Person's hearing shall take place before the relevant tribunal constituted or otherwise authorised by the Member Federation acting as a Delegated Third Party. The hearing shall be conducted in compliance with the Code and the International Standard for Results Management. Where a Member Federation delegates the conduct of the hearing to a body, committee or tribunal (whether within or outside the Member Federation), or where for any other reason, any national body, committee or tribunal outside of the Member Federation is responsible for affording an Athlete their hearing under these Rules, the decision of that body, committee or

tribunal shall be deemed, for the purposes of Rule 13, to be the decision of the Member Federation.

## **8.5 Proceedings before the Disciplinary Tribunal**

8.5.1 If, after receipt of the Athlete or other Person's explanation or expiry of the deadline to provide such explanation, and any further review as may be required, the Integrity Unit is (still) satisfied that the Athlete or other Person has committed (a) violation(s) of these Anti-Doping Rules, the Integrity Unit shall promptly charge the Athlete or other Person with the violation(s) they are asserted to have breached (the "**Notice of Charge**").

8.5.2 In the Notice of Charge, the Integrity Unit will:

- (a) set out the provision(s) of these Anti-Doping Rules asserted to have been violated by the Athlete or other Person;
- (b) provide a detailed summary of the relevant facts upon which the assertion is based and any additional underlying evidence not already provided in the notification in Rule 7;
- (c) indicate the specific Consequences being sought in the event that the asserted violation(s) is/are upheld and that such Consequences shall have binding effect on all Signatories in all sports and countries in accordance with Rule 17;
- (d) grant a deadline of not more than twenty (20) days from receipt of the letter of charge to the Athlete or other Person to admit the 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, already grant to the Athlete or other Person a deadline of no more than twenty (20) days from receipt of the Notice of Charge (which may be extended only in exceptional cases) to challenge in writing the Integrity Unit's assertion of a violation and/or proposed Consequences, and/or make a written request for a hearing before the Disciplinary Tribunal;
- (f) indicate that, if the Athlete or other Person does not challenge the Integrity Unit's assertion of a violation or proposed Consequences nor request a hearing within the prescribed deadline, the Integrity Unit 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 Integrity Unit in the Notice of Charge;

- (g) indicate that the Athlete or other Person may be able to obtain a suspension of Consequences if they provide Substantial Assistance under Rule 10.7.1, may admit the anti-doping rule violation(s) within twenty (20) days from receipt of the Notice of Charge and potentially benefit from a one-year reduction in the period of Ineligibility under Rule 10.8.1 (if applicable) and/or seek to enter into a case resolution agreement by admitting the anti-doping rule violation(s) under Rule 10.8.2;
- (h) set out any matters relating to Provisional Suspension as per Rule 7 (if applicable).

8.5.3 The Notice of Charge notified to the Athlete or other Person will simultaneously be notified by the Integrity Unit to the Athlete or other Person's National Anti-Doping Organization(s) and WADA and will promptly be reported into ADAMS.

*[Comment to Rule 8.5.3: 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 Rule 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).]*

8.5.4 The Athlete or other Person may respond to the Notice of Charge in one of the following ways:

- (a) admit the violation(s) asserted and accede to the Consequences specified in the Notice of Charge;
- (b) admit the violation(s) charged but dispute and/or seek to mitigate the Consequences specified in the Notice of Charge, and to have the Disciplinary Tribunal determine the Consequences at a hearing conducted in accordance with Rule 8;
- (c) deny the violation(s) charged and have the Disciplinary Tribunal determine the charge and (if the charge is upheld) any Consequences, at a hearing conducted in accordance with this Rule 8.

8.5.5 If the Athlete or other Person wishes to exercise their right to a hearing before the Disciplinary Tribunal, they must submit a written request for such a hearing so that it is received by the Integrity Unit, with a copy to the Disciplinary Tribunal, as soon as possible, but in any event within fourteen (14) days of the Athlete or other Person's receipt of the Notice. The request must also state how the Athlete or other Person responds to the charge in the Notice and must explain (in summary form) the basis for such response.

8.5.6 In the event that the Athlete or other Person either (i) admits the violation and accepts the proposed Consequences or (ii) is deemed to have admitted the violation and accepted the Consequences as per Rule 8.5.2(f), the Integrity Unit will promptly:

- (a) issue a decision confirming the commission of the violation(s) and the imposition of the specified Consequences (including, if applicable, a justification for why the maximum potential sanction was not imposed);
  - (b) Publicly Report that decision in accordance with Rule 14;
  - (c) send a copy of the decision to the Athlete or other Person and to any other party that has a right, further to Rule 13, to appeal the decision (and any such party may, within 15 days of receipt, request a copy of the full case file pertaining to the decision).
- 8.5.7 If, after the Athlete or other Person has been charged, the Integrity Unit 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 Rule 13.2.3.
- 8.5.8 Subject to Rule 8.6, in the event that the Athlete or other Person requests a hearing, the matter shall proceed before the Disciplinary Tribunal in accordance with Rule 8.7.

## **8.6 Single Hearing before CAS**

- 8.6.1 Pursuant to Article 8.5 of the Code, anti-doping rule violations asserted against International-Level Athletes and other Persons may, with the consent of the Athlete or other Person, the Integrity Unit 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.
- 8.6.2 If the Athlete or other Person and the Integrity Unit agree to proceed with a single hearing before CAS, it will be the responsibility of the Integrity Unit 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 will be heard by the Disciplinary Tribunal at first instance.

*[Comment to Rule 8.6.2: In the event that all relevant parties agree to refer the case to the CAS as a single instance, the Integrity Unit will 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.]*

## **8.7 Appointment of the Panel of the Disciplinary Tribunal**

- 8.7.1 On receipt of a request for a hearing from an Athlete or other Person in accordance with Rule 8.5.5, the Chairperson of the Disciplinary Tribunal shall appoint the members of the Disciplinary Tribunal to hear and decide the alleged violation(s) set out in the Notice of Charge. The size and composition of the Panel may vary depending on the nature of the charge and the evidence put forward. The Panel may be composed of a single adjudicator who will have a legal background, or of three members, at least one of whom will have a legal background. The Chairperson of the

Disciplinary Tribunal may be appointed as a single adjudicator or as Chair or a member of a Panel.

- 8.7.2 No member of the Disciplinary Tribunal may be on the Panel in any case if he:
- (a) has any personal connection or interest (whether directly or indirectly) with any of the parties or witnesses; or
  - (b) has had any prior involvement with any matter or any facts arising in the proceedings (save as provided for in these Rules including a review of a Demand); or,
  - (c) is of the same nationality as a party involved in a proceeding (unless their appointment is agreed by the Chairperson or is agreed by the parties); or
  - (d) their impartiality or independence could be seriously questioned (as determined by the Chairperson).

- 8.7.3 Upon being appointed to a Panel of the Disciplinary Tribunal for a particular matter, each member must sign a declaration that there are no facts or circumstances known to them that might call into question their impartiality in the eyes of any of the parties, other than matters disclosed in the declaration. If any such facts or circumstances arise at a later stage of the Hearing Process, the relevant panel member must sign an updated declaration.

*[Comment to Rule 8.7.3: For example, any member who is in any way connected with the case and/or the parties or witnesses – 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 parties 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>.]*

- 8.7.4 The parties shall be notified of the identity of the Panel members appointed to hear and determine the matter and be provided with their signed declaration at the outset of the Hearing Process. The parties shall be informed of their right to challenge the appointment of any Panel member if there are grounds for potential conflicts of interest. Any challenge to a Panel member must be made to the Chairperson of the Disciplinary Tribunal without delay, and in any event within 7 days of:
- (a) receipt of the signed declaration (or updated declaration) referred to in Rule 8.7.3; or
  - (b) learning by any other means (including any subsequent means) of the facts or circumstances giving rise to the challenge.

Failure to raise a challenge within the time stipulated will constitute a waiver of the right to challenge. Any challenge made will be decided upon by the Chairperson



of the Disciplinary Tribunal (or their delegate), or if the Chairperson is challenged, by another senior independent member of the Disciplinary Tribunal, and their decision will be final and there shall be no right of appeal.

8.7.5 If a member of a Panel is, for whatever reason, unable, unwilling or unfit to hear or continue to hear, and decide a proceeding, the Chairperson of the Disciplinary Tribunal (or his delegate) may, in their absolute discretion:

- (a) appoint another member of the Disciplinary Tribunal to replace them in that proceeding; or
- (b) authorise the remaining member(s) of the Panel to hear and decide the proceeding alone, in which case, if the decision cannot be reached unanimously or by majority, then the Chairperson of the Disciplinary Tribunal shall have a casting vote.

8.8 The rules governing the activities of World Athletics/the Integrity Unit shall guarantee the Operational Independence of the Panel members.

*[Comment to Rule 8.8: As per the Code definition, Operational Independence means that (1) board members, staff members, commission members, consultants and other officials of World Athletics/the Integrity Unit or its affiliates (e.g. Member Federations or Area Associations), 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 the Disciplinary Tribunal and (2) that hearing panels of the Disciplinary Tribunal shall be in a position to conduct the hearing and decision making process without interference from the Integrity Unit or any third party.]*

## 8.9 Powers of the Disciplinary Tribunal

8.9.1 The Disciplinary Tribunal, and any Panel of the Disciplinary Tribunal, shall have all powers necessary for, and incidental to, the discharge of its responsibilities, including (without limitation) the power, whether on the application of a party or of its own motion:

- (a) to rule on its own jurisdiction;
- (b) to appoint an independent expert to assist or advise it on specific issues, with the costs of such expert to be borne as directed by the Disciplinary Tribunal;
- (c) to expedite or to adjourn, postpone or suspend its proceedings, upon such terms as it will determine, where fairness so requires;
- (d) to extend or abbreviate any time limit specified in any Rules or by the Disciplinary Tribunal itself, save for any limitations period or appeal deadline;
- (e) to order any party to make any property, document or other thing in its possession or under its control available for inspection by the Disciplinary Tribunal and/or any other party;

- (f) to allow one or more third parties to intervene or be joined in the proceedings, to make all appropriate procedural directions in relation to such intervention or joinder, and thereafter to make a single final decision or separate decisions in respect of all parties;
- (g) to order that certain preliminary and/or potentially dispositive questions (e.g. as to jurisdiction, or as to whether a condition precedent has been met) be heard and determined in advance of any other issues in the matter;
- (h) to award interim relief or other conservatory measures on a provisional basis and subject to final determination;
- (i) to make any other procedural direction or take any other procedural steps which the Disciplinary Tribunal considers to be appropriate in pursuit of the efficient and proportionate management of any Proceeding or matter pending before it; and
- (j) to impose costs orders.

8.9.2 Any procedural rulings may be made by the Chairperson of the Disciplinary Tribunal or the Chair of a Panel alone.

## **8.10 Preliminary Meeting with the Chair of the Panel**

8.10.1 If the Athlete or other Person charged exercises their right to a hearing, the Chair of the Panel shall convene a preliminary meeting with the Integrity Unit and its legal representatives, and with the Athlete or other Person and/or their legal representatives (if any). The meeting may be held by telephone conference call. The non-attendance of the Athlete or other Person or their representative at the meeting, after proper notice of the meeting has been provided, shall not prevent the Chair of the Panel from proceeding with the meeting in the Athlete or other Person's absence, whether or not any written submissions are made on the Athlete or other Person's behalf.

8.10.2 The purpose of the preliminary meeting shall be to allow the Chair of the Panel to address any pre-hearing issues. In particular (but without limitation), the Chair shall:

- (a) consider any request by either party that the Chair hear the matter sitting alone;
- (b) consider any request by either party that the case be consolidated for hearing with any other pending case(s);
- (c) determine the date(s) (which must be at least twenty-one (21) days after the meeting, unless the parties consent to a shorter period) upon which the hearing shall be held. Subject to the foregoing, the hearing shall be commenced as soon as practicable after the Notice of Charge is sent and shall be completed expeditiously. Hearing Processes held in connection

with World Championships or the Olympic Games may be conducted by an expedited process with the consent of the parties;

- (d) establish dates reasonably in advance of the date of the hearing at which:
  - (i) the Integrity Unit shall submit a brief with argument on all issues that it wishes to raise at the hearing and written witness statements from each fact and/or expert witness that the Integrity Unit intends to call at the hearing, setting out the evidence that it wishes the Disciplinary Tribunal to hear from the witness, and enclosing copies of the documents that the Integrity Unit intends to introduce at the hearing;
  - (ii) the Athlete or other Person shall submit an answer brief, addressing the Integrity Unit's arguments and setting out argument on the issues that the Athlete or other Person wishes to raise at the hearing, as well as written witness statements from the Athlete or other Person and from each other witness (fact and/or expert) that the Athlete or other Person intends to call at the hearing, setting out the evidence that the Athlete or other Person wishes the Disciplinary Tribunal to hear from the witness, and enclosing copies of the documents that the Athlete or other Person intends to introduce at the hearing; and
  - (iii) the Integrity Unit may submit a reply brief, responding to the Athlete or other Person's answer brief and producing any rebuttal witness statements and/or documents; and
- (e) make such order as the Chair shall deem appropriate in relation to the production of relevant documents and/or other materials between the parties; provided that, save for good cause shown, no documents and/or other materials shall be ordered to be produced in relation to any Adverse Analytical Finding beyond the documents that the International Standard for Laboratories requires to be included in the laboratory documentation pack.

## **8.11 Conduct of Hearings before the Disciplinary Tribunal**

- 8.11.1 Subject to the discretion of the Chairperson of the Disciplinary Tribunal to order otherwise for good cause shown by either party, hearings before the Disciplinary Tribunal shall take place in London or Monaco.

*[Comment to Rule 8.11.1: 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].*

- 8.11.2 The Panel will remain fair, impartial and Operationally Independent at all times;
- 8.11.3 Each of the Integrity Unit and the Athlete or other Person has the right to be present and to be heard at the hearing. Each of the Integrity Unit and the Athlete or other Person also has the right (at their own expense) to be represented at the hearing by legal counsel of their own choosing.
- 8.11.4 Subject strictly to Rule 3.2.5, the Athlete or other Person may choose not to appear in person at the hearing, but rather to provide a written submission for consideration by the Panel, in which case the Panel shall consider the submission in its deliberations. However, the non-attendance of the Athlete or other Person or their representative at the hearing, after proper notice of the hearing has been provided, shall not prevent the Panel from proceeding with the hearing in their absence, whether or not any written submissions are made on their behalf.
- 8.11.5 The hearing shall be conducted in private unless the Chair rules otherwise. The Athlete or other Person shall have the right to request a public hearing and the Integrity Unit may also request a public hearing provided that the Athlete or other Person has provided their prior written consent to the same. The Chair may reject any request made for a public hearing on reasonable grounds.
- 8.11.6 The procedure followed at the hearing shall be at the discretion of the Panel, provided that the hearing is conducted in a fair manner with a reasonable opportunity for each party to present evidence (including the right to call and examine witnesses), address the Panel and present their case.
- 8.11.7 Save where the Panel orders otherwise for good cause shown by either party, the hearing shall be in English or French, and certified translations shall be submitted of any non-English or non-French documents (as applicable) put before the Panel. The cost of the translation shall be borne by the party offering the document(s) unless otherwise ordered by the Panel. If required by the Panel, arrangements shall be made to have the hearing recorded or transcribed and the costs of such transcription shall be paid by the Integrity Unit. The Athlete or other Person has the right to an interpreter at the hearing at their own expense.
- 8.11.8 The Panel shall not be bound by judicial rules governing the admissibility of evidence. Instead, facts relating to an anti-doping rule violation or other breach of the Anti-Doping Rules may be established by any reliable means, including admissions. The Panel shall apply the burdens and standards of proof and the methods of establishing facts and presumptions as described in Rule 3 of these Anti-Doping Rules.

## **8.12 Decisions of the Disciplinary Tribunal**

- 8.12.1 Once the parties have completed their respective submissions, the Panel shall deliberate as to whether an anti-doping rule violation or other breach of the Anti-Doping Rules has been committed and (if so) what the Consequences or other sanctions for such violation should be. Where Rule 10 specifies a range of possible

sanctions for the anti-doping rule violation found to have been committed, the Panel shall also fix the sanction within that range for the case at hand, after considering any submissions on the subject that the parties may wish to make.

- 8.12.2 The Panel shall not make any verbal announcement of the decision but instead shall issue its reasoned decision in writing within 14 days of the conclusion of the hearing (or within such shorter period as may be determined upon a party's application where the decision might impact the participation of the Athlete or other Person at a World Championships or the Olympic Games). Where the 14-day deadline cannot be met, the reasoned decision shall be issued as soon thereafter as possible.
- 8.12.3 The decision must not purport to be limited to a particular geographic area or the sport of Athletics and shall address and explain the following:
- (a) the jurisdictional basis and applicable rules;
  - (b) the detailed factual background of the case;
  - (c) with reasons, the Panel's findings as to whether any anti-doping rule violation(s) has/have been committed;
  - (d) with reasons, the Panel's findings as to what the applicable Consequences, if any, are (or are not) to be imposed, including (if applicable) a justification for why the maximum potential sanction was not imposed;
  - (e) with reasons, the date that such Consequences shall come into force and effect pursuant to Rule 10.13; and
  - (f) the rights of appeal applicable and the relevant deadlines pursuant to Rule 13.
- 8.12.4 The Disciplinary Tribunal has the power to make a costs order against any party, where it is proportionate to do so. If it does not exercise that power, each party will bear its own costs, legal, expert and otherwise. No recovery of costs may be considered a basis for reducing the period of Ineligibility or other sanction that would otherwise be applicable.
- [Comment to Rule 8.12.4: For hearings conducted by the Disciplinary Tribunal pursuant to its jurisdiction under Rule 8.2(b) and (c), the costs of the Disciplinary Tribunal shall be borne by the Member Federation, Anti-Doping Organisation or other organisation concerned].*
- 8.12.5 The reasoned hearing decision of the Disciplinary Tribunal, or in cases where the hearing has been waived, a reasoned decision of the Integrity Unit explaining the action taken, will be notified to the Athlete or other Person and to other Anti-Doping Organizations with a right to appeal under Rule 13.2.3 as provided in Rule 14 and published in accordance with Rule 14.3 (and any such party may, within 15 days of receipt, request a copy of the full case file pertaining to the decision). The decision will promptly be reported into ADAMS.

- 8.12.6 Where, further to notification of the decision of the Disciplinary Tribunal or the Integrity Unit, an Anti-Doping Organisation with a right of appeal requests a copy of the full case file relating to the decision, it will be provided promptly by the Integrity Unit.

### **8.13 Proceedings other than before the Disciplinary Tribunal**

- 8.13.1 Where an anti-doping rule violation is asserted against an Athlete or other Person, they shall be told at the same time of their right to request a hearing. The hearing process shall provide at a minimum for a fair hearing within a reasonable time by a hearing panel that is fair, impartial and Operationally Independent at all times. A timely reasoned decision specifically including an explanation of the reason(s) for any period of Ineligibility shall be Publicly Disclosed as provided in Rule 14 below.
- 8.13.2 If the Athlete or other Person fails to confirm in writing within 14 days of such notice that they wish to have a hearing, they will be deemed to have waived their right to a hearing and to have accepted that they committed the anti-doping rule violation in question. That fact shall be confirmed in writing to the Integrity Unit by the Member Federation or Anti-Doping Organisation within five working days.
- 8.13.3 If a hearing is requested by the Athlete or other Person, it shall be convened without delay and the hearing completed within 60 days of the date of notification of the Athlete or other Person's request. Member Federations and Anti-Doping Organisations shall keep the Integrity Unit fully informed as to the status of all cases pending hearing and of all hearing dates as soon as they are fixed. World Athletics is not a party to the case, but the Integrity Unit shall have the right to attend all hearings as an observer. However, the Integrity Unit's attendance at a hearing, or any other involvement in a case, shall not affect World Athletics' right to appeal the Member Federation or Anti-Doping Organisation's decision to CAS pursuant to Rule 13.
- 8.13.4 If the Member Federation fails to complete a hearing within 60 days, or, if, having completed a hearing, fails to render a decision within a reasonable time period thereafter, the Integrity Unit may impose a deadline for such event. If in either case the deadline is not met, the Integrity Unit may elect to have the case referred directly to the Disciplinary Tribunal for a hearing conducted in accordance with these Anti-Doping Rules. The hearing shall proceed at the responsibility and expense of the Member Federation and the decision of the Disciplinary Tribunal shall be subject to appeal to CAS in accordance with Rule 13. A failure by a Member Federation to hold a hearing for an Athlete within 60 days may further result in the imposition of a sanction under Rule 16.
- 8.13.5 The Member Federation shall notify the Integrity Unit of the relevant tribunal's decision in writing, within five working days of the decision being made (or within such shorter period as may be directed by the Integrity Unit where the decision might impact the participation of the Athlete or other Person at a World Championships or the Olympic Games). The decision shall be sent to the Integrity Unit in either English or French. The decision shall set out and explain, with reasons,

the relevant tribunal's findings (i) as to whether any anti-doping rule violation has been committed and (ii) what Consequences, if any, are to be imposed. The decision shall provide (if applicable) a justification for why the maximum potential sanction was not imposed. Upon request from the Integrity Unit, the Member Federation or Anti-Doping Organisation shall provide a copy of the full case file within 15 days.

8.13.6 The Athlete or other Person may elect to forego a hearing by acknowledging in writing a violation of these Anti-Doping Rules and accepting Consequences consistent with Rule 10. Where an Athlete or other Person accepts Consequences consistent with Rule 10 and no hearing occurs, the Member Federation shall nevertheless ratify the Athlete or other Person's acceptance of Consequences by a decision of its relevant body and send a copy of such decision to the Integrity Unit within five working days of the decision being made. A decision by a Member Federation or Anti-Doping Organisation arising from an Athlete's acceptance of Consequences under these Anti-Doping Rules may be appealed in accordance with Rule 13.

## **9. Automatic Disqualification of Individual Results**

An anti-doping rule violation in connection with an In-Competition test automatically leads to Disqualification of the Athlete's individual results obtained in that Event, with all resulting consequences, including forfeiture of any medals, titles, awards, points and prize and appearance money. In addition, further results obtained by the Athlete in other Events may be Disqualified, in accordance with Rule 10.1 (same Competition) and/or Rule 10.10 (subsequent Competitions).

## **10. Further sanctions on Individuals**

### **10.1 Disqualification of individual results in the Competition during or in connection with which an Anti-Doping Rule Violation occurs**

10.1.1 Subject to Rule 10.1.2, an anti-doping rule violation occurring during or in connection with a Competition shall lead to Disqualification of all the Athlete's individual results obtained in that Competition, with all resulting consequences for the Athlete, including forfeiture of any medals, titles, awards, points and prize and appearance money.

10.1.2 If the Athlete establishes that they bear No Fault or Negligence for the anti-doping rule violation, the Athlete's individual results obtained in other Events shall not be Disqualified unless the Integrity Unit establishes that the Athlete's results in the other Event(s) were likely to have been affected by their 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 Rule 2.1, Rule 2.2 or Rule 2.6 will be as follows, subject to potential elimination, reduction or suspension pursuant to Rules 10.5, 10.6 and/or 10.7:

10.2.1 Save where Rule 10.2.4 applies, the period of Ineligibility will be four years where:

- (a) 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.
- (b) The anti-doping rule violation involves a Specified Substance or a Specified Method and the Integrity Unit can establish that the anti-doping rule violation was intentional.

10.2.2 If Rule 10.2.1 does not apply, then (subject to Rule 10.2.4(a)) the period of Ineligibility will be two years.

10.2.3 As used in Rule 10.2, the term 'intentional' is meant to identify those Athletes or other Persons who engage in conduct that 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 that is only prohibited In-Competition will 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 that is only prohibited In-Competition will 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.

*[Comment to Rule 10.2.3: Rule 10.2.3 provides a special definition of 'intentional' that is to be applied solely for purposes of Rule 10.2. Beyond Rule 10.2, the term 'intentional' as used in these Rules means that the person intended to commit the act(s) based on which the Anti-Doping Rule Violation is asserted, regardless of whether the person knew that such act(s) constituted an anti-doping rule violation.]*

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

- (a) 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 will be three (3) months; provided that it may be further reduced to one (1) month if the Athlete satisfactorily completes a Substance of Abuse treatment program approved by the Integrity Unit or other Anti-Doping Organisation with Results Management responsibility. The period of Ineligibility established in this Rule 10.2.4(a) is not subject to any reduction based on any provision in Rule 10.6.

*[Comment to Rule 10.2.4(a): The determinations as to whether the treatment program is approved and whether the Athlete or other Person has satisfactorily completed the program will be made in the sole discretion of the Integrity Unit. This Rule is intended to give the Integrity Unit the leeway to apply its own judgement to identify and approve legitimate and reputable, as opposed to 'sham', treatment programmes. The*



*characteristics of legitimate treatment programs may vary widely and change over time.]*

- (b) 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 will not be considered intentional for purposes of Rule 10.2.1 and will not provide a basis for a finding of Aggravating Circumstances under Rule 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 Rule 10.2 will be as follows, unless Rules 10.6 or 10.7 are applicable:

- 10.3.1 For violations of Rule 2.3 or Rule 2.5, the period of Ineligibility will 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 will 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 will be in a range from two (2) years to four (4) years depending on the Athlete's or other Person's degree of Fault; or (iii) in a case involving a Protected Person or Recreational Athlete, the period of Ineligibility will 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 Rule 2.4, the period of Ineligibility will 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 Rule 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 Rule 2.7 or Rule 2.8, the period of Ineligibility will be a minimum of four (4) years up to lifetime Ineligibility, depending on the seriousness of the violation. A Rule 2.7 or Rule 2.8 violation involving a Protected Person will be considered a particularly serious violation and, if committed by Athlete Support Person for violations other than those involving Specified Substances, will result in lifetime Ineligibility for the Athlete Support Person. In addition, significant violations of Rule 2.7 or Rule 2.8 that may also violate non-sporting laws and regulations will be reported to the competent administrative, professional and/or judicial authorities.

*[Comment to Rule 10.3.3: Those who are involved in doping Athletes or covering up doping should be subject to sanctions that are more severe than the Athletes who test positive. Since the authority of sport organisations is generally limited to Ineligibility for credentials, membership, and other sport benefits, reporting Athlete Support Personnel to competent authorities is an important step in the deterrence of doping.]*

- 10.3.4 For violations of Rule 2.9, the period of Ineligibility imposed will be a minimum of two (2) years up to lifetime Ineligibility, depending on the seriousness of the violation.
- 10.3.5 For violations of Rule 2.10, the period of Ineligibility will be two (2) years, subject to reduction down to a minimum of one year, depending on the Athlete or other Person's degree of Fault and other circumstances of the case.
- 10.3.6 For violations of Rule 2.11, the period of Ineligibility will be a minimum of two (2) years up to lifetime Ineligibility, depending on the seriousness of the violation by the Athlete or other Person.

*[Comment to Rule 10.3.6: Conduct that is found to violate both Rule 2.5 (Tampering) and Rule 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities) will be sanctioned based on the violation that carries the more severe sanction.]*

#### **10.4 Aggravating Circumstances that may increase the period of Ineligibility**

If the Integrity Unit or other prosecuting authority establishes in an individual case involving an anti-doping rule violation other than violations under Rule 2.7 (Trafficking or Attempted Trafficking), Rule 2.8 (Administration or Attempted Administration), Rule 2.9 (Complicity or Attempted Complicity) or Rule 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 will 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 they did not knowingly commit the anti-doping rule violation.

*[Comment to Rule 10.4: Violations under Rules 2.7, 2.8, 2.9, and 2.11 are not included in the application of Rule 10.4 because the sanctions for these violations already build in sufficient discretion up to a lifetime ban to allow consideration of any Aggravating Circumstance.]*

#### **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 they bear No Fault or Negligence for the anti-doping rule violation(s) alleged against them, the otherwise applicable period of Ineligibility will be eliminated.

*[Comment to Rule 10.5: This Rule and Rule 10.6.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example, where an Athlete could prove that, despite all due care, they were sabotaged by a competitor. Conversely, No Fault or Negligence would not apply in the following circumstances: (a) a positive test resulting from a mislabelled or contaminated vitamin or nutritional supplement (Athletes are responsible for what they ingest (Rule 2.1) and have been warned against the possibility of supplement contamination); (b) the Administration of a Prohibited Substance by the Athlete's personal physician or trainer without disclosure to the Athlete (Athletes are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Athlete's food or drink by a spouse, coach or other Person within the Athlete's circle of associates (Athletes are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Rule 10.6 based on No Significant Fault or Negligence.]*

## 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 Rule 2.1, 2.2, or 2.6

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

#### (a) 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 that they bear No Significant Fault or Negligence for the anti-doping rule violation(s) alleged against them, then the period of Ineligibility will 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.

#### (b) Contaminated Products

In cases where the Athlete or other Person can establish both No Significant Fault or Negligence for the anti-doping rule violation(s) alleged against them and that the Prohibited Substance (other than a Substance of Abuse) came from a Contaminated Product, then the period of Ineligibility will be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Athlete's or other Person's degree of Fault.

*[Comment to Rule 10.6.1(b): In order to receive the benefit of this Rule, the Athlete or other Person must establish that the detected Prohibited Substance came from a Contaminated Product and must also separately establish No Significant Fault or Negligence. It should be further noted that Athletes are on notice that they take nutritional supplements at their own risk. The sanction reduction based on No Significant Fault or Negligence has rarely been applied in Contaminated Product cases unless the Athlete has exercised a high level of caution before taking the Contaminated Product. In assessing whether the Athlete can establish the source of the Prohibited Substance, it would, for example, be significant for purposes of establishing whether the Athlete actually Used the Contaminated Product, whether the Athlete had declared the product that was subsequently determined to be contaminated on the Doping Control form. This Rule should not be extended beyond products that have gone through some process of manufacturing. Where an Adverse Analytical Finding results from environment contamination of a 'non-product' such as tap water or lake water in circumstances where no reasonable person would expect any risk of an anti-doping rule violation, typically there would be No Fault or Negligence under Rule 10.5.]*

#### (c) 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 for the anti-doping rule violation(s) alleged against him or her, then the period of Ineligibility will 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 Rule 10.6.1

If an Athlete or other Person establishes in an individual case where Rule 10.6.1 is not applicable that they bear No Significant Fault or Negligence, then (subject to further reduction or elimination as provided in Rule 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 Rule may be no less than eight (8) years.

*[Comment to Rule 10.6.2: Rule 10.6.2 may be applied to any anti-doping rule violation except those Rules where intent is an element of the anti-doping rule violation (e.g., Rule 2.5, 2.7, 2.8, 2.9 or 2.11) or an element of a particular sanction (e.g., Rule 10.2.1) or a range of Ineligibility is already provided for in a Rule based on the Athlete or other Person's degree of Fault.]*

**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 violations

- (a) Prior to an appellate decision under Rule 13 or the expiration of the time to appeal, the Integrity Unit may 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 Organisation, criminal authority or professional disciplinary body that results in: (i) the Anti-Doping Organisation discovering or bringing forward an anti-doping rule violation by another Person; or (ii) a criminal or disciplinary body discovering or bringing forward a criminal offence 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 Integrity Unit or other Anti-Doping Organisation with Results Management responsibility; or (iii) 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 Standards or Technical Documents; or (iv) a criminal or disciplinary body bringing forward a criminal offence or the breach of professional or sport rules arising out of a sport integrity violation other than doping (provided that, for this point (iv) to apply, the Integrity Unit must have first obtained WADA's approval). After an appellate decision under Rule 13 or the expiration of time to appeal, the Integrity Unit may only suspend a part of the otherwise applicable Consequences with the approval of WADA.

The extent to which the otherwise applicable period of Ineligibility may be suspended will 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 World Anti-Doping 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 Rule must be no less than eight years. For purposes of this paragraph, the otherwise applicable period of Ineligibility will not include any period of Ineligibility that could be added under Rule 10.9.3(b).

If so requested by an Athlete or other Person seeking to provide Substantial Assistance, the Integrity Unit will allow the Athlete or other Person to provide the information to it 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 Integrity Unit will reinstate the original Consequences. If the Integrity Unit decides to reinstate suspended Consequences, or decides not to reinstate suspended Consequences, that decision may be appealed by any Person entitled to appeal under Rule 13.

- (b) To further encourage Athletes and other Persons to provide Substantial Assistance, at the request of the Integrity Unit 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 Rule 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 Rule, 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 will be subject to reinstatement of Consequences, as otherwise provided in this Rule. Notwithstanding Rule 13, WADA's decisions in the context of this Rule 10.7.1(b) may not be appealed.
- (c) If the Integrity Unit suspends any part of otherwise applicable Consequences because of Substantial Assistance, notice providing justification for the decision will be provided to the other Anti-Doping Organisations with a right to appeal under Rule 13.2.3, as provided in Rule 14. In unique circumstances where WADA determines that it would

be in the best interest of anti-doping, WADA may authorise the Integrity Unit to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

*[Comment to Rule 10.7.1: The cooperation of Athletes, Athlete Support Personnel and other Persons who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport. Where the Integrity Unit declines to exercise the discretion conferred on it by Rule 10.7.1, and the matter comes before a hearing panel under Rule 8 or an appeal panel under Rule 13, the hearing panel/appeal panel (as applicable) may exercise such discretion if the conditions of Rule 10.7.1(a) are satisfied and the panel sees fit. Alternatively, the hearing panel/appeal panel may consider a submission that the Integrity Unit, in exercising its discretion under Rule 10.7.1, should have suspended a greater part of the Consequences].*

#### 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 that could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Rule 2.1, before receiving first notice of the admitted violation pursuant to Rule 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.

*[Comment to Rule 10.7.2: This Rule is intended to apply when an Athlete or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organisation is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Athlete or other Person believes they are about to be caught. The amount by which the otherwise applicable period of Ineligibility is reduced should be based on the likelihood that the Athlete or other Person would have been caught had they not come forward voluntarily.]*

#### 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 Rule 10.6 or 10.7, before applying any reduction or suspension under Rule 10.7 the otherwise applicable period of Ineligibility will be determined in accordance with Rules 10.2, 10.3, and 10.6. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Rule 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 the Integrity Unit notifies an Athlete or other Person of an anti-doping rule violation charge that carries an asserted period of Ineligibility of four (4) or more

years (including any period of Ineligibility asserted under Rule 10.4), if the Athlete or other Person admits the violation and accepts the asserted period of Ineligibility no later than 20 days after receiving the Notice of Charge, the Athlete or other Person may receive a one (1) year reduction in the period of Ineligibility asserted by the Integrity Unit. Where the Athlete or other Person receives the one (1) year reduction in the asserted period of Ineligibility under this Rule 10.8.1, no further reduction in the asserted period of Ineligibility will be allowed under any other Rule.

*[Comment to Rule 10.8.1: For example, if the Integrity Unit alleges that an Athlete has violated Rule 2.1 for Use of an anabolic steroid and asserts the applicable period of Ineligibility is four years, then the Athlete may unilaterally reduce the period of Ineligibility to three years by admitting the violation and accepting the three year period of Ineligibility within the time specified in this Rule, with no further reduction allowed. This resolves the case without any need for a hearing.]*

#### 10.8.2 Case resolution agreements

Where the Athlete or other Person admits an anti-doping rule violation after being confronted with it by the Integrity Unit and agrees to Consequences acceptable to the Integrity Unit and WADA, at their sole discretion: (a) the Athlete or other Person may receive a reduction in the period of Ineligibility based on an assessment by the Integrity Unit and WADA of the application of Rules 10.1 to 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 Rule is applied, the Athlete or other Person must serve at least one-half of the agreed-upon period of Ineligibility going forward from the earlier of (i) the date the Athlete or other Person accepted the imposition of a period of Ineligibility; and (ii) the date the Athlete or other Person accepted a Provisional Suspension that was subsequently respected by the Athlete or other Person. The decision by WADA and the Integrity Unit 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 Rule 13.

If so requested by an Athlete or other Person seeking to enter into a case resolution agreement under this Rule, the Integrity Unit will allow the Athlete or other Person to discuss an admission of the anti-doping rule violation with it subject to a Without Prejudice Agreement.

*[Comment to Rule 10.8.2: Any mitigating or aggravating factors set forth in this Rule 10 must be considered in arriving at the Consequences set forth in the case resolution agreement and will not be applicable beyond the terms of that agreement.]*

### 10.9 Multiple Violations

#### 10.9.1 Second or third anti-doping rule violation:

- (a) For an Athlete or other Person's second anti-doping rule violation, the period of Ineligibility will be the greater of:

- (i) a six month period of Ineligibility; or
- (ii) a period of Ineligibility in the range between:
  - (aa) 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
  - (bb) 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 will 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.

- (b) A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfils the condition for reduction of the period of Ineligibility under Rule 10.6, or involves a violation of Rule 2.4. In these particular cases, the period of Ineligibility will range from eight years to lifetime Ineligibility.
- (c) The period of Ineligibility established in Rules 10.9.1(a) and 10.9.1(b) may then be further reduced by the application of Rule 10.7.

10.9.2 An anti-doping rule violation for which an Athlete or other Person has established No Fault or Negligence will not be considered a violation for the purposes of this Rule 10.9. In addition, an anti-doping rule violation sanctioned under Rule 10.2.4(a) will not be considered a violation for the purposes of Rule 10.9.

### 10.9.3 Additional rules for certain potential multiple violations

- (a) For the purposes of imposing sanctions under Rule 10.9, except as provided in Rules 10.9.3(b) and 10.9.3(c), an anti-doping rule violation will only be considered a second (or third, as applicable) violation if the Integrity Unit 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 Rule 7, or after the Integrity Unit made reasonable efforts to give notice, of the first anti-doping rule violation. If the Integrity Unit cannot establish this, the violations will be considered together as one single first violation, and the sanction imposed will 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 Rule 10.10.

*[Comment to Rule 10.9.3(a): The same rule applies where, after the imposition of a sanction, the Integrity Unit discovers facts involving an anti-doping rule violation that occurred prior to notification for a first anti-doping rule violation – e.g., the Integrity Unit will impose a sanction based on the sanction that could have been imposed if the two violations had been adjudicated at the same time, including the application of Aggravating Circumstances.]*

- (b) If the Integrity Unit establishes that an Athlete or other Person committed an additional anti-doping rule violation prior to notification, and that the additional violation occurred 12 months or more before or after the first-noticed violation, then the period of Ineligibility for the additional violation will be calculated as if the additional violation were a stand-alone first violation and this period of Ineligibility must be served consecutively (rather than concurrently) with the period of Ineligibility imposed for the first-noticed violation. Where this Rule 10.9.3(b) applies, the violations taken together will constitute a single violation for purposes of Rule 10.9.1.
- (c) If the Integrity Unit establishes that an Athlete or other Person committed a violation of Rule 2.5 in connection with the Doping Control process for an underlying asserted anti-doping rule violation, the violation of Rule 2.5 will be treated as a stand-alone first violation and the period of Ineligibility for such violation must be served consecutively (rather than concurrently) with the period of Ineligibility, if any, imposed for the underlying anti-doping rule violation. Where this Rule 10.9.3(c) is applied, the violations taken together will constitute a single violation for purposes of Rule 10.9.1.
- (d) If the Integrity Unit 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 will run consecutively (rather than concurrently).

#### 10.9.4 Multiple anti-doping rule violations during ten-year period

For the purposes of Rule 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 that produced the positive Sample under Rule 9, all other competitive results obtained by the Athlete 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, will, unless fairness requires otherwise, be Disqualified with

all of the resulting Consequences including forfeiture of any medals, titles, points, prize money, and prizes.

*[Comment to Rule 10.10: Nothing in these Anti-Doping Rules precludes clean Athletes or other Persons who have been damaged by the actions of a Person who has committed an anti-doping rule violation from pursuing any right that they would otherwise have to seek damages from such Person.]*

## **10.11 Forfeited prize money**

10.11.1 Where an Athlete's results are Disqualified, the Athlete forfeits any prize money that was awarded at the relevant Competition based on those results. In addition, where those results have been combined with others to give the Athlete an overall ranking at the end of the season, and the Athlete has received prize money based on that ranking, the Athlete forfeits the portion of the prize money that they only received because of the Disqualified results.

10.11.2 If World Athletics recovers prize money forfeited as a result of an anti-doping rule violation, it will take reasonable measures to allocate and distribute such prize money to the Athletes that would have been entitled to it had the forfeiting Athlete not competed.

10.11.3 For the avoidance of doubt, there shall be no reallocation of forfeited prize money to other Athletes if the forfeited prize money has not been recovered from the forfeiting Athlete.

*[Comment to Rule 10.11: This Rule is not intended to impose an affirmative duty on World Athletics to take any action to collect forfeited prize money. If World Athletics elects not to take any action to collect forfeited prize money, it may assign its right to recover such money to the Athlete(s) who should have otherwise received the money. 'Reasonable measures to allocate and distribute this prize money' could include using collected forfeited prize money as agreed upon by World Athletics and Athletes concerned.]*

## **10.12 Financial Consequences**

10.12.1 Where an Athlete or other Person is found to have committed an anti-doping rule violation or other breach of these Anti-Doping Rules, the Disciplinary Tribunal or CAS (or, in cases where Rule 8.5.6 applies, the Integrity Unit), taking into account the proportionality principle, may require the Athlete or other Person to reimburse World Athletics for the costs that it has incurred in bringing the case, irrespective of any other Consequences that may or may not be imposed.

10.12.2 Any costs order pursuant to this Rule will not be considered a basis for reducing the Ineligibility or other Consequences that would otherwise be applicable under these Anti-Doping Rules.

10.12.3 Where fairness requires, World Athletics may establish an instalment plan for repayment of any prize money forfeited pursuant to Rule 9 or 10 and/or for the payment of any costs awarded pursuant to Rule 10.12.1. The schedule of payments pursuant to such plan may extend beyond any period of Ineligibility imposed on the Athlete or other Person.

## 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 will commence on the first day after the current period of Ineligibility has been served. Otherwise, except as provided below, the period of Ineligibility will start on the date of the decision of the hearing panel 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 him/her, 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, will be Disqualified.

*[Comment to Rule 10.13.1: In cases of anti-doping rule violations other than under Rule 2.1, the time required for an Anti-Doping Organisation to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the Athlete or other Person has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Rule to start the sanction at an earlier date should not be used.]*

### 10.13.2 Credit for Provisional Suspension or period of Ineligibility served:

- (a) If a Provisional Suspension is respected by the Athlete or other Person, then the Athlete or other Person will receive a credit for such period of Provisional Suspension against any period of Ineligibility that may ultimately be imposed. If the Athlete or other Person does not respect a Provisional Suspension, they will 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, the Athlete or other Person will receive a credit for such period of Ineligibility served against any period of Ineligibility that may ultimately be imposed on appeal.
- (b) If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing from the Integrity Unit and thereafter respects the Provisional Suspension, the Athlete or other Person will receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility that may ultimately be imposed. A copy of the Athlete or other Person's voluntary acceptance of a Provisional Suspension will be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Rule 14.1.

*[Comment to Rule 10.13.2(b): An Athlete's voluntary acceptance of a Provisional Suspension is not an admission by the Athlete and may not be used in any way as to draw an adverse inference against the Athlete.]*

- (c) No credit against a period of Ineligibility will 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.

## **10.14 Status during Ineligibility or Provisional Suspension**

### **10.14.1 Prohibition against participation during Ineligibility or Provisional Suspension:**

- (a) 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 authorised anti-doping Education or rehabilitation programs) authorised or organised by any Signatory, Signatory's member organisation, or a club or other member organisation of a Signatory's member organisation, or in Competitions authorised or organised by any professional league or any international or national level event organisation or any elite or national-level sporting activity funded by a governmental agency.

*[Comment to Rule 10.14.1(a): For example, subject to Rule 10.14.2 below, Ineligible Athletes cannot participate in a training camp, exhibition or practice organised by their Member or a club that is a member of that Member or that is funded by a governmental agency. Further, an Ineligible Athlete may not compete in a non-Signatory professional league, Competitions organised by a non-Signatory International Event organisation or a non-Signatory national-level Competition organisation without triggering the Consequences set forth in Rule 10.14.3. The term 'activity' also includes, for example, administrative activities, such as serving as an official, director, officer, employee, or volunteer of the organisation described in this Rule. Ineligibility imposed in one sport must also be recognised by other sports (see Rule 17.1, Automatic Binding Effect of Decisions). An Athlete or other Person serving a period of Ineligibility is prohibited from coaching or serving as an Athlete Support Person in any other capacity at any time during the period of Ineligibility, and doing so could also result in a violation of Rule 2.10 by another Athlete. Any performance standard accomplished during a period of Ineligibility shall not be recognised by World Athletics or its Members for any purpose.]*

- (b) An Athlete or other Person subject to a period of Ineligibility longer than four years may, after serving four years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under 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.
- (c) While serving a period of Ineligibility or Provisional Suspension, an Athlete or other Person will remain subject to Testing and any requirement by the Integrity Unit to provide whereabouts information.

### **10.14.2 Return to Training**

As an exception to Rule 10.14.1, an Athlete may return to train with a team or to use the facilities of a club or other member organisation of a Member or other

Signatory's member organisation during the shorter of (i) the last two months, and (ii) the last quarter of the period of Ineligibility imposed.

*[Comment to Rule 10.14.2: During the training period described in this Rule, an Ineligible Athlete may not compete or engage in any activity described in Rule 10.14.1 other than training.]*

#### 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 Rule 10.14.1, the results of such participation will be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility will 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, will be made by the Integrity Unit or a hearing panel further to a charge brought by the Integrity Unit (or the Anti-Doping Organisation whose Results Management led to the imposition of the initial period of Ineligibility, if not the Integrity Unit). This decision may be appealed under Rule 13.

An Athlete or other Person who violates the prohibition against participation during a Provisional Suspension described in Rule 10.14.1 will receive no credit for any period of Provisional Suspension served and the results of such participation will be Disqualified, with all resulting consequences, including forfeiture of all medals, titles, points, prize money, and prizes.

Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility or Provisional Suspension, the Integrity Unit will pursue the matter as a potential Rule 2.9 anti-doping rule violation.

#### 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 Rules 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 World Athletics and its Members.

### **10.15 Automatic Publication of Sanction**

A mandatory part of each sanction will include automatic publication, as provided in Rule 14.3.

## **11. Consequences to Teams**

- 11.1 Where the Athlete who has committed an anti-doping rule violation competed as a member of a relay team, the relay team shall be automatically Disqualified from the Event in question, with all resulting consequences for the relay team, including the forfeiture of all titles, awards,

medals, points and prize and appearance money. If the Athlete who has committed an anti-doping rule violation competes for a relay team in a subsequent Event in the Competition, the relay team shall be Disqualified from the subsequent Event, with all the same resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize money unless the Athlete establishes that they bear No Fault or Negligence for the violation and that their participation in the relay was not likely to have been affected by the anti-doping rule violation.

- 11.2 Where the Athlete who has committed an anti-doping rule violation competed as a member of a team other than a relay team, in an Event where a team ranking is based on the addition of individual results, the team shall not be automatically disqualified from the Event in question but the result of the Athlete committing the violation will be subtracted from the team result and replaced with the result of the next applicable team member. If, by subtracting the Athlete's result from the team's result, the number of Athletes counting for the team is less than the required number, the team shall be disqualified. This same principle shall apply to the calculation of a team result if the Athlete who has committed an anti-doping rule violation competes for a team in a subsequent Event in the Competition unless the Athlete establishes that they bear No Fault or Negligence for the violation and that their participation in the team was not likely to have been affected by the anti-doping rule violation.
- 11.3 In addition to the Disqualification of the Athlete's individual results as determined in Rule 10.10:
- 11.3.1 the results of any relay team in which the Athlete competed shall be automatically Disqualified, with all resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize money; and
- 11.3.2 the results of any team other than a relay team in which the Athlete competed shall not be automatically Disqualified but the result of the Athlete committing the anti-doping rule violation will be subtracted from the team result and replaced with the result of the next applicable team member. If, by subtracting the Athlete's result from the team's result, the number of Athletes counting for the team is less than the required number, the team shall be Disqualified.
- 11.4 Where more than one member of a relay or other team has been notified of an anti-doping rule violation under Rule 2 in connection with a Competition, the ruling body for the Competition shall conduct appropriate Target Testing of the team during the Competition Period.

## **12. Disciplinary Proceedings for Failure to Comply or Offensive Conduct**

- 12.1 Where an Athlete or other Person (i) refuses or fails without compelling justification to comply with any provision of these Anti-Doping Rules but such refusal or failure does not fall within any of the anti-doping rule violations defined in Rule 2; or (ii) engages in offensive conduct towards a Doping Control official or other Person involved in Doping Control that does not otherwise constitute Tampering as defined in Rule 2.5, the Athlete or other Person shall not be deemed to have committed an anti-doping rule violation and they shall not be subject to any of the Consequences set out in Rules 9 and 10. However, disciplinary proceedings may be

brought against the Athlete or other Person before the Disciplinary Tribunal and they may be provisionally suspended (or may accept a voluntary suspension) pending the outcome of such proceedings. Where an Athlete or other Person seeks to rely on the existence of 'compelling justification' to justify or excuse conduct under these Anti-Doping Rules which might otherwise amount to a violation (see, for example, Rule 5.7.3), the burden shall be on that Athlete or other Person to adduce sufficient credible evidence to prove, on the balance of probabilities, that genuine and powerful reasons exist (or existed) to objectively justify their conduct taking into account all the relevant circumstances. If after considering the matter the Disciplinary Tribunal finds that there has been a refusal or failure without compelling justification to comply with these Anti-Doping Rules, or that the Athlete or other Person has engaged in offensive conduct towards a Doping Control official or other Person involved in Doping Control, then it will impose such sanctions and subject to such conditions as it sees fit (which may include, without limitation, a period during which the Athlete or other Person shall not be eligible to participate in the sport of Athletics and Disqualification of the Athlete's results, with all resulting consequences including the forfeiture of titles, awards, medals, points and prize money). The Athlete or other Person will receive credit for any period of provisional suspension served provided it has been respected.

- 12.2 The Disciplinary Tribunal will ensure that the Athlete or other Person subject to any proceeding is provided with a fair hearing within a reasonable time by a fair, impartial and Operationally Independent hearing panel.
- 12.3 The Disciplinary Tribunal, and any Panel of the Disciplinary Tribunal, will have all powers necessary for, and incidental to, the discharge of its responsibilities in any proceeding brought under Rule 12, including (without limitation) the power, whether on the application of a party or of its own motion:
  - 12.3.1 to rule on its own jurisdiction;
  - 12.3.2 to determine whether any hearing or any part thereof should be oral or in writing;
  - 12.3.3 to appoint an independent expert to assist or advise it on specific issues, with the costs of such expert to be borne as directed by the Disciplinary Tribunal;
  - 12.3.4 to expedite or to adjourn, postpone or suspend its proceedings, upon such terms as it will determine;
  - 12.3.5 to extend or abbreviate any time limit specified in any Rules or by the Disciplinary Tribunal itself, save for any limitations period or appeal deadline;
  - 12.3.6 to order any party to make any property, document or other thing in its possession or under its control available for inspection by the Disciplinary Tribunal and/or any other party;

- 12.3.7 to order that certain preliminary and/or potentially dispositive questions (e.g. as to jurisdiction, or as to whether a condition precedent has been met) be heard and determined in advance of any other issues in the matter;
- 12.3.8 to award interim relief or other conservatory measures on a provisional basis and subject to final determination;
- 12.3.9 to determine upon the manner in which it shall deliberate with a view to making any determination in or connected with the proceeding;
- 12.3.10 to make any other procedural direction or take any other procedural steps which the Disciplinary Tribunal considers to be appropriate in pursuit of the efficient and proportionate management of any proceeding or matter pending before it; and
- 12.3.11 to impose costs orders.

In making any of the above orders or directions, the Disciplinary Tribunal shall be guided by considerations of fairness.

- 12.4 If the decision of the Disciplinary Tribunal is that a violation of Rule 12 has been committed, save in exceptional circumstances (for example, where the Athlete or other Person is a Minor), the decision will be Publicly Disclosed by the Integrity Unit no later than 10 days after its issue. If the decision of Disciplinary Tribunal is that the Athlete or other Person has not committed a violation of Rule 12, the decision may only be Publicly Disclosed by the Integrity Unit with the consent of the Athlete or other Person who is the subject of the decision, however the Integrity Unit may Publicly Disclose the fact that the charge has been dismissed.
- 12.5 Decisions made by the Disciplinary Tribunal under Rule 12 above may be appealed exclusively to the CAS Appeals Division by any party to the proceedings before the Disciplinary Tribunal. The time to file an appeal to the CAS will be thirty (30) days from the date of first receipt of the reasoned decision by the appealing party. Where the appellant is a party other than World Athletics, to be a valid filing under this Rule 12.5, a copy of the appeal must be filed on the same day with World Athletics. The decision being appealed will remain in full force and effect pending determination of the appeal unless CAS orders otherwise. The appeal procedure will be governed by the CAS Code of Sports-related Arbitration, the applicable rules will be these Anti-Doping Rules and the language of the proceedings will be English unless the parties agree otherwise. The final decision of CAS will not be subject to any appeal, save to the Swiss Federal Tribunal, and all parties waive irrevocably any rights they might otherwise have to any form of review or other challenge in respect of such decision.
- 12.6 If the decision of CAS is that a violation of Rule 12 has been committed, save in exceptional circumstances (for example, where the Athlete or other Person is a Protected Person), the decision will be Publicly Disclosed by the Integrity Unit no later than 10 days after its issue. If the decision of CAS is that the Athlete or other Person has not committed a violation of Rule 12, the decision may only be Publicly Disclosed by the Integrity Unit with the consent of the



Athlete or other Person who is the subject of the decision, however the Integrity Unit may Publicly Disclose the fact that the appeal has been dismissed.

### **13. Results Management: Appeals**

#### **13.1 Decisions subject to appeal**

Decisions made under these Anti-Doping Rules (save for those made under Rule 12) may be appealed as set out in Rules 13.2 through 13.7 below, or as otherwise provided in these Anti-Doping Rules, the Code, or the International Standards. Such decisions will 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.

*[Comment to Rule 13.1.1: The revised language is not intended to make a substantive change to the previous edition of these Anti-Doping Rules, but rather for clarification. For example, where an Athlete was charged in the first instance hearing only with Tampering but the same conduct could also constitute Complicity, an appealing party could pursue both Tampering and Complicity charges against the Athlete in the appeal.]*

##### **13.1.2 CAS will not defer to the findings being appealed**

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

*[Comment to Rule 13.1.2: CAS proceedings are de novo. Prior proceedings do not limit the evidence or carry weight in the hearing before CAS.]*

##### **13.1.3 WADA not required to exhaust internal remedies**

Where WADA has a right to appeal under this Rule 13 and no other party has appealed a final decision within the World Athletics/Integrity Unit or other Anti-Doping Organisation's process, WADA may appeal such decision directly to CAS without having to exhaust any other remedies in the World Athletics/Integrity Unit or other Anti-Doping Organisation's process.

*[Comment to Rule 13.1.3: Where a decision has been rendered before the final stage of the World Athletics/Integrity Unit or other Anti-Doping Organisation's process (for example, a first hearing) and no party elects to appeal that decision to the next level of the World Athletics/Integrity Unit or other Anti-Doping Organisation's process, then WADA may bypass the remaining steps in the respective internal process and appeal directly to CAS.]*

## **13.2 Appeals against decisions regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority**

The following decisions may be appealed exclusively as provided in Rules 13.2 to 13.7: a decision that an anti-doping rule violation was committed; a decision imposing Consequences or not imposing Consequences for an anti-doping rule violation; 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 Rule 5.6.1; a decision by WADA assigning Results Management under Rule 7.1; a decision by the Integrity Unit not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation; 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; the Integrity Unit's failure to comply with Rule 7.4; a decision that World Athletics/the Integrity Unit 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 Rule 10.7.1; failure to comply with Rule 7.1; failure to comply with Rule 10.8.1; a decision under Rule 10.14.3; a decision by World Athletics not to implement another Anti-Doping Organisation's decision under Rule 17; and a decision under Article 27.3 of the Code.

### **13.2.1 Appeals involving International-Level Athletes or International Competitions**

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

### **13.2.2 Appeals involving other Athletes or other Persons**

In cases where Rule 13.2.1 is not applicable, the decision may be appealed to an appellate body, in accordance with rules adopted by the National Anti-Doping Organisation having authority over the Athlete or other Person. The rules for such appeal must respect the following principles: a timely hearing; a fair, impartial, 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 decision may be appealed to the CAS Anti-Doping Division, which will appoint one or more CAS arbitrators to sit as the panel that will hear and determine the case in accordance with the Code-compliant anti-doping rules of the National Anti-Doping Organisation, the CAS Code of Sports-related Arbitration, and the Arbitration Rules for the CAS Anti-Doping Division.

### **13.2.3 Persons entitled to appeal**

- (a) In cases under Rule 13.2.1, the following parties will have the right to appeal to CAS:

- (i) the Athlete or other Person who is the subject of the decision being appealed;
- (ii) the other party to the case in which the decision was rendered;
- (iii) the Integrity Unit on behalf of World Athletics;
- (iv) the National Anti-Doping Organisation of the Person's country of residence or countries where the Person is a national or license holder;
- (v) 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
- (vi) WADA.

(b) In cases under Rule 13.2.2, the parties having the right to appeal will be as provided in the National Anti-Doping Organisation's rules but, at a minimum, will include the following parties:

- (i) the Athlete or other Person who is the subject of the decision being appealed;
- (ii) the other party to the case in which the decision was rendered;
- (iii) the Integrity Unit on behalf of World Athletics;
- (iv) the National Anti-Doping Organisation of the Person's country of residence or countries where the Person is a national or licence holder;
- (v) 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
- (vi) WADA.

Further, for cases under Rule 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee and the Integrity Unit on behalf of World Athletics will also have the right to appeal to the CAS Appeals Division with respect to the decision of the national-level appeal body (or the CAS Anti-Doping Division, as applicable). Any party filing an appeal will be entitled to assistance from CAS to obtain all

relevant information from the Anti-Doping Organisation whose decision is being appealed and the information will be provided if CAS so directs.

(c) Duty to notify

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

(d) 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 these Anti-Doping Rules are specifically permitted. Any party with a right to appeal under this Rule 13 must file a cross-appeal or subsequent appeal at the latest with the party's answer to the appeal.

*[Comment to Rule 13.2.4: This provision is necessary because, since 2011, CAS rules no longer permit an Athlete the right to cross-appeal when an Anti-Doping Organisation appeals a decision after the Athlete's time for appeal has expired. This provision permits a full hearing for all parties.]*

### 13.3 Failure to render a timely decision

Where, in a particular case, a decision under these Anti-Doping Rules with respect to whether an anti-doping rule violation was committed is not rendered within a reasonable deadline set by WADA, WADA may elect to appeal directly to the CAS Appeals Division as if a decision finding no anti-doping rule violation had been rendered. If the CAS panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to the CAS Appeals Division, then WADA's costs and attorney fees in prosecuting the appeal will be reimbursed to WADA by World Athletics.

*[Comment to Rule 13.3: Given the different circumstances of each anti-doping rule violation investigation, Results Management, and hearing process, it is not feasible to establish a fixed time period for a decision to be rendered before WADA may intervene by appealing directly to the CAS Appeals Division. Before taking such action, however, WADA will consult with the Integrity Unit and give the Integrity Unit an opportunity to explain why it has not yet rendered a decision.]*

### 13.4 Appeals relating to TUEs

TUE decisions may be appealed exclusively as provided in Rule 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 Rule 13.2.3 as provided under Rule 14.

### **13.6 Time for filing appeals:**

#### **13.6.1 Appeals to CAS**

- (a) The time to file an appeal to the CAS will be thirty (30) days from the date of receipt of the reasoned decision by the appealing party. Where the appellant is a party other than World Athletics or WADA, to be a valid filing under this Rule 13.6.1, a copy of the appeal must be filed on the same day with World Athletics.
- (b) The above notwithstanding, the following will apply in connection with appeals filed by a party that is entitled to appeal but that was not a party to the proceedings that led to the decision being appealed:
  - (i) Within fifteen (15) days from the notice of the decision, such party/ies will have the right to request a copy of the full case file from the Anti-Doping Organisation that had Results Management responsibility.
  - (ii) If such a request is made within the fifteen (15) day period, then the party making such request will have thirty (30) days from receipt of the file to appeal to the CAS.

*[Comment to Rule 13.6.1: In the case of an appeal against a decision of the Disciplinary Tribunal by an Athlete or other Person, or by World Athletics, the 30-day time period in Rule 13.6.1 runs from the date of first notice of the decision communicated to the parties by the secretariat of the Disciplinary Tribunal (as opposed to the date of communication of the final decision following any request made by the parties for redactions).]*

#### **13.6.2 Appeals under Rule 13.2.2**

The time to file an appeal to an independent and impartial body in accordance with rules established by the National Anti-Doping Organisation will be indicated by the same rules of the National Anti-Doping Organisation.

The above notwithstanding, the filing deadline for an appeal or intervention by the Integrity Unit on behalf of World Athletics shall be the later of:

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

### **13.6.3 Appeals by WADA**

The above notwithstanding, 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.

### **13.6.4 Decisions for World Athletics to appeal**

The decision as to whether:

- (a) World Athletics should appeal to CAS;
- (b) World Athletics should participate in any appeal or other proceeding before CAS, or before any other tribunal, to which World Athletics is not a party;
- (c) World Athletics should appeal to an appeal body at national level in circumstances where no other party with a right to appeal has appealed; or
- (d) World Athletics shall suspend the Athlete or other Person pending the CAS decision or the decision of the other tribunal

shall be taken by the Head of the Integrity Unit subject to the prior approval of the Integrity Unit Board.

## **13.7 Appeal Procedure before CAS**

13.7.1 The CAS Code of Sports-related Arbitration, as modified or supplemented herein, shall apply to all appeals filed before CAS and pursuant to this Rule 13.

13.7.2 A party with a right of appeal against a decision may, within 15 days of receipt of the decision, request a copy of the full case file pertaining to the decision. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the parties to the decision being appealed, and the information shall be provided if CAS so directs.

13.7.3 Where World Athletics is one of two or more respondents to an appeal before CAS, it shall seek to agree on an arbitrator with the other respondent(s). If there is a disagreement as to who the appointed arbitrator should be, World Athletics' choice of arbitrator shall prevail.

13.7.4 In all CAS appeals involving World Athletics, the CAS Panel shall be bound by the World Athletics Constitution, Rules and Regulations (including these Anti-Doping

Rules). In the case of conflict between the CAS rules currently in force and the World Athletics Constitution, Rules and Regulations, the Constitution, Rules and Regulations shall take precedence.

13.7.5 In all CAS appeals involving World Athletics, the governing law shall be Monegasque law and the appeal shall be conducted in English, unless the parties agree otherwise.

13.7.6 The decision of CAS shall be final and binding on all parties, and no right of appeal shall lie from the CAS decision, save in limited circumstances to the Swiss Federal Tribunal. Subject to Rule 14.3.7, the CAS decision shall be Publicly Reported by World Athletics within 20 days of receipt.

## **14. Confidentiality and Reporting**

### **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**

Notice to Athletes or other Persons of anti-doping rule violations asserted against them will occur as provided under Rules 7, 8 and 14. Notice by the Integrity Unit to an Athlete or other Person who is a member of or affiliated to a Member Federation may be accomplished by delivery of the notice to the Member Federation.

If at any point during Results Management up until the anti-doping rule violation charge, the Integrity Unit decides not to move forward with a matter, it must notify the Athlete or other Person (provided that the Athlete or other Person had already been informed of the ongoing Results Management).

#### **14.1.2 Notice of anti-doping rule violations to National Anti-Doping Organisations and WADA**

Notice of the assertion of an anti-doping rule violation to National Anti-Doping Organisations and WADA will occur as provided under Rules 7, 8 and 14, simultaneously with the notice to the Athlete or other Person.

If at any point during Results Management up until the anti-doping rule violation charge, the Integrity Unit decides not to move forward with a matter, it must give notice (with reasons) to the Anti-Doping Organisations with a right of appeal under Rule 13.2.3.

#### **14.1.3 Content of an anti-doping rule violation notice**

Notification of an anti-doping rule violation under Rule 2.1 will include: the Athlete's or other Person's name, country, discipline, 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.

Notification of anti-doping rule violations other than under Rule 2.1 will include the Athlete's or other Person's name, country, discipline, the Athlete's competitive level, the rule violated, and the basis of the asserted violation.

#### 14.1.4 Status reports

Except with respect to investigations that have not resulted in a notice of an anti-doping rule violation pursuant to Rule 14.1.1, the Athlete's or other Person's National Anti-Doping Organisations and WADA will be regularly updated on the status and findings of any review or proceedings conducted by the Integrity Unit pursuant to Rule 7, Rule 8 or Rule 13 and will be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

#### 14.1.5 Confidentiality

The recipient organisations shall not disclose information provided to it pursuant to this Rule beyond those Persons with a need to know (which would include the appropriate personnel at the applicable National Olympic Committee and Member Federation) until the Integrity Unit has made Public Disclosure as permitted by Rule 14.3.

#### 14.1.6 Protection of confidential information by an employee or agent

The Integrity Unit will ensure that information concerning Adverse Analytical Findings, Atypical Findings, and other asserted anti-doping rule violations remains confidential until such information is Publicly Disclosed in accordance with Rule 14.3. World Athletics/the Integrity Unit will ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and Delegated Third Parties are subject to a fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorised disclosure of such confidential information.

### **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 Rules 7.6, 8.12.5, 10.5, 10.6, 10.7, 10.14.3 or 13.5 will 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, the Integrity Unit will provide an English summary of the decision and the supporting reasons.

14.2.2 An Anti-Doping Organisation having a right to appeal a decision received pursuant to Rule 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 Organisations in accordance with Rule 14.1.2, the Integrity Unit may Publicly Disclose the identity of the Athlete or other Person who is notified of a potential anti-doping rule violation, the nature of the violation involved (including any Prohibited Substance or Prohibited Method involved), and whether the Athlete or other Person is subject to a Provisional Suspension.

14.3.2 No later than 20 days after it has been determined in an appellate decision under Rule 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Rule 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 Rule 10.8, or a new period of Ineligibility, or reprimand, has been imposed under Rule 10.14.3, the Integrity Unit must Publicly Disclose the disposition of the anti-doping matter, including 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 Integrity Unit must also Publicly Disclose within 20 days the results of appellate decisions concerning anti-doping rule violations, including the information described above.

*[Comment to Rule 14.3.2: Where Public Disclosure as required by Rule 14.3.2 would result in a breach of other applicable laws, the Integrity Unit's failure to make the Public Disclosure will not result in a determination of non-compliance with the World Anti-Doping Code, as set forth in Article 4.1 of the International Standard for the Protection of Privacy and Personal Information.]*

14.3.3 After an anti-doping rule violation has been determined to have been committed in an appellate decision under Rule 13.2.1 or 13.2.2 or such appeal has been waived, or in a hearing in accordance with Rule 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 Rule 10.8, the Integrity Unit 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 Integrity Unit will use reasonable efforts to obtain such consent and if consent is obtained, the Integrity Unit will publicly disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.

14.3.5 Publication will be accomplished at a minimum by placing the required information on the World Athletics and/or the Integrity Unit's website or publishing it through other means 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 Rules 14.3.1 and 14.3.3, neither World Athletics/the Integrity Unit, nor any Member Federation or Area Association, nor any Anti-Doping Organisation, nor any WADA-accredited laboratory, nor any official of any such body, will 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 Rule 14.3.2 will 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 will be proportionate to the facts and circumstances of the case.

#### **14.4 Statistical reporting**

The Integrity Unit will, at least annually, publish publicly a general statistical report of its Doping Control activities, with a copy provided to WADA. The Integrity Unit may also publish reports showing the name of each Athlete tested and the date of each Testing.

#### **14.5 Doping Control information database and monitoring of compliance**

- 14.5.1 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 Organisations, the Integrity Unit will report to WADA through ADAMS Doping Control-related information as required under the applicable International Standard(s), including, in particular:
- (a) Athlete Biological Passport data for International-Level Athletes;
  - (b) whereabouts information for Athletes, including those in the International Registered Testing Pool;
  - (c) TUE decisions; and
  - (d) Results Management decisions.
- 14.5.2 To facilitate coordinated test distribution planning, avoid unnecessary duplication in Testing by various Anti-Doping Organisations, and to ensure that Athlete Biological Passport profiles are updated, the Integrity Unit will 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.
- 14.5.3 To facilitate WADA's oversight and appeal rights for TUEs, the Integrity Unit will 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.

- 14.5.4 To facilitate WADA's oversight and appeal rights for Results Management, the Integrity Unit will 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 (d) any decision imposing, lifting or reinstating a Provisional Suspension.
- 14.5.5 The information described in this Rule will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete's National Anti-Doping Organisation, and any other Anti-Doping Organisations with Testing authority over the Athlete.

*[Comment to Rule 14.5: ADAMS is operated, administered and managed by WADA, and is designed to be consistent with data privacy laws and norms applicable to WADA and other organisations using such system. Personal information regarding Athletes or other Persons maintained in ADAMS is and will be treated in strict confidence and in accordance with the International Standard for the Protection of Privacy and Personal Information.]*

## **14.6 Data privacy**

- 14.6.1 World Athletics/the Integrity Unit may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct its Anti-Doping Activities under the Code, the International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information), these Anti-Doping Rules, and in compliance with applicable law.
- 14.6.2 Without limiting the foregoing, the Integrity Unit will:
- (a) only process personal information in accordance with a valid legal ground;
  - (b) notify any Athlete or other Person subject to these Anti-Doping Rules, in a manner and form that complies with applicable laws and the International Standard for the Protection of Privacy and Personal Information, that their personal information may be processed by the World Athletics/the Integrity Unit and other Persons for the purpose of the implementation of these Anti-Doping Rules;
  - (c) ensure that any third-party agents (including any Delegated Third Party) with whom the Integrity Unit shares the personal information of any Athlete or other Person is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

## **15. Member Federation Anti-Doping Obligations**

### **15.1 Introduction**

- 15.1.1 This Rule 15 establishes a framework of Member Federation anti-doping obligations that is designed to ensure that Member Federations have rules and policies that are compliant with the Code and the International Standards but also that Member Federations take ultimate responsibility for the delivery of strong and effective anti-doping programmes in Athletics in their respective jurisdictions.
- 15.1.2 World Athletics has a responsibility under the Code to require that the policies, rules and programmes of its Member Federations are in compliance with the Code and the International Standards and to take appropriate action to discourage non-compliance. The Integrity Unit shall monitor the compliance of Member Federations with their obligations under this Rule and shall either work with non-compliant Member Federations to ensure that they become compliant or shall refer non-compliant Member Federations to the Council for sanction. The ultimate objective is to ensure that strong, compliant anti-doping programmes are being applied and enforced in Athletics consistently and effectively so that clean Athletes can have confidence that there is a fair competition on a level playing field and that public confidence in the integrity of Athletics can be maintained.

## **15.2 General**

- 15.2.1 It is a condition of membership of World Athletics that each Member Federation shall comply with these Anti-Doping Rules (and the Code and the International Standards that are integral parts of these Anti-Doping Rules). The obligation to comply is an absolute one such that it is not necessary to prove fault or intent on the part of a Member Federation to establish a breach of these Anti-Doping Rules.
- 15.2.2 Member Federations shall take all necessary measures within their powers to implement and comply with these Anti-Doping Rules.
- 15.2.3 Without limitation to the above, it is acknowledged that, in some jurisdictions, Member Federations may delegate or assign anti-doping functions under these Anti-Doping Rules to the Relevant Anti-Doping Organisation or that such functions are under the authority of the Relevant Anti-Doping Organisation as a matter of applicable national legislation or regulation. In such cases, a Member Federation may achieve compliance with these Anti-Doping Rules through the actions of the Relevant Anti-Doping Organisation but, if the Relevant Anti-Doping Organisation fails to meet the requirements under these Anti-Doping Rules, the Member Federation will be held to be in breach.
- 15.2.4 For the avoidance of doubt, where a Member Federation is held to be in breach of these Rules, it shall be no defence that:
- (a) its obligations have been delegated or assigned to a Relevant Anti-Doping Organisation;
  - (b) its obligations are under the authority of a Relevant Anti-Doping Organisation as a matter of applicable national legislation or regulation;

- (c) the breach has been caused by interference by, and/or a failure to provide support or other act or omission by, any governmental or other public authorities.

15.2.5 For the purposes of these Rules, a Member Federation shall be liable and deemed responsible for the acts and omissions of its servants, agents, employees, directors or officials (and for the acts and omissions of any servants, agents, employees, directors or officials of the Relevant Anti-Doping Organisation to which its obligations under these Anti-Doping Rules have been delegated or assigned or under whose authority they fall as a matter of applicable national legislation or regulation).

### 15.3 Categorisation of Member Federations

15.3.1 For the purposes of this Rule 15, Member Federations shall be categorized according to their doping risk to the sport in descending order, categories A, B and C (category A Member Federations having the highest doping risk to the sport and category 'C' Member Federations having the lowest doping risk to the sport).

15.3.2 The specific obligations of a Member Federation as set out in this Rule 15 will be determined by its assigned category. Certain obligations will apply to all Member Federations whilst others will apply depending on the category in which the Member Federation is placed.

15.3.3 Prior to the commencement of each year, the Integrity Unit Board shall determine in its absolute discretion the category of each Member Federation by taking into account the following factors:

- (a) the doping history of Athletes, Athlete Support Personnel and other Persons under the jurisdiction of the Member Federation;
- (b) confidential intelligence or other information provided by the Integrity Unit;
- (c) the success of the Member Federation in International Competitions or in particular International Competitions, whether as a whole or in particular disciplines;
- (d) any significant improvement in the performance of the Member Federation's Athletes at any level of competition;
- (e) the number of Athletes representing the Member Federation in International Competitions or in particular International Competitions;
- (f) compliance by the Member Federation with this Rule 15;
- (g) any other matter the Integrity Unit in its absolute discretion thinks fit.

15.3.4 In respect of a determination of the Integrity Unit Board under Rule 15.3.3:

- (a) the Integrity Unit Board may adopt such process for making a determination as it deems fit;
- (b) the Integrity Unit Board is not required to give reasons for its determination;
- (c) the Integrity Unit Board is not required to disclose any confidential intelligence or other information that formed part of its decision making;
- (d) the determination is not subject to appeal or review.

15.3.5 In the event that a Member Federation's category is changed from one year to the next taking into consideration the factors in Rule 15.3.3, the Integrity Unit Board may, in its absolute discretion, stay the effect of its determination, or any part of it, for such period and upon such conditions as it deems appropriate to permit the orderly transition of the Member Federation to compliance with the new requirements.

15.3.6 In exceptional cases (including without limitation new intelligence or information becoming available), the Integrity Unit Board may change a Member Federation's assigned category from Category 'B' to Category 'A' during the course of the year. In such cases, the Integrity Unit Board shall impose on the Member Federation for that year such of the specific obligations for Category 'A' Member Federations in Rule 15.5 as it deems to be appropriate (in the same or modified form) and upon such notice as it considers to be reasonable in the circumstances.

#### **15.4 General Obligations Applying to All Member Federations**

##### **15.4.1 General Conduct of Member Federations**

A Member Federation shall be held to be in breach of the Anti-Doping Rules if either it or the Relevant Anti-Doping Organisation:

- (a) engages in conduct in relation to or associated with doping in Athletics or the implementation or administration of these Anti-Doping Rules that is likely to prejudice the interests of World Athletics or bring the sport of Athletics into disrepute;
- (b) engages in any dishonest, corrupt, fraudulent or improper act or practice in relation to doping in Athletics, or the administration or implementation of these Anti-Doping Rules;
- (c) conducts itself negligently or recklessly in response to any risk of doping in Athletics in its jurisdiction;
- (d) obstructs or frustrates anti-doping processes in Athletics from occurring;
- (e) obstructs, hinders or delays an investigation conducted by the Integrity Unit pursuant to these Anti-Doping Rules (e.g., by providing false, misleading or incomplete information or documentation, by tampering with or destroying

any documentation or other information that may be relevant to the investigation, or by interfering with or taking reprisals against any witness to an investigation).

#### 15.4.2 Adoption of compliant rules and regulations

- (a) Member Federations shall incorporate these Anti-Doping Rules either directly or by reference into their governance documents, constitution and/or rules, or shall establish rules the same as these Anti-Doping Rules, so that the Member Federation may enforce these Anti-Doping Rules directly against all Athletes, Athlete Support Personnel and other Persons under its jurisdiction.
- (b) Without limitation to the above, Member Federations shall specifically adopt a policy or rule implementing Rule 2.11 of these Anti-Doping Rules (Acts by an Athlete or Other Person to discourage or retaliate against reporting to authorities).
- (c) Member Federations shall require in their rules that all Athletes preparing for or participating in a Competition or activity authorised or organised by a Member Federation or one of its member organisations, and all Athlete Support Personnel associated with such Athletes, agree to be bound by these Anti-Doping Rules and to submit to the Results Management authority of the Anti-Doping Organisation responsible under these Anti-Doping Rules as a condition of such participation.
- (d) Member Federations shall 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 under their jurisdiction.
- (e) Member Federations shall include in their rules specific provisions to ensure that World Athletics may through the Integrity Unit apply these Anti-Doping Rules directly as against all Athletes, Athlete Support Personnel and other Persons under their jurisdiction, including the servants, agents, employees, directors and officials of the Member Federation.

#### 15.4.3 Mechanism for Reporting Doping

A Member Federation shall be held to be in breach of the Anti-Doping Rules if either it or the Relevant Anti-Doping Organisation for its jurisdiction fails to:

- (a) take reasonable steps to promote actively an open environment that encourages Athletes, Athlete Support Personnel and other whistle-blowers to report on doping and other non-compliant situations (including the intimidation of or threats to Athletes or DCOs by Athlete Support Personnel);
- (b) put in place effective mechanisms (e.g., hotlines, email addresses for the provision of tip-offs) to enable doping and other non-compliant situations to

be reported directly to a designated individual or entity at national or regional level whose function is to assist the Person reporting the information and/or to the Integrity Unit and/or to WADA.

#### 15.4.4 Obligation to pursue and report all apparent Anti-Doping Rule Violations

A Member Federation shall be held to be in breach of the Anti-Doping Rules if either the Member Federation (acting as a Delegated Third Party) or the Relevant Anti-Doping Organisation for its jurisdiction fails to:

- (a) pursue in a proper and timely fashion (including the timely notification of all such cases to the Integrity Unit) all apparent anti-doping rule violations committed by their Athletes, Athlete Support Personnel and other Persons;
- (b) report to the Integrity Unit on a timely basis any information in its possession, suggesting or relating in any way to an apparent anti-doping rule violation by an Athlete, Athlete Support Person or other Person under its jurisdiction. Thereafter, the Member Federation or Relevant National Anti-Doping Organisation must cooperate and assist fully with the Integrity Unit in the investigation of that information, including (without limitation) reporting any further information received on the same or any related subject;
- (c) investigate a possible violation of these Anti-Doping Rules by one or more Athlete, Athlete Support Person or other Person under the Member Federation's jurisdiction (where appropriate, acting in conjunction with any other relevant national authority or body) when requested by the Integrity Unit to do so and provide a written report on such investigation within a reasonable time period as stipulated by the Integrity Unit.

#### 15.4.5 Reporting and Results Management obligations

A Member Federation shall be held to be in breach of these Anti-Doping Rules if either the Member Federation (acting as a Delegated Third Party) or the Relevant National Anti-Doping Organisation for its jurisdiction fails:

- (a) to notify the Integrity Unit in writing of all relevant Results Management activities in accordance with these Anti-Doping Rules;
- (b) to notify the Integrity Unit promptly, and in all circumstances, within 14 days, of any Adverse Analytical Finding or Atypical Finding obtained in the course of Testing, together with the name of the Athlete concerned and all documents relevant to the Adverse Analytical Finding or Atypical Finding in question;
- (c) to notify the Integrity Unit promptly of any other anti-doping rule violation asserted against an Athlete, Athlete Support Person or other Person;



- (d) in the case of proceedings other than before the Disciplinary Tribunal, to conduct a hearing process in accordance with Rule 8.13 for any Person who is asserted to have committed an anti-doping rule violation. The hearing process shall provide at a minimum for: a fair hearing within a reasonable time; before a fair and impartial hearing panel; with a timely, written reasoned decision; and (for cases other than those under Rule 13.2.1) a right of appeal to an institutionally independent body in accordance with rules established by the Relevant Anti-Doping Organisation;
- (e) to notify the Integrity Unit in writing within 5 working days of any decision taken under these Anti-Doping Rules that is subject to an appeal in accordance with Rule 13 (and to provide the Integrity Unit with a copy of the written reasons for the decision in English or French and a copy of the complete file upon request);
- (f) to notify the Integrity Unit within 5 days of the commencement of any appeal (including to CAS) to which the Member Federation and/or an Athlete, Athlete Support Person or other Person is a party that arises from a decision taken within its jurisdiction. At the time of notification, the Member Federation or Relevant National Anti-Doping Organisation shall ensure that the Integrity Unit receives a copy of the statement of appeal in the case;
- (g) to respect fully decisions taken under these Anti-Doping Rules in respect of Athletes, Athlete Support Personnel and other Persons and to give assistance to the Integrity Unit to enforce such decisions where necessary;
- (h) to ensure that any medals forfeited by Athletes due to the Disqualification of their results are delivered to World Athletics within 30 days of receipt of the final appellate decision on Disqualification or the expiry of the time limit to appeal.

#### 15.4.6 Personnel related to Anti-Doping

- (a) Each Member Federation shall take all reasonable measures when engaging or funding Athlete Support Personnel or other Persons to work with Athletes to ensure that such persons are of good character and repute and that the risk of doping in relation to their engagement is minimised.
- (b) No Member Federation shall knowingly elect, appoint or employ a Person in any position involving Doping Control (other than authorised anti-doping Education or rehabilitation programmes) who is Provisionally Suspended or is serving a period of Ineligibility under the Anti-Doping Rules or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years that would have constituted a violation. Member Federations shall keep and maintain a complete, accurate and up to date register of Athlete Support Personnel and other Persons that they engage or fund to work with Athletes.

- (c) The register of Athlete Support Personnel and other Persons referred to in Rule 15.4.6(b) shall be maintained in such form and shall contain such details as required by the Integrity Unit from time to time. The register must be made available for inspection by the Integrity Unit upon request.
- (d) Where any person contracted to a Member Federation (whether as an employee or a consultant, agent or adviser), holding an office or directorship with a Member Federation or sitting on a Member Federation committee or commission is found to have committed an Anti-Doping Rule Violation, the Member Federation shall terminate its relationship with that person immediately, unless otherwise required by law or agreed with the Integrity Unit.

#### 15.4.7 Medical treatment and supplementation

- (a) Member Federations shall keep and maintain complete, accurate and up to date records of all relevant treatments (as defined in Rule 15.4.7(b)) that have been administered or dispensed to Athletes under the jurisdiction of the Member Federation either by:
  - (i) the Member Federation itself, or by one of the Member Federation's office-holders, employees, servants, agents, consultants or advisers; or
  - (ii) another person on behalf of the Member Federation; or
  - (iii) a person authorised by the Member Federation to do so; or
  - (iv) a person funded (in cash or in kind) by the Member Federation to do so.
- (b) For the purposes of Rule 15.4.7(a), relevant treatments are all medications, drugs, therapeutic substances and performance supplements administered or dispensed to Athletes.
- (c) The records referred to in Rule 15.4.7(a) shall include full and proper details of any relevant treatment administered or dispensed to an Athlete including without limitation:
  - (i) the reason for treatment of the Athlete and the dates, places and times the treatment was administered or dispensed;
  - (ii) the names of Person(s) administering or dispensing the treatment;
  - (iii) the names of the Athlete who was treated;
  - (iv) the method of administration to the Athlete;

- (v) the dosages administered or dispensed to the Athlete;
- (vi) the instructions provided when dispensing the treatment.
- (d) Without limiting any other part of these Rules, upon request of the Integrity Unit for good cause made in accordance with these Rules, a Member Federation shall produce the records required to be maintained under this Rule 15.4.7 for inspection.
- (e) For the avoidance of doubt, it is the responsibility of the Member Federation to ensure that its employees, service providers and consultants maintain and provide the records necessary for compliance with this Rule 15.4.7.
- (f) In addition to the other requirements of this Rule 15.4.7, Member Federations shall provide the Integrity Unit upon request with a complete, accurate and up to date list of all medications, drugs, therapeutic substances and performance supplements that they intend to import into a country for the purposes of treating their National Team at any World Athletics Series competition and shall explain, if requested, the reason for such medications or supplements and for which Athletes they are intended.
- (g) Compliance with this Rule is subject to any Personal Information being processed in accordance with the International Standard for the Protection of Privacy and Personal Information and in accordance with applicable data protection laws.

#### 15.4.8 Therapeutic Use Exemptions

A Member Federation shall be held to be in breach of these Anti-Doping Rules if the Relevant Anti-Doping Organisation for its jurisdiction fails:

- (a) to put in place a TUE Committee and a documented process for national-level Athletes to apply for the grant of a TUE in accordance with the requirements of the International Standard for Therapeutic Use Exemptions;
- (b) to report promptly to World Athletics and WADA any TUEs that are granted to national-level Athletes (and to ensure the timely entry of TUE decisions on ADAMS).

### 15.5 Specific Obligations for Category 'A' Member Federations

#### 15.5.1 Testing

- (a) A Category 'A' Member Federation shall be held to be in breach of these Anti-Doping Rules if there is not an effective, intelligent and proportionate annual Testing plan maintained and implemented in Athletics within its jurisdiction that complies with the International Standard for Testing and Investigations and the requirements of Rule 15.5.1(b) ("**Testing Plan**").

- (b) The Testing Plan must:
- (i) have the objective of ensuring that all Athletes who compete as part of a National Team in any World Athletics World Championships or Olympic Games, and who are not already on the International Registered Testing Pool, have been adequately tested in accordance with the requirements of this Rule;
  - (ii) be in place, properly documented (including the names of all the Athletes concerned and applicable test distribution details) and notified to the Integrity Unit by no later than 1 January each year and thereafter kept up-to-date;
  - (iii) include in-competition testing, no notice out-of-competition testing and pre-competition blood testing for screening purposes (Athlete Biological Passport) and analyses as prescribed under WADA's Technical Document on Sport-Specific Analyses (TDSSA);
  - (iv) provide for all Samples to be collected by the Relevant Anti-Doping Organisation or other Sample collection authority in compliance with the International Standard for Testing and Investigations;
  - (v) provide for all samples to be analysed by WADA-accredited (or WADA-approved) laboratories for full menu analysis (or, in the case of ABP samples, for full ABP analysis) and the results must be reported continuously to the Integrity Unit and WADA in accordance with the requirements of the International Standard for Laboratories. Relevant doping control forms must be recorded on ADAMS and copies made available to the Integrity Unit upon request;
  - (vi) provide for co-operation and co-ordination between any Relevant National Anti-Doping Organisation and the Integrity Unit in accordance with the International Standard for Testing and Investigations to further the objective set out in Rule 15.5.1(b)(i);
  - (vii) provide for reporting against the performance of the Testing Plan on the request of the Integrity Unit, in a form and manner as required by the Integrity Unit.
- (c) Unless otherwise approved in its absolute discretion by the Integrity Unit in truly exceptional circumstances, no Athlete may participate as part of a National Team of a Category 'A' Member Federation in World Athletics World Championships or Olympic Games unless, in the 10 months prior to the competition, they have undergone at least three no notice out-of-competition tests (urine and blood) including (if they compete in any of a middle distance event from 800m upwards, a long distance event, a combined event or a race walk event) at least one Athlete Biological Passport test and one EPO test. All such tests are to be conducted under the authority of an Anti-Doping

Organisation no less than 3 weeks apart and the results recorded by the relevant entity in ADAMS. Category 'A' Member Federations shall ensure that all their Athletes are aware of this eligibility requirement.

*[Comment to Rule 15.5.1 (c): an exemption based on truly exceptional circumstances will only apply where the requirements of this Rule could not be satisfied for an extraordinary objective reason, such as where Testing was objectively prevented by an event of force majeure (e.g. war or natural disaster), or the Athlete returned to competition early as a result of a wholly unforeseeable event (e.g. a suspension of part of the period of Ineligibility following the provision of Substantial Assistance or a reduction of the period of Ineligibility in application of lex mitior). In particular, the fact that an Athlete has unexpectedly qualified for a World Championships or Olympic Games, or was resident abroad during the relevant period prior to the competition, or is not aware of this eligibility requirement, shall not under any circumstances be considered as truly exceptional. The application for an exemption based on truly exceptional circumstances shall be addressed by the Category 'A' Member Federation to the Integrity Unit, and the relevant Athlete will only be consulted if the Integrity Unit considers it appropriate.]*

- (d) The Integrity Unit has responsibility to ensure that the testing requirements of Rule 15.5.1(b) are fulfilled for Category 'A' Athletes in the International Registered Testing Pool and it is the responsibility of Category 'A' Member Federations (or a Relevant Anti-Doping Organisation on behalf of the Member Federation) to ensure that these requirements are fulfilled for all other Athletes.

#### 15.5.2 Whereabouts

- (a) Without limiting any other Rule, and in particular the personal obligations of Athletes under Rule 5.5, Category 'A' Member Federations must take all necessary steps to ensure that Athletes in the International Registered Testing Pool maintain detailed, complete, accurate and up-to-date whereabouts information as required by these Anti-Doping Rules.
- (b) In determining whether a Category 'A' Member Federation has complied with Rule 15.5.2, it is deemed to be the responsibility of Category 'A' Member Federations to ensure and monitor that its Athletes in the International Registered Testing Pool are properly educated about, aware of and compliant with the whereabouts requirements set out in the World Athletics Anti-Doping Rules.

#### 15.5.3 Anti-Doping Education

- (a) A Category 'A' Member Federation shall ensure that every Athlete in a National Team for a World Athletics Series competition and all Athlete Support Personnel under its jurisdiction participating in such a competition are subject to mandatory anti-doping Education programmes that provide updated and accurate information on at least the following issues: substances and methods on the Prohibited List, Anti-Doping Rule Violations, Consequences of doping, including sanctions, health and social consequences, doping control procedures, Athletes and Athletes Support Personnel's rights and responsibilities, TUEs, managing the risks of nutritional

supplements, harm of doping to the spirit of sport and whereabouts requirements.

- (b) Category 'A' Member Federations shall be required to co-operate with the Integrity Unit with regards to the development and implementation of anti-doping Education programmes.

#### 15.5.4 Anti-Doping Governance Committee

- (a) Each Category 'A' Member Federation shall establish a suitably qualified and experienced Anti-Doping Monitoring Committee to oversee and ensure the organisation's compliance with the requirements of this Rule 15. The composition of the Anti-Doping Monitoring Committee is at the discretion of the Member Federation and may include both internal and independent members.
- (b) Each Category 'A' Member Federation shall, upon request, provide the Integrity Unit with details of the names, backgrounds and responsibilities of each person sitting on the Anti-Doping Monitoring Committee, the terms of reference of such committee and keep such information up-to-date.
- (c) Each Category 'A' Member Federation shall appoint a dedicated employee to act as the point of contact between the Integrity Unit and the Member Federation's Anti-Doping Monitoring Committee and it shall notify the name and contact details of the appointed person to the Integrity Unit.

#### 15.5.5 Other Specific Obligations

In addition to the specific obligations set out in Rule 15.5 above, the Council, upon recommendation of the Integrity Unit Board, may impose such other obligations on a Category 'A' Member Federation as it deems fit and for such period as it deems to be reasonable and appropriate having regard to the specific circumstances of the Member Federation or Relevant Anti-Doping Organisation's anti-doping programme and/or the anti-doping situation in the Member Federation's country.

### 15.6 Specific Obligations for Category 'B' Member Federations

#### 15.6.1 Testing

- (a) Category 'B' Member Federations shall ensure that, in relation to their Athletes who participate as part of the National Team in any World Championships or Olympic Games, there is an effective, intelligent and proportionate Testing plan maintained and implemented at national level that complies with the International Standard for Testing and Investigations and the requirements of Rule 15.6.1(b) ("**Testing Plan**").
- (b) The Testing Plan must:

- (i) have the objective of ensuring that athletes who compete as part of the Member Federation's National Team in any World Championships or Olympic Games, and who are not already on the International Registered Testing Pool, have been adequately tested prior to the relevant competition in accordance with the requirements of this Rule;
  - (ii) be in place, properly documented (including the names of all the Athletes concerned and applicable test distribution details) and notified to the Integrity Unit by no later 31 January of each year (unless otherwise agreed by the Integrity Unit), and thereafter kept up-to-date;
  - (iii) include in-competition Testing, no notice out-of-competition Testing and pre-competition blood Testing for detection and profiling analyses as prescribed under WADA's Technical Document on Sport-Specific Analyses (TDSSA);
  - (iv) provide for all Samples to be collected by the Relevant Anti-Doping Organisation or other Sample collection authority in compliance with the International Standard for Testing and Investigations;
  - (v) provide for all samples to be analysed by WADA-accredited (or WADA-approved) laboratories for full menu analysis (or, in the case of ABP samples, for full ABP analysis);
  - (vi) provide for the results of tests to be recorded by the Relevant Anti-Doping Organisation in a timely manner on ADAMS or otherwise to be notified in a form agreed by the Integrity Unit;
  - (vii) provide for co-operation and co-ordination between any Relevant Anti-Doping Organisation and the Integrity Unit in accordance with the International Standard for Testing and Investigations to further the objective set out in Rule 15.6.1(b)(i);
  - (viii) provide for reporting against the performance of the Testing Plan on the request of the Integrity Unit.
- (c) For the purposes of Rule 15.6.1 (a), each Member Federation shall ensure as a minimum that it:
- (i) communicates with the Relevant Anti-Doping Organisation about the Member Federation's obligations under this Rule 15.6.1;
  - (ii) requests and advocates for the support of the Relevant Anti-Doping Organisation to maintain and implement the Testing Plan;
  - (iii) if required, requests and advocates for funding to maintain and implement the Testing Plan;

- (iv) engages with any Relevant Anti-Doping Organisation and the Integrity Unit from the earliest practicable time to provide information about the pool of athletes from which the National Team for any World Championships or Olympic Games may be selected in order to develop an appropriate Testing Plan;
- (v) keeps up to date the information referred to in Rule 15.6.1(c)(iii) throughout the duration of the Testing Plan;
- (vi) facilitates, requests and advocates for co-operation and co-ordination between any Relevant Anti-Doping Organisation and the Integrity Unit.

#### 15.6.2 Anti-Doping Oversight Function

- (a) Each Category 'B' Member Federation shall have sufficient resources within its governance and/or management structure to oversee and ensure the organisation's compliance with the requirements of this Rule 15. Each Category 'B' Member Federation shall appoint one person as the primary contact for the Integrity Unit who shall have the requisite authority to represent the Member Federation.
- (b) Each Category 'B' Member Federation shall, upon request, provide the Integrity Unit with details of the names, backgrounds and responsibilities of each person appointed to oversee and ensure the organisation's compliance with the requirements of this Rule 15 and shall keep such information up-to-date.

#### 15.6.3 Anti-Doping Education

- (a) A Category 'B' Member Federation shall use its best endeavours to ensure that every Athlete in a National Team for a World Athletics Series competition and all Athlete Support Personnel under its jurisdiction participating in such a competition are subject to mandatory anti-doping Education programmes that provide updated and accurate information on at least the following issues: substances and methods on the Prohibited List, Anti-Doping Rule Violations, Consequences of doping, including sanctions, health and social consequences, doping control procedures, Athletes and Athletes Support Personnel's rights and responsibilities, TUEs, managing the risks of nutritional supplements, harm of doping to the spirit of sport and whereabouts requirements.
- (b) Category 'B' Member Federations shall co-operate with the Integrity Unit with regards to the development and implementation of anti-doping Education programmes.

#### 15.6.4 Other Specific Obligations



In addition to the specific obligations set out in Rule 15.6 above, the Council, upon recommendation of the Integrity Unit Board, may impose such other obligations on a Category 'B' Member Federation as it deems fit and for such period as it deems to be reasonable and appropriate having regard to the specific circumstances of the Member Federation's anti-doping programme and/or the anti-doping situation in the Member Federation's jurisdiction.

## 15.7 Specific Obligations for Category 'C' Member Federations

### 15.7.1 Testing

- (a) Category 'C' Member Federations shall take all reasonable steps to ensure that Athletes who compete as part of their National Team in any World Championships or Olympic Games are subject to Testing prior to the Competition and that the samples are collected by the Relevant Anti-Doping Organisation or other Sample collection authority in compliance with the International Standard for Testing and Investigations;
- (b) Each Category 'C' Member Federation shall report on an annual basis in a form and manner as determined by the Integrity Unit, all Testing conducted at national level. The annual report shall include relevant details as determined by the Integrity Unit from time to time.

### 15.7.2 Anti-Doping Education

- (a) A Category 'C' Member Federation shall use its best endeavours to ensure that every Athlete in a National Team for a World Athletics Series competition and all Athlete Support Personnel under its jurisdiction participating in such a competition are subject to mandatory anti-doping Education programmes that provide updated and accurate information about the substances and methods on the Prohibited List, anti-doping rule violations and the Consequences of doping, including sanctions.
- (b) Category 'C' Member Federations shall co-operate with the Integrity Unit with regards to the development and implementation of anti-doping Education programmes.

## 15.8 Investigations by the Integrity Unit

- 15.8.1 The Integrity Unit shall have the power to conduct investigations into matters that it believes may evidence or lead to the discovery of evidence of an Anti-Doping Rule Violation or a breach of this Rule 15 by a Member Federation. Such investigations may be conducted in conjunction with, and/or information obtained in such investigations may be shared with, other Signatories and/or relevant authorities or other bodies. The Integrity Unit will have discretion, where it deems it appropriate, to stay its own investigation pending the outcome of investigations being conducted by other Signatories and/or relevant authorities or other bodies. The mere existence

of another investigation does not entitle the subject of an investigation to seek a stay of the investigation being carried out by the Integrity Unit.

- 15.8.2 All Member Federations must co-operate and assist fully with any investigation conducted by the Integrity Unit pursuant to Rule 15.8.1 or any other of these Anti-Doping Rules, including without limitation providing accurate and complete information and/or documentation as may be requested by the Integrity Unit (whether as part of a formal Demand or otherwise), and a refusal or failure to co-operate without compelling justification shall be considered a serious breach of their obligations under these Rules.
- 15.8.3 The Integrity Unit may make a written demand (Demand) to a Member Federation to provide the Integrity Unit with any information, record, article, or thing in its possession or control that the Head of the Integrity Unit reasonably believes may be relevant to an investigation under Rule 15.8.1.
- 15.8.4 Without limiting the foregoing, pursuant to Rule 15.8.3, the Integrity Unit may require a Member Federation to:
- (a) procure the attendance and co-operation of any of its office holders, employees, servants or agents before the Integrity Unit for an interview, or to answer any question, or to provide a written statement setting out their knowledge of any relevant facts and circumstances;
  - (b) provide (or procure to the best of its ability the provision by any third party) for inspection, extraction, copying and/or downloading any Electronic Devices and/or Electronic Services in or on which the Head of the Integrity Unit reasonably believes may contain relevant information (such as itemised telephone bills, bank statements, ledgers, notes, files, correspondence, emails, messages, servers, cloud data, cloud services);
  - (c) provide (or procure to the best of its ability the provision by any third party) for inspection, extraction, copying and/or downloading any Electronic Devices and/or Electronic Services in or on which the Head of the Integrity Unit reasonably believes relevant information may be stored;
  - (d) provide full and unlimited access to the Member Federation's premises for the purpose of securing information, records, articles or things the subject of a Demand;
  - (e) provide passwords, login credentials, multi/two-factor authentication and other information required to access electronically stored data that is the subject of a Demand;
  - (f) procure the full co-operation of its office holders, employees, servants, agents, consultants and contractors in responding to the Demand.
- 15.8.5 Subject to Rule 15.8.6, a Member Federation must comply with a Demand in such reasonable period of time as determined by the Integrity Unit and set out in the

Demand. Each Member Federation (and each of its office-holders, employees, servants, agents, consultants or advisers) waives and forfeits any rights, defences and privileges provided by any law in any jurisdiction to withhold any information, record, article, or thing requested in a Demand, or otherwise not to co-operate with an investigation.

15.8.6 Where a Demand relates to any information, record, article or thing that in the opinion of the Head of the Integrity Unit is capable of being damaged, altered, destroyed or hidden (any Electronic Device or Electronic Service shall be deemed to meet this criteria), then for the purposes of evidence preservation, the Integrity Unit may require a Member Federation to comply immediately with the Demand. In such a case:

- (a) the Member Federation must immediately comply with the Demand and permit the Integrity Unit to take immediate possession of, copy, extract and/or download the information, record, article or thing, however, the Integrity Unit may not immediately inspect, analyse or use the same other than as provided in Rule 15.8.6(c) below;
- (b) notwithstanding a Member Federation's obligation to comply immediately with the Demand, the Member Federation has 7 days from receipt of the Demand to file an objection to the Demand by requesting a review by the chairperson of the Disciplinary Tribunal (or their delegate) in accordance with Rule 15.8.7;
- (c) if a Member Federation does not file an objection within 7 days of receipt of the Demand (or files an objection and the chairperson of the Disciplinary Tribunal or their delegate subsequently finds there is a reasonable belief basis to the Demand and dismisses the objection), or notifies the Integrity Unit that it does not object to the Demand, or the Disciplinary Tribunal rules that the Demand is valid, the Integrity Unit may forthwith inspect and analyse the information, record, article or thing and otherwise make use of it in accordance with these Rules;
- (d) if the Disciplinary Tribunal rules the Demand to be invalid, the information, record, article or thing and any copy or download of same shall either be immediately returned or destroyed as the case requires;
- (e) in all cases under this Rule, the requirement of Rule 15.8.6(a) for a Member Federation to immediately comply with a Demand is paramount and a failure to do so shall be deemed to be a serious breach of Rule 15.8.2 incapable of remedy.

15.8.7 A Member Federation may object to a Demand on the basis that it does not comply with the requirements of Rule 15.8.3 or 15.8.4 by application to the chairperson of the Disciplinary Tribunal within 7 days of receiving the Demand. Where such an application is made, subject always to Rule 15.8.6(a), the time for complying with a Demand shall be stayed pending the outcome of the objection. The chairperson of

the Disciplinary Tribunal or their delegate shall hear such an objection with as much expediency as the justice of the case permits and, unless exceptional circumstances apply, such hearing shall be by way of written evidence and submissions. The ruling of the Disciplinary Tribunal as to the validity of the Demand shall not be subject to appeal. If a Demand is set aside, it shall not preclude the making of any other valid Demand in relation to the same investigation.

- 15.8.8 If a Member Federation or Area Association fails to comply with a Demand that has not been ruled invalid under Rule 15.8.7, it shall constitute a serious breach of Rule 15.8.2 and be sanctioned with the highest degree of fault.
  - 15.8.9 Any information, record, article or thing provided to the Integrity Unit under this Rule will be kept confidential except where it is disclosed for the purpose of furthering the investigation or as part of proceedings relating to a possible Anti-Doping Rule Violation or breach of any of the Rules, or when such information, record, article or thing is reported to administrative, professional or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations, or is otherwise required by law.
  - 15.8.10 If a Member Federation obstructs or delays an investigation (e.g., by providing false, misleading or incomplete information or documentation and/or by tampering or destroying any documentation or other information that may be relevant to the investigation), this may itself constitute an independent serious breach of these Anti-Doping Rules.
- 15.9 Monitoring and Referral to Council by the Integrity Unit
- 15.9.1 The Integrity Unit shall have the power to monitor the anti-doping processes, practices and activities (Anti-Doping Programmes) of Member Federations to assist in the proper categorisation of Member Federations under Rule 15.3 and to ensure the compliance of Member Federations with their obligations under this Rule 15 (and the Code and the International Standards). For the avoidance of doubt, compliance with the Code and the International Standards shall include but not be limited to Member Federations:
    - (a) conducting Testing only under the documented authority of World Athletics/the Integrity Unit or their Relevant Anti-Doping Organisation and using their National Anti-Doping Organisation or other Sample collection authority to collect Samples in compliance with the International Standard for Testing and Investigations;
    - (b) recognising the authority of the National Anti-Doping Organisation in their country in accordance with Article 5.2.1 of the Code and assisting as appropriate with the National Anti-Doping Organisation's implementation of the national Testing programme for their sport;
    - (c) analysing all Samples collected using a WADA-accredited or WADA-approved laboratory in accordance with Rule 6.1; and

- (d) ensuring that any anti-doping rule violation cases they discover or are required to process under these Anti-Doping Rules are adjudicated by an Operationally Independent hearing panel in accordance with Rule 8 and the International Standard for Results Management.
- 15.9.2 In furtherance of its power under Rule 15.8.3, the Integrity Unit may require a Member Federation to produce any record, supply any information, compile any report or data and answer any questions as the Integrity Unit considers to be necessary from time to time and to do so within a reasonable time. The Integrity Unit may prioritise its compliance monitoring in particular areas and/or in particular countries.
- 15.9.3 If the Integrity Unit Board considers that a Member Federation is in breach of this Rule 15, it may:
  - (a) give the Member Federation the opportunity to address the non-compliance within a specified timeframe and so achieve compliance; or
  - (b) issue the Member Federation with a notice of charge in relation to an alleged breach of these Anti-Doping Rules and give the Member Federation a reasonable period of time in which to respond to the notice. After consideration of any response, the Integrity Unit Board may refer the matter to Council to be dealt with in accordance with Rule 16, together with such recommendation(s) as the Integrity Unit Board sees fit.
- 15.9.4 If a Member Federation fails to address its non-compliance when given the opportunity to do so in accordance with Rule 15.9.3(a), the Integrity Unit Board may refer the matter to the Council in accordance with Rule 16.
- 15.9.5 In the interests of transparency and accountability, the Integrity Unit may publish as much detail as it considers appropriate about its general compliance monitoring programme.

## **16. Sanctions Against Member Federations**

- 16.1 Where any of the following circumstances apply, the Council shall have authority to impose one or more of the sanctions referred to in Rule 16.2 on any Member Federation and to do so subject to any conditions it sees fit:
  - 16.1.1 the Integrity Unit Board refers a Member Federation's breach of its obligations to the Council under Rule 15.9.3;
  - 16.1.2 three or more Anti-Doping Rule Violations have been committed by International-Level Athletes, Athlete Support Personnel or other Persons from a Member Federation within a period of 1 year starting from the date of the first Anti-Doping Rule Violation and, having regard to the number and seriousness of the violations, the number of Athletes competing internationally from the Member Federation and the relevant time frame

concerned, the Council is of the opinion, in its entire discretion, that the Member Federation has thereby brought World Athletics into disrepute.

16.2 In accordance with Rule 16.1, the Council may impose the following sanctions:

16.2.1 provisionally suspend the Member Federation:

- (a) for a fixed period provided that the period is no longer than the period to the next Ordinary Congress meeting; or
- (b) an indefinite period dependent on the satisfaction of terms and conditions imposed by Council, provided that the period is no longer than the period to the next Ordinary Congress meeting;

16.2.2 set specific terms or conditions to be met or steps to be undertaken to the satisfaction of Council

16.2.3 caution or censure the Member Federation;

16.2.4 impose a fine against the Member Federation;

16.2.5 withhold grants or subsidies from the Member Federation;

16.2.6 exclude the Member Federation's Athletes, Athlete Support Personnel and/or Officials and Member Federation Officials from any International Competition or any World Athletics position or body;

16.2.7 remove or deny accreditation of, or other benefits to, Athletes, Athlete Support Personnel and/or Officials (who are Citizens of the Member Federation Country) and Member Federation Officials, for any International Competitions and other World Athletics events and activities;

16.2.8 limit the number of the Member Federation's Athletes, Athlete Support Personnel and other Persons permitted to compete in any one or more International Competition;

16.2.9 require the Member Federation to reimburse World Athletics/the Integrity Unit for all costs incurred in pursuing the matter;

16.2.10 impose any other sanction it may deem to be appropriate.

16.3 In determining the appropriate sanctions in accordance with Rule 16.2 above, the Council shall have regard to the nature and seriousness of the Member Federation's non-compliance taking into account both the degree of fault of the Member Federation and the potential impact of its non-compliance on clean sport in Athletics. In terms of degree of fault, the obligation of a Member Federation to comply under these Rules is absolute, and so any alleged lack of intent or other fault is not relevant in establishing breach, but the level of fault or negligence on the part of the Member Federation may be taken into consideration in determining the sanction imposed. In particular, if a Member Federation's obligations have been delegated or assigned

to a Relevant Anti-Doping Organisation, it shall be a relevant consideration whether the Member Federation has actively and continuously monitored the Relevant Anti-Doping Organisation's activities and where necessary, taken reasonable steps to ensure compliance with these Anti-Doping Rules. Above all else, the sanction imposed should be sufficient to maintain the confidence of all Athletes, and the public at large, in the commitment of World Athletics and the Integrity Unit to do what is necessary to defend the integrity of the sport of Athletics against the scourge of doping.

- 16.4 When the Council sends notice to the Member Federation that it intends to apply this Rule 16, if the Member Federation disputes its liability under Rule 15 and/or challenges the sanctions determined by Council under this Rule within any deadline specified in that notice, World Athletics will submit the matter to arbitration before the CAS in accordance with Article 84.1(b) of the World Athletics Constitution, and CAS will resolve the dispute definitively in accordance with these Anti-Doping Rules and the CAS Code of Sports-related Arbitration. If the Member Federation does not dispute its liability under Rule 15 and/or does not challenge the sanctions determined by Council within the specified deadline specified, the alleged breach(s) will be deemed to be admitted and the sanctions deemed to be accepted, and the notice will become a final decision enforceable with immediate effect. The outcome will be publicly reported by World Athletics.
- 16.5 All fines and reimbursement of costs under Rule 16.2.8 shall be paid within a time to be determined by the Council, failing which the Member Federation's Athletes, Athlete Support Personnel and other Persons may be excluded from International Competition until the fine is settled in full.
- 16.6 This Rule does not limit or prejudice in any way any right arising under the World Athletics Constitution or other World Athletics Rules to sanction a Member Federation for breach of the obligations that it owes to World Athletics.

## **17. Implementation of Decisions**

### **17.1 Automatic binding effect of decisions by Signatories**

17.1.1 A decision of an anti-doping rule violation made by a Signatory, an appellate body (Rule 13.2.2 of these Rules) or CAS will, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon World Athletics, the Integrity Unit, and Member Federations, as well as every Signatory in every sport with the effects described below:

- (a) 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 Rule 7.4.5) automatically prohibits the Athlete or other Person from participation (as described in Rule 10.14.1) in all sports within the authority of any Signatory during the Provisional Suspension.

- (b) 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 Rule 10.14.1) in all sports within the authority of any Signatory for the period of Ineligibility.
  - (c) A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all Signatories.
  - (d) A decision by any of the above-described bodies to Disqualify results under Rule 10.10 for a specified period automatically Disqualifies all results obtained within the authority of any Signatory during the specified period.
- 17.1.2 World Athletics, the Integrity Unit and Member Federations must recognise and implement a decision and its effects as required by Rule 17.1.1, without any further action required, on the earlier of the date the World Athletics/the Integrity Unit receives actual notice of the decision or the date the decision is placed into ADAMS.
- 17.1.3 A decision by an Anti-Doping Organisation, a national appellate body or CAS to suspend (or lift) Consequences will be binding upon World Athletics, the Integrity Unit and Member Federations without any further action required, on the earlier of (i) the date the Integrity Unit receives actual notice of the decision or (ii) the date the decision is placed into ADAMS.
- 17.1.4 Notwithstanding any provision in Rule 17.1.1, a decision of an anti-doping rule violation by a Major Event Organisation made in an expedited process during a Competition will not be binding on World Athletics, the Integrity Unit and Member Federations unless the rules of the Major Event Organisation provide the Athlete or other Person with an opportunity to appeal under a non-expedited procedure.

*[Comment to Rule 17.1.4: By way of example, where the rules of the Major Event Organisation give the Athlete or other Person the option of choosing an expedited CAS appeal or a CAS appeal under normal CAS procedure, the final decision or adjudication by the Major Event Organisation is binding on other Signatories regardless of whether the Athlete or other Person chooses the expedited appeal option.]*

## 17.2 Implementation of other decisions by Anti-Doping Organisations

The Integrity Unit (on behalf of World Athletics) and Members may decide to implement other anti-doping decisions rendered by Anti-Doping Organisations not described in Rule 17.1.1 above, such as a Provisional Suspension prior to a Provisional Hearing or acceptance by the Athlete or other Person.

*[Comment to Rules 17.1 and 17.2: Anti-Doping Organisation decisions under Rule 17.1 are implemented automatically by other Signatories without the requirement of any decision or further action on the Signatories' part. For example, when a National Anti-Doping Organisation decides to Provisionally Suspend an Athlete, that decision is given automatic effect at the International Federation level. To be clear, the 'decision' is the one made by the National Anti-Doping Organisation, there is not a separate decision to be made by the International Federation. Thus, any claim by the Athlete that the Provisional Suspension was improperly imposed can only be asserted against the National Anti-Doping Organisation. Implementation of Anti-Doping Organisations' decisions under Rule 17.2 is subject to each Signatory's discretion. A Signatory's implementation of a decision under Rule 17.1 or Rule 17.2 is not*



*appealable separately from any appeal of the underlying decision. The extent of recognition of TUE decisions of other Anti-Doping Organisations shall be determined by Rule 4.4 and the International Standard for Therapeutic Use Exemptions.]*

### **17.3 Implementation of decisions by body that is not a Signatory**

An anti-doping decision by a body that is not a Signatory to the World Anti-Doping Code must be implemented by World Athletics, the Integrity Unit and Members, if the Integrity Unit 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.

*[Comment to Rule 17.3: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, World Athletics, the Integrity Unit and Member Federations should attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code, a non-Signatory has found an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in the Athlete's body but the period of Ineligibility applied is shorter than the period provided for in the Code, then World Athletics, the Integrity Unit and Member Federations should recognise the finding of an anti-doping rule violation and the Athlete's National Anti-Doping Organisation should conduct a hearing consistent with Rule 8 to determine whether the longer period of Ineligibility provided in the Code should be imposed. World Athletics' or other Signatory's implementation of a decision, or their decision not to implement a decision under Rule 17.3, is appealable under Rule 13.]*

## **18. Statute of Limitations**

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

## **19. Compliance Reports**

The Integrity Unit will report to WADA on World Athletics' compliance with the Code in accordance with Article 24 of the Code and the International Standard for Code Compliance by Signatories.

## **20. Education**

The Integrity Unit on behalf of World Athletics will plan, implement, evaluate, and promote Education in line with the requirements of Article 18.2 of the Code and the International Standard for Education.

## **21. Interpretation of the World Anti-Doping Code**

21.1 The official text of the Code will be maintained by WADA and published in English and French. In the event of any conflict between the English and French versions, the English version will prevail.

21.2 The comments annotating various provisions of the Code will be used to interpret the Code.

21.3 The Code must be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the Signatories or governments.

- 21.4 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.
- 21.5 Where the term 'days' is used in the Code, an International Standard or these Anti-Doping Rules, it means calendar days unless otherwise specified.
- 21.6 The Code will 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 Rule 10 for subsequent post-Code violations.
- 21.7 The Purpose, Scope and Organisation of the World Anti-Doping Program and the Code and Appendix 1, Definitions, are integral parts of the Code.