



WORLD
ANTI-DOPING
AGENCY

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WORLD ANTI-DOPING

CODE

2021

World Anti-Doping Code

The World Anti-Doping Code was adopted in 2003 and is currently in effect. It was subsequently amended four times, the most recent amendment (January 2021) of the current version (January 2020) was made effective 1 April 2021. It is a key document in the fight against doping in sport. It is the basis for the development of national anti-doping rules and for the implementation of the Code by national anti-doping organizations. It is also the basis for the development of the Code by the International Olympic Committee (IOC) and the International Association of Athletics Federations (IAAF).

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APPENDIX 1 DEFINITIONS

PURPOSE, SCOPE AND ORGANIZATION OF THE WORLD ANTI-DOPING PROGRAM AND THE CODE

The purposes of the World Anti-Doping Code and the World Anti-Doping Program which supports it are:

- To protect the Athletes' fundamental right to participate in doping-free sport and thus promote health, fairness and equality for Athletes worldwide, and
- To ensure harmonized, coordinated and effective anti-doping programs at the international and national level with regard to the prevention of doping, including:

Education – to raise awareness, inform, communicate, to instill values, develop life skills and decision-making capability to prevent intentional and unintentional anti-doping rule violations.

Deterrence – to divert potential dopers, through ensuring that robust rules and sanctions are in place and salient for all stakeholders.

Detection – an effective testing and investigations system not only enhances a deterrent effect, but also is effective in protecting clean Athletes and the spirit of sport by catching those committing anti-doping rule violations, while also trying to disrupt anyone engaged in doping behavior.

Enforcement – to adjudicate and sanction those found to have committed an anti-doping rule violation.

Rule of law – to ensure that all relevant stakeholders have agreed to submit to the Code and the International Standards, and that all measures taken in application of their anti-doping programs respect the Code, the International Standards, and the principles of proportionality and human rights.

The Code

The Code is the fundamental and universal document upon which the World Anti-Doping Program or sport is based. The purpose of the Code is to advance the anti-doping effort through universal harmonization of core anti-doping elements. It is intended to be specific enough to achieve complete harmonization on issues

where uniformity is required, yet gives enough leeway in other areas to permit flexibility on how agreed-upon anti-doping principles are implemented. The Code has been drafted giving consideration to the principles of proportionality and human rights.

The World Anti-Doping Program

The World Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in international and national anti-doping programs. The main elements are:

Level 1: The Code

Level 2: International Standards and Technical Documents

Level 3: Models of Best Practice and Guidelines

International Standards

International Standards for different technical and operational areas within the anti-doping program have been and will be developed in consultation with the Signatories and governments and approved by WADA. The purpose of the International Standards is harmonization among Anti-Doping Organizations responsible for specific technical and operational parts of anti-doping programs. Adherence to the International Standards is mandatory for compliance with the Code. The International Standards may be revised from time to time by the WADA Executive Committee after in-depth consultation with Signatories, governments and other relevant stakeholders.

1 Comment: The Sports Council and the International Commission against Doping in June 2007 adopted in Paris on 14 October 2007 the WADA Commission's Anti-Doping Code, promotion of and the right against

being in debt as a critical part of the mission of the International Olympic Committee and UNESCO, and also recognize the fundamental role of the Code.

International Standards and all revisions will be published on the WADA website and shall become effective on the date specified in the International Standard or revision.⁴

Technical Documents

Technical Documents relating to mandatory technical requirements for the implementation of an International Standard may be approved and published from time to time by the WADA Executive Committee. Adherence to Technical Documents is mandatory for compliance with the Code. Where the implementation of a new or revised Technical Document is not time sensitive, the WADA Executive Committee shall allow for reasonable consultation with Signatories, governments and other relevant stakeholders. Technical Documents shall become effective immediately upon publication on the WADA website unless a later date is specified.⁵

2.Comment: The International Standard acknowledges the technical detail necessary for implementing the Code. International Standards will be consulted with Signatories, governments and other relevant stakeholders, as required by events

and as form a separate provision. It is important that the WADA Executive Committee be able to make timely changes to the International Standards without requiring the amendment of the Code.)

3.Comment: For example, where an existing analytical procedure is revised (after meeting a Series or an Abuse Abolition Policy

that procedure would be included in a Technical Document issued immediately by the WADA Executive Committee.)

Models of Best Practice and Guidelines

Models of best practice and guidelines based on the Code and International Standards have been and will be developed to provide solutions in different areas of anti-doping. The models and guidelines will be recommended by WADA and made available to Signatories and other relevant stakeholders, but will not be mandatory. In addition to providing models of anti-doping documentation, WADA will also make some training assistance available to Signatories.⁴

4. Comment: These model documents may provide structures from which signatories may select. Some signatories may choose to adopt the model rules and other models of anti-doping policies. Others may decide to adapt the models with developments. With other stakeholders may choose to develop their own rules consistent

with the general principles and broadly corresponding to the Code.

Model documents or guidelines for specific parts of anti-doping work have been developed and may continue to be developed based on generally accepted, identifiable needs and considerations.

⁴ www.wada-ama.org/en/about-wada

FUNDAMENTAL RATIONALE FOR THE WORLD ANTI-DOPING CODE

Anti-doping programs are founded on the intrinsic value of sport. This intrinsic value is often referred to as "the spirit of sport", the ethical pursuit of human excellence through the dedicated perfection of each Athlete's natural talents.

Anti-doping programs seek to protect the health of Athletes and to provide the opportunity for Athletes to pursue human excellence without the use of Prohibited Substances and Prohibited Methods.

Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world.

The spirit of sport is the celebration of the human spirit, body and mind. It is the essence of Olympism and is reflected in the values we find in and through sport, including:

- Health
- Ethics: fair play and honesty
- Athletes' rights as set forth in the Code
- Excellence in performance
- Character and Education
- Fun and Joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other Participants
- Courage
- Community and solidarity

The spirit of sport is expressed in how we play true:

Doping is fundamentally contrary to the spirit of sport.



PART ONE

DOPING CONTROL

INTRODUCTION

Part One of the Code sets forth specific anti-doping rules and principles that are to be followed by organizations responsible for adopting, implementing or enforcing anti-doping rules within their authority, e.g., the International Olympic Committee, International Paralympic Committee, International Federations, National Olympic Committees and Paralympic Committees, Major Event Organizations, and National Anti-Doping Organizations. All such organizations are collectively referred to as **Anti-Doping Organizations**.

All provisions of the Code are mandatory in substance and must be followed as applicable by each Anti-Doping Organization and *State or other Person*. The Code does not, however, replace or eliminate the need for comprehensive anti-doping rules to be adopted by each Anti-Doping Organization. While some provisions of the Code must be incorporated without substantive change by each Anti-Doping Organization in its own anti-doping rules, other provisions of the Code establish mandatory guiding principles that allow flexibility in the formulation of rules by each Anti-Doping Organization or establish requirements that must be followed by each Anti-Doping Organization but need not be repeated in its own anti-doping rules.²

4. Comments: These Articles of the Code which must be incorporated into each Anti-Doping Organization's rules without substantive change are set forth in Article 12.2.1. For example, it is critical for the purpose of harmonization that all Organizations have their policies on the scope, list of prohibited substances, the term duration of ban and impose the same Disqualification for persons violating anti-doping. These rules must be the same whether a doping control takes place before an International Federation, or the National level or before the Court of Arbitration for Sport.

Other provisions are listed in Article 12.2.2 are also mandatory in substance even though an Anti-Doping Organization is not required to incorporate them verbatim. These provisions generally fall into two categories. First, some provisions direct Anti-Doping Organizations to take certain actions but that it is up to it to decide the precise of the Anti-Doping Organization's own anti-doping rules. For example, each Anti-Doping Organization must plan and conduct testing as required by Article 5. Yet these decisions in the Anti-Doping Organization need not be repeated in the Anti-Doping Organization's own rules. Second, some provisions are mandatory in substance but not

human rights. When reviewing the facts and the law of a given case, all courts, arbitral hearing panels and other adjudicating bodies should be aware of and respect the distinct nature of (the anti-)doping rules in the Code and the fact that those rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

As provided in the Code, each Anti-Doping Organisation shall be responsible for conducting all aspects of Doping Control. Any aspect of Doping Control or anti-doping Education may be delegated by an Anti-Doping Organisation to a Delegated Third Party; however, the delegating Anti-Doping Organisation shall require the Delegated Third Party to perform such aspects in compliance with the Code and International Standards, and the Anti-Doping Organisation shall remain fully responsible for ensuring that any delegated aspects are performed in compliance with the Code.

ARTICLE 1 DEFINITION OF DOPING

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

ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

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

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

The following constitute anti-doping rule violations:

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

- 2.1.1 It is the Athlete's personal duty to ensure that no Prohibited Substance enters their bodies. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, Negligence or Knowledge be demonstrated in order to establish an anti-doping rule violation under Article 2.1.⁷

⁷ Deleted by ADAC 2.1.1. An anti-doping rule violation is committed under this Article without regard to an Athlete's Fault. This has not been referred to in either CAS decisions or "Strict Liability". An Athlete's Fault is

used only in connection with determining the Consequences of the anti-doping rule violation under Article 10. The Athlete's Fault is consistently being upheld by CAS.

- 2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analysed; or, where the *Athlete's B Sample* is analysed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or, where the *Athlete's A or B Sample* is split into two parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.*
- 2.1.3 Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.
- 2.1.4 As an exception to the general rule of Article 2.1, the *Prohibited List*, *International Standards*, or *Technical Documents* may establish special criteria for reporting on the detection of certain *Prohibited Substances*.

* Commented in Article 2.1.2, the Anti-Doping Organization shall require Management Information (MAI) that, if it

indicates, should it not (its *B Sample* analysed even if the athlete does not request the analysis of the *B Sample*).

2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method¹

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

2.2.2 The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an anti-doping rule violation to be committed.²

1 Comment to Article 2.2.1 This Article sets the rule that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any means known. It must be the Athlete's duty, Article 2.1, unlike the proof required to establish an anti-doping rule violation under Article 2.1 (Use or Attempted Use) may also be established by other means known such as admission by the Athlete, witness statements, documentary evidence, conclusions drawn from legitimate profiling, including data collected as part of the Athlete Biological Passport,

or other analytical information which does not otherwise satisfy all the requirements to establish "Presence" of a Prohibited Substance under Article 2.1.

For example, the use of sophisticated blood urine ratios (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 Organization provides a sufficiently explanation for the lack of confirmation in the other Sample.]

2 Comment to Article 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 the particular anti-doping rule violation does not undermine the strict liability principle established for existence of Article 2.1 and existence of Article 2.2 in respect of the use of a Prohibited Substance or Prohibited Method.

An Athlete's Use of a Prohibited Substance constitutes an anti-doping rule violation unless such Substance is not prohibited In-Competition and the Athlete's Use takes place Out-Of-Competition. However, the presence of a Prohibited Substance at the Foundation or Market in a Sample collected In-Competition is a violation of Article 2.1 (regardless of when that Substance might have been administered).]

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

Evasion Sample collection; or refusing or failing to submit to Sample collection without compelling justification after notification by a duly authorized Person.¹¹

2.4 Whereabouts Failures by an Athlete

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

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

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

2.6.1 Possession by an Athlete in-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition unless the Athlete establishes that the Possession is consistent with a Therapeutic Use Exemption (TUE) granted in accordance with Article 4.4 or other acceptable justification.¹²

¹¹ Comment to Article 2.3: For example, it could be an indication of "Evasion Sample collection" if it were established that an Athlete was intentionally leading a Doping Control official to some substitution or testing of another of

"Evasion Sample collection" may be used as other evidence of negligent conduct of the Athlete, with "leading" or "mislead" Sample collection, "intentional" otherwise limited to the Athlete.

¹² Comment to Article 2.6.1 and 2.6.2: Acceptable justification would include, for example, injury or Fracturing, a Fractured clavicle, the purpose of going to a trial

or relative, acute water pollution, medical investigations while the Person had a physician's prescription, e.g., biopsy medication, etc. (AD2)

2.6.3 Possession by an Athlete Support Person in-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition in connection with an Athlete's Competition or Training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification.¹³

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

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

2.9 Complicity or Attempted Complicity by an Athlete or Other Person

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or attempted complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.14.1 by another Person.¹⁴

¹³ Consistent with Article 2.2.1 and 2.2.2, Acquisition, Trafficking and Possession, for example, by an Athlete or a Team Doctor carrying Prohibited Substances or Prohibited Methods for dealing with acute and emergency situations (e.g., an athlete's asthma).

Consistent with, for example, anti-doping or (a) any Athlete Possessing a Prohibited Substance or Prohibited Method for emergency medical care (e.g., an athlete for anti-doping or (a) TUE).

¹⁴ Consistent with Article 2.9, Conspiracy or Attempted Conspiracy rule violation.

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

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

2.10.1.2 if not subject to the authority of an *Anti-Doping Organization*, and where Ineligibility has not been addressed in a *Results Management* process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding or have engaged in conduct which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed or

2.10.1.3 is serving as a trust or intermediary for an individual described in Article 2.10.1.1 or 2.10.1.2.

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

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

Anti-Doping Organizations that are aware of Athlete Support Personnel who meet the criteria described in Article 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to WADA.¹⁸

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

Where such conduct does not otherwise constitute a violation of Article 2.3:

2.11.1 Any act which threatens or seeks to intimidate another Person with the intent of discouraging the Person from the good-faith reporting of information that relates to an alleged anti-doping rule violation or alleged non-compliance with the Code to WADA, an Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for WADA or an Anti-Doping Organization.

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

18 Covered in Article 1.12. Athletes and other Persons must not come into contact, directly or indirectly, with other Athlete Support Personnel who act together or assist in or facilitate rule violation or who have been criminally convicted or professionally disciplined in relation to doping. This also prohibits association with any other Person who is acting as a coach or Athlete Support Person while serving a period of suspension. More examples of the types of association which are prohibited include: allowing training, lodging, nutrition, medical or medical advice, allowing travel,

recovery or transportation, providing any facility, provision for analysis, or allowing the Athlete Support Person to serve as a driver or representative. Prohibited association need not involve any form of compensation.

While Article 2.12 does not require the Anti-Doping Organization to apply the Article to other Persons about the Athlete Support Person's disciplinary action, such action, if provided, would be positive evidence in evidence that the Athlete or other Person knew about the disciplinary action of the Athlete Support Person.)

Body, hearing Body, or Person consulting an investigation for WADA is an Anti-Doping Organization.¹⁶

For purposes of Article 2.11, retaliation threatening anti-retaliation includes an act taken against such Person either because that act lacks a good faith basis or is a disproportionate response.¹⁷

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

The Anti-Doping Organization shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the Anti-Doping Organization has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegation which is made. This standard of proof is at least as great as a mere balance of probability but less than proof beyond a reasonable doubt.¹⁸ Where the Code places the burden of proof upon the Athlete or other Person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified

16 Consistent with Article 2.11.2, this Article is intended to protect Persons who make good faith reports and does not preclude a Person from making false reports.

17 A Person's Actions and Retaliation made false reports.

18 Consistent with Article 2.11.2, Retaliation would include, for example, actions that threaten the physical or mental well-being or economic interests of the hearing Person, deny funding or resources, retaliation must not include an Anti-Doping Organization's actions to enforce the Code.

Organization asserting in good faith an anti-doping rule violation against the hearing Person. For purposes of Article 2.11, a report is not made in good faith unless the Person making the report knows the report to be false.

19 Consistent with Article 2.11, the standard of proof required in the Code by the Anti-Doping Organization is

applicable to the standard which is applied in most countries in which doping is prohibited.

facts or circumstances, except as provided in Articles 3.2.2 and 3.2.3, the standard of proof shall be by a balance of probability.

3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions.¹⁹ The following rules of proof shall be applicable in doping cases:

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

¹⁹ Comment to Article 3.2: For example, in the 2004 Olympic Games, the Russian anti-doping rule violation under Article 3.2 based on the Athlete's admission, the Russian Ministry of Sport Affairs, which subsequently received notice

analytical methods which are of a scientific nature, as provided in the Comments to Article 3.2, is mentioned in the text. The profile of a sample of the Athlete's blood or urine specimen, such as that from the Russian Olympic Participant

(i) such proceeding. In cases before CAS, at WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.²⁰

3.2.2 WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*, then the Anti-Doping Organization shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.²¹

20. Comment to [Article 3.2.1](#): For certain Provisional Findings, WADA may instruct WADA-accredited laboratories not to report Samples as an *Adverse Analytical Finding* if the analytical concentration of the Provisional Finding is in the Reporting or Notation or Below a Minimum Reporting Level. WADA declines to determine that Notation Reporting Level or in determining which Provisional Findings should be subject to Minimum Reporting Levels.

21. This is an attempt to challenge further the laboratory's assumed competence at such Provisional Findings. A Person may only do so in order to be sure that the possibility that the analytical concentration of the Provisional Finding in the Sample may be below the Minimum Reporting Level constitutes a defense to or withstanding the violation found at the process of that Provisional Finding in the Person.

22. Comment to [Article 3.2.2](#): The burden is on the Athlete or other Person to establish, by a balance of probability, a departure from the International Standard for Laboratories which could reasonably have caused

the *Adverse Analytical Finding*. Thus, only the Athlete or other Person establish the departure by a balance of probability, not Athlete or other Person's burden to establish a *substantial reason* standard of proof.

- 12.3) Departures from any other International Standard or other Anti-Doping rule or policy set forth in the Code or in an Anti-Doping Organization's rules shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defense to an anti-doping rule violation⁴⁴ provided, however, if the Athlete or other Person establishes that a departure from one of the specific International Standard provisions listed below could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or whereabouts failure, then the Anti-Doping Organization shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or whereabouts failure.
- (i) a departure from the International Standard for Testing and Investigations related to Sample collection or Sample Handling which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding. In which case the Anti-Doping Organization shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;
 - (ii) a departure from the International Standard for Results Management or International Standard for

"such departure" does "cause" if the Athlete or other Person establishes that such the departure did in fact cause the Adverse Analytical Finding or

whereabouts violation or the Testing panel (but the departure did not cause the Adverse Analytical Finding).

27 Comments on Article 12.3: Departures from an International Standard or other rule included in the Sample collection or handling, Adverse Analytical Finding or whereabouts failure or B Sample testing (e.g., the International Standard for Testing and Investigations, International Standard for the Protection of Privacy and Personal Information or International Standard

for Therapeutic Use Exemptions) – the issue of compliance proceedings is raised but are not a defense to an anti-doping rule violation proceeding and are not relevant as the issue of whether the Athlete committed an anti-doping rule violation. Similarly, an Anti-Doping Organization's violation of the International Standard for the Protection of Privacy and Personal Information (Article 12.3 shall not constitute a defense to an anti-doping rule violation.)

Testing and investigations related to an Adverse Passport Finding which could reasonably have caused an anti-doping rule violation, in which case the Anti-Doping Organization shall have the burden to establish that such departure did not cause the anti-doping rule violation;

(d) a departure from the International Standard for Results Management related to the requirement to provide notice to the Athlete of the B-Sample opening which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case the Anti-Doping Organization shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;²⁷

(e) a departure from the International Standard for Results Management related to Athlete notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case the Anti-Doping Organization shall have the burden to establish that such departure did not cause the whereabouts failure.

3.2.4. The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be reliable evidence against the Athlete or other Person to whom the decision pertained of those facts unless the Athlete or other Person establishes that the decision violated principles of natural justice.

3.2.5. The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the Athlete or other Person who is asserted to

²⁷ Comment to Article 17.2.30: An anti-doping organization would need to know or establish that such departure did not cause the Adverse Analytical Finding to showing

that, for example, the B-Sample opening and analysis were observed by an independent witness and no discrepancies observed).

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 or defiance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the Anti-Doping Organization asserting the anti-doping rule violation.

ARTICLE 4 THE PROHIBITED LIST

4.1 Publication and Revision of the Prohibited List

WADA shall, as often as necessary and no less often than annually, publish the Prohibited List as an International Standard. The proposed content of the Prohibited List and all revisions shall be provided in writing promptly to all Signatories and governments for comment and consultation. Each annual version of the Prohibited List and all revisions shall be distributed promptly by WADA to each Signatory, WADA-accredited or approved laboratory and government, and shall be published on WADA's website, and each Signatory shall take appropriate steps to distribute the Prohibited List to its members and constituents. The rules of each Anti-Doping Organization shall specify that, unless provided otherwise in the Prohibited List or a revision, the Prohibited List and revisions shall go into effect under the Anti-Doping Organization's rules three (3) months after publication of the Prohibited List by WADA without requiring any further action by the Anti-Doping Organization.²⁶

26. Comment to Article 4.1: The Prohibited List will be revised and published as an International Standard 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. WADA will always have the

most current Prohibited List published on its website. The Prohibited List is an integral part of the International Convention against Doping in Sport. WADA will inform the Director-General of UNESCO of any change to the Prohibited List.

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 Prohibited Substances and Prohibited Methods

The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited at all times (both *In-Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Competitions* or their masking potential, and those substances and methods which are prohibited *In-Competition* only. The *Prohibited List* may be expanded by WADA for a particular sport. *Prohibited Substances* and *Prohibited Methods* may be included in the *Prohibited List* by general category (e.g., anabolic agents) or by specific reference to a particular Substance or Method.²⁴

4.2.2 Specified Substances or Specified Methods

For purposes of the application of Article 10, all *Prohibited Substances* shall be *Specified Substances* except as identified on the *Prohibited List*. No *Prohibited Method* shall be a *Specified Method* unless it is specifically identified as a *Specified Method* on the *Prohibited List*.²⁵

24. Comment to Article 4.2.1, *Prohibited Substances*: “One of a Substance which is only prohibited *In-Competition* is not, for anti-doping rule violation purposes, an *Prohibited Substance*.”

“One of a Substance which is only prohibited *In-Competition* is not, for anti-doping rule violation purposes, an *Prohibited Substance*.”

25. Comment to Article 4.2.2, *Pro Specified Substances and Specified Methods*: “Article 4.2.2 should not in any way be interpreted as implying that other *Prohibited Substances* or *Methods*...

“Further, they are simple *Substances* and *Methods* which are more likely to have been previously or used by athletes for a purpose other than the enhancement of sport performance.”

4.2.3 Substances of Abuse

For purposes of applying [Article 3](#)], *Substances of Abuse* shall include those *Prohibited Substances* which are specifically identified as *Substances of Abuse* on the *Prohibited List* because they are frequently abused in society outside of the context of sport.

4.2.4 New Classes of Prohibited Substances or Prohibited Methods

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

4.3 Criteria for Including Substances and Methods on the Prohibited List

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

- 4.3.1 A substance or method shall be considered for inclusion on the *Prohibited List* if WADA, in its sole discretion, determines that the substance or method meets any two of the following three criteria:

- 4.3.1.1 Medical or other scientific evidence, pharmacological effect or experience that the substance or method, alone or in combination with other substances or methods, has the potential to enhance or enhance sport performance.²⁷
 - 4.3.1.2 Medical or other scientific evidence, pharmacological effect or experience that the use of the substance or method represents an actual or potential health risk to the Athlete.
 - 4.3.1.3 WADA's determination that the use of the substance or method violates the spirit of sport described in the introduction to the Code.
- 4.3) A substance or method shall also be included on the *Prohibited List* if WADA determines there is medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to mask the use of other *Prohibited Substances* or *Prohibited Methods*.²⁸
- 4.3) WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List*, the classification of substances into categories on the *Prohibited List*, the classification of a substance as prohibited at all times or in-competition only, the classification of a substance or method

²⁷ Comment to ~~2016-2017~~ 4.3.1: This Article provides that there may be evidence that other substances are not prohibited but which will be prohibited if used in combination with certain other substances. A substance which is added to the *Prohibited List*

because it has the potential to enhance performance only in combination with another substance shall also be noted and shall be prohibited only if there is evidence relating to both substances in combination.

²⁸ Comment to ~~2016-2017~~ 4.3: As part of the process each year, all Substances, *Prohibited Methods* and other *Prohibited*

Methods are added to, revised (comment to WADA on the *Prohibited List*)

as a Specified Substance, Specified Method or Substance of Abuse is legal and shall not be subject to any challenge by an Athlete or other Person including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

4.4 Therapeutic Use Exemptions (TUEs)

4.4.1 The presence of a Prohibited Substance or its Metabolites or Markers, and/or the Use or Attempted Use, Possession or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method shall not be considered an anti-doping rule violation if it is consistent with the provisions of a TUE granted in accordance with the International Standard for Therapeutic Use Exemptions.

4.4.2 Athletes who are not International-Level Athletes shall apply to their National Anti-Doping Organization for a TUE. If the National Anti-Doping Organization denies the application, the Athlete may appeal exclusively to the appellate body described in Article T2.3.1.

4.4.3 Athletes who are International-Level Athletes shall apply to their International Federation²⁷

²⁷ Consistent with Article 4.4.3, if the International Federation requests it through a TUE granted by a National Anti-Doping Organization (e.g. because medical records or other information are missing) but are unable to demonstrate compliance 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 International Federation.

²⁸ i.e., International Federation, National Federation or IOC as Athlete who is not an International-Level Athlete. A third exception is TUE granted by the Athlete's National Anti-Doping Organization.

- 4.2.3.1. Where the Athlete already has a TUE granted by their National Anti-Doping Organization for the substance or method in question, if that TUE meets the criteria set out in the *International Standard for Therapeutic Use Exemptions*, then the International Federation must recognize it. If the International Federation considers that the TUE does not meet those criteria and so refuses to recognize it, it must notify the Athlete and the Athlete's National Anti-Doping Organization promptly, with reasons. The Athlete or the National Anti-Doping Organization shall have twenty-one (21) days from such notification to refer the matter to WADA for review. If the matter is referred to WADA for review, the TUE granted by the National Anti-Doping Organization remains valid for national-level Competition and Qualification Testing but is not valid for international-level Competition pending WADA's decision. If the matter is not referred to WADA for review within the twenty-one-day deadline, the Athlete's National Anti-Doping Organization must determine whether the original TUE granted by that National Anti-Doping Organization should nevertheless remain valid for national-level Competition and Qualification Testing provided that the Athlete ceases to be an International-Level Athlete and does not participate in international-level Competition. Pending the National Anti-Doping Organization's decision, the TUE remains valid for national-level Competition and Qualification Testing but is not valid for international-level Competition.

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

- 4.4.4 A Major Event Organization may require athletes to apply to it for a TUE if they wish to use a

- Prohibited Substance or a Prohibited Method in connection with the Event in that case:*
- 4.4.4.1 The Major Event Organization must ensure a process is available for any Athlete to apply for a TUE if he or she does not already have one. If this TUE is granted, it is effective for its Event only.
 - 4.4.4.2 Where the Athlete already has a TUE granted by the Athlete's National Anti-Doping Organization or International Federation, if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, the Major Event Organization must recognize it. If the Major Event Organization decides the TUE does not meet those criteria and so refuses to recognize it, it must notify the Athlete promptly, explaining its reasons.
 - 4.4.4.3 A decision by a Major Event Organization not to recognize or not to grant a TUE may be appealed by the Athlete exclusively to an independent body established or appointed by the Major Event Organization for that purpose. If the Athlete does not appeal for the appeal is unsuccessful, the Athlete may not use the substance or method in question in connection with the Event, but any TUE granted by the Athlete's National Anti-Doping Organization or International Federation for that substance or method remains valid outside of that Event.²⁸

²⁸ Similarly to Article 4.4.4.2, for example, the CAS-42 rule allows for a similar body may act as the independent appeal body for particular Events, as WADA may opt to perform that function. (WADA CAS rule 40.20)

are performing that function, WADA would not have lost the opportunity to review the TUE decision made in connection with the Event at any time in accordance with Article 4.4.4.3.

- 4.4.3 If an Anti-Doping Organization chooses to collect a Sample from an Athlete who is not an International-Level Athlete or National-Level Athlete, and that Athlete is using a Prohibited Substance or Prohibited Method for therapeutic reasons, the Anti-Doping Organization must permit the Athlete to apply for a retroactive TUE.
- 4.4.4 WADA must review an International Federation's decision not to recognize a TUE granted by the National Anti-Doping Organization that is referred to it by the Athlete or the Athlete's National Anti-Doping Organization. In addition, WADA must review an International Federation's decision to grant a TUE that is referred to it by the Athlete's National Anti-Doping Organization. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.²¹
- 4.4.5 Any TUE decision by an International Federation (or by a National Anti-Doping Organization where it has agreed to consider the application on behalf of an International Federation) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Athlete and/or the Athlete's National Anti-Doping Organization, exclusively to CAS.²²

²¹ Comment to Article 4.4.3: WADA should be entitled to change a TUE to serve the needs of its programme as required in consult in accordance with Article 4.4.4.

²² Comment to Article 4.4.5: In such cases, the decision being appealed is the International Federation's TUE decision, not WADA's decision not to review the TUE decision or finding (commented) or not to review the TUE decision. However, the time to appeal

4.4.5 and 4.4.6 may include a period of consult, where the decision being appealed is reversed.

The TUE decision must not begin to expire with the date that WADA communicates its decision, in any event, whether the decision has been reviewed by WADA or not. WADA shall be given notice of the appeal so that it may participate if it sees fit.

- 4.4.8 A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the National Anti-Doping Organization and/or the International Federation affected, exclusively to CAS.
- 4.4.9 A failure to render a decision within a reasonable time on a properly submitted application for grant/recognition of a TUE or for review of a TUE decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

4.5 Monitoring Program

WADA, in consultation with Signatories and governments, shall establish a monitoring program regarding substances which are not on the Prohibited List, but which WADA wishes to monitor in order to detect potential patterns of misuse in sport. In addition, WADA may include in the monitoring program substances that are on the Prohibited List but which are to be monitored under certain circumstances—e.g. *Use of Compulsions Use of some substances prohibited in Competition only or the continued use of multiple substances at low doses (‘stacking’)*—in order to establish prevalence of Use or to be able to implement adequate decisions in regards to their analysis by laboratories or their status within the Prohibited List.

WADA shall publish the substances that will be monitored⁴⁴. Laboratories will report the instances of reported use or selected presence of these substances to WADA. WADA shall make available to international Federations and National Anti-Doping Organizations, on at least an annual basis, aggregate information by sport regarding the monitored substances. Such monitoring program reports shall not contain additional details that

⁴⁴ Consistent with Article 4.5 in order to improve the efficiency of the monitoring program, such a list published in effect in the published monitoring

program, laboratories may, as provided under the Sample Protocols analyzed in detail in document C09, choose to perform a specific analysis.

could link the monitoring results to specific Samples. WADA shall implement measures to ensure that about proportionality of individual Athlete's is maintained with respect to such reports. The reported Use or detected presence of a prohibited substance shall not constitute an anti-doping rule violation.

ARTICLE 3 TESTING AND INVESTIGATIONS

3.1 Purpose of Testing and Investigations

Testing and investigations may be undertaken for any anti-doping purpose.³¹

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

3.2 Authority to Test

Any Athlete may be required to provide a Sample at any time and at any place by any Anti-Doping Organization with Testing authority over him or her³² subject to the limitations for Event Testing set out in Article 5.2.

34. Comment to Article 3.1: Where Testing is conducted for anti-doping purposes, the analytical results and data may be used for other legitimate

purposes linked to Anti-Doping Organization's rules, for example, Comment to Article 31.2.2.1.

35. Comment to Article 3.2: Authority to conduct Testing may be conferred by means of national or international agreements being Supervisors, unless the Athlete has objected. A non-athlete Testing window during the following four-year time period, or otherwise consented to Testing during that period, unless Testing is actually between the time of

11 Athletes under 18 years, an Anti-Doping Organization should have serious and specific suspicion that the Athlete may be engaged in doping. A challenge to whether an Anti-Doping Organization has sufficient suspicion for Testing during this time period shall rest on a balance of an Anti-Doping Organization's suspicion that an attempted or actual

- 5.2.1 Each National Anti-Doping Organization shall have In-Competition and Out-of-Competition Testing authority over all Athletes who are nationals, residents, license-holders or members of sport organizations of that country or who are present in that National Anti-Doping Organization's country.
- 5.2.2 Each International Federation shall have In-Competition and Out-of-Competition Testing authority over all Athletes who are subject to its rules, including those who participate in International Events or who participate in Events covered by the rules of that International Federation, or who are members or license-holders of that International Federation or its member National Federations, or their members.
- 5.2.3 Each Major Event Organization, including the International Olympic Committee and the International Paralympic Committee, shall have In-Competition Testing authority for its Events and Out-of-Competition Testing authority over all Athletes entered in one of its future Events or who have otherwise been made subject to the Testing authority of the Major Event Organization for a future Event.
- 5.2.4 WADA shall have In-Competition and Out-of-Competition Testing authority as set out in [Article 20.3.10](#).
- 5.2.5 Anti-Doping Organizations may test any Athlete over whom they have Testing authority who has not retired, including Athletes serving a period of Ineligibility.
- 5.2.6 If an International Federation or Major Event Organization delegates or contracts any part of Testing to a National Anti-Doping Organization directly or through a National Federation, that National Anti-Doping Organization may collect additional Samples or direct the laboratory to perform additional types of analysis at the National Anti-Doping Organization's expense. If

additional samples are collected or additional types of analysis are performed, the International Federation or Major Event Organization shall be notified.

5.3 Event Testing

5.3.1 Except as otherwise provided below, only a single organization shall have authority to conduct Testing at Event Venues during an Event Period. At International Events, the international organization which is the ruling body for the Event [e.g., the International Olympic Committee for the Olympic Games, the International Federation for a World Championship and Panam Sports for the Pan American Games] shall have authority to conduct Testing. At National Events, the National Anti-Doping Organization of that country shall have authority to conduct Testing. At the request of the ruling body for an Event, any Testing during the Event Period outside of the Event Venues shall be coordinated with that ruling body.²⁴

5.3.2 If an Anti-Doping Organization, which would otherwise have Testing authority but is not responsible for initiating and directing Testing at an Event, desires to conduct Testing of Athletes at the Event Venues during the Event Period, the Anti-Doping Organization shall first confer with the ruling body of the Event to obtain permission to conduct and coordinate such Testing. If the Anti-Doping Organization is not satisfied with the response from the ruling body of the Event, the Anti-Doping Organization may, in accordance with procedures described in the International Standard for Testing and Investigations, ask WADA for permission to conduct Testing and to

²⁴ Comment to ADAS 5.3: Some testing occurs at International Events that is not Testing within of the Event Venues during the Event

Period and thus must be coordinated and Tested with National Anti-Doping Organization Testing.)

determine how to coordinate such Testing, WADA shall not grant approval for such Testing before consulting with and informing the ruling body for the Event. WADA's decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct Testing, such tests shall be considered Out-of-Competition tests. Results Management for any such test shall be the responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.²⁷

5.4 Testing Requirements

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

5.5 Athlete Whereabouts Information

Athletes who have been included in a Registered Testing Pool by their International Federation and/or National Anti-Doping Organization shall provide whereabouts information in the manner specified in the International Standard for Testing and Investigations and shall be subject to Consequences for Article 2.4 violations as provided in Article 10.2.2. The International Federations

²⁷ Comment to Article 5.4.2: Before giving approval to a National Anti-Doping Organization to initiate and conduct Testing of an International Event, WADA shall consult with the International organization which is the ruling body for the Event. Before giving approval to an International Federation to initiate and conduct Testing at a National Event, WADA shall consult with

the National Anti-Doping Organization of the country where the Event takes place. The Anti-Doping Organization "Initiating and Directing Testing" (Hqs. 4 & 5 above) must also agree with a Delegated Third Party in which it delegates responsibility for Sample Collection or other aspects of the Doping Control process.

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

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

3.4 Retired Athletes Returning to Competition

3.4.1 If an International- or National-Level Athlete in a Registered Testing Pool retires and then wishes to return to active participation in sport, the Athlete shall not compete in International Events or National Events until the Athlete has made himself or herself available for Testing by giving six-months prior written notice to their International Federation and National Anti-Doping Organization, WADA, in consultation

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

5.6.2 If an athlete retires from sport while subject to a period of ineligibility, the athlete must notify the Anti-Doping Organization that imposed the period of ineligibility in writing of such retirement. If the athlete then wishes to return to active competition in sport, the athlete shall not compete in international events or national events until the athlete has made himself or herself available for testing by giving six 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 (6) months) to the athlete's International Federation and National Anti-Doping Organization.

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

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ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited, Approved Laboratories and Other Laboratories

For purposes of direct (establishing an Adverse Workplace Finding under Article 2.1) Samples shall be analyzed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the Sample analysis shall be determined exclusively by the Anti-Doping Organization responsible for Results Management.²⁸

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

28 (Comment to Article 6.1: For ease and geographic access reasons, WADA and approved laboratories which are not WADA-accredited to perform particular analyses, for example, analysis of blood which should be obtained from the collection unit to the laboratory within a set deadline, before shipping all sport laboratory, WADA will ensure it meets the high standard and maintain

research (Comment to Article 3.2: Evidence of Article 2.1 may be obtained any by direct analysis performed by a WADA-accredited laboratory or another laboratory approved by WADA. Evidence of other articles may be obtained using analytical results from other laboratories as long as the results are reliable.)

8.2 Purpose of Analysis of Samples and Data

Samples and related analytical data or Doping Control information shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods*, identified by the *Prohibited List* and other substances as may be directed by WADA pursuant to [Article 4.5](#), or to assist an Anti-Doping Organization in profiling relevant parameters in an Athlete's urine, blood or other matrix, including for CMA or genetic profiling or for any other legitimate anti-doping purpose.⁴⁸

8.3 Research on Samples and Data

Samples, related analytical data and Doping Control information may be used for anti-doping research purposes, although no Sample may be used for research without the Athlete's written consent. Samples and related analytical data or Doping Control information used for research purposes shall first be processed in such a manner as to prevent Samples and related analytical data or Doping Control information being traced back to a particular Athlete.⁴⁹ Any research involving Samples and related analytical data or Doping Control information shall adhere to the principles set out in [Article 23](#).

48 Comment to Article 8.2: No sample related Doping Control information could be used in other legal proceedings or as support for

any doping rule violation proceeding under Article 8.2, as such fact also constitutes a [violation of Article 5.1 and 5.2.1.2](#)

49 Comment to Article 8.3: As is the case in most aspects of scientific research, use of Samples and related information for quality assurance, quality improvement, method development and optimization or to establish reference populations is not considered research. Samples and related information used for such purposes may remain identifiable until

it is fully processed with a view as to prevent them from being traced back to the particular Athlete, having due regard to the principles and not to [Article 19](#) as well as the requirements of the International Standard for Laboratories and International Standard for the Protection of Privacy and Personal Information.]

8.4 Standards for Sample Analysis and Reporting⁴²

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

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

8.5 Further Analysis of a Sample Prior to or During Results Management

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

8.6 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 analysis for the purpose of *Article 4.2* at any

⁴² Defined in *Article 4.6*. The objective of the *ISL* is to ensure the principle of "standardized testing" in the Sample analysis menu or, in its most appropriate and efficient format, it is recognized that the

minimum available to fight doping are limited and that increasing the Sample analysis menu (e.g., to more sports and seasons) reduce the number of Samples which can be analyzed.)

shall exclusively at the direction of either the Anti-Doping Organization that initiated and directed Sample collection or WADA. Any other Anti-Doping Organization with authority to test the Athlete that wishes to conduct further analysis on a stored Sample may do so with the permission of the Anti-Doping Organization that initiated and directed Sample collection or WADA, and shall be responsible for any follow-up Results Management. Any Sample storage or further analysis initiated by WADA or another Anti-Doping Organization shall be at WADA's or that organization's expense. Further analysis of Samples shall conform with the requirements of the *International Standard for Laboratories*.

1.7 Split of A or B Sample

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

2.8: WADA's Right to Take Possession of Samples and Data

WADA may, in its sole discretion at any time, with or without prior notice, take physical possession of any Sample and related analytical data or information in the possession of a laboratory or Anti-Doping Organization. Upon request by WADA, the laboratory or Anti-Doping Organization in possession of the Sample or data shall immediately grant access to and enable WADA to take physical possession of the Sample or data.⁴⁹ If WADA has not provided prior notice to the laboratory or Anti-Doping Organization before taking possession of a Sample or data, it shall provide such notice to the laboratory and to each Anti-Doping Organization whose Samples or data have been taken by WADA within a reasonable time after taking possession. After analysis and any investigation of a seized Sample or data, WADA may direct another Anti-Doping Organization with authority to test the Athlete to assume Results Management responsibility for the Sample or data if it is determined anti-doping rule violation is warranted.⁵⁰

49. Comment to Article 2.8. Recovery of access to WADA taking physical possession of Samples or data could constitute tampering. Laboratory is at risk of non-compliance as provided in the International Standard for Code Compliance by Laboratories, and could also constitute a violation

of the International Standard for Laboratories. Where necessary, the laboratory under the Anti-Doping Organization shall assist WADA in ensuring that the seized Sample or data are not altered pending the analytical testing.

49. Comment to Article 2.8. WADA should 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 laboratory or other activities by another person

However, the decision as to whether good cause exists for WADA to take it in possession and shall not be subject to challenge. In particular, whether there is good cause or not shall not be a defense against an investigating body receiving the Sample(s).

ARTICLE 7 RESULTS MANAGEMENT, RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS⁴⁸

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

7.1 Responsibility for Conducting Results Management

Except as otherwise provided in Articles 4.4, 4.5 and 7.1.1 through 7.1.5 below, Results Management shall be the responsibility of, and shall be governed by the procedural rules of the Anti-Doping Organization that initiated and directed Sample collection (or, if no Sample collection is involved, the Anti-Doping Organization which first provides notice to an Athlete or other Person of a potential anti-doping rule violation and then diligently

⁴⁸ As discussed in Article 7, various Signatories have created their own approaches to Results Management. While the various approaches have not been entirely uniform, most have proven to be fair and efficient systems for Results Management. The Commission will support each of the Signatories' Results Management systems. The Article and the Agreement Concerning Results Management do, however, specify basic principles in order to ensure the fundamental fairness of the Results Management process, which must be observed by each Signatory. The specific anti-doping rules of each Signatory shall be reviewed and

have their principles, not all anti-doping proceedings which have been initiated by an Anti-Doping Organization need to go to hearing. There may be cases where the athlete or other Person against whom the action which is being brought by the Code is taken, the Anti-Doping Organization concerned agrees that finding is sufficient to justify an action, or a sanction imposed on the basis of such an agreement will be imposed in parallel with a right to appeal under Article 13.1.1 as provided in Article 13, also permitted as provided in Article 13.1.

pursues this anti-doping rule violation). Regardless of which organization conducts Results Management, it shall respect the Results Management principles set forth in this Article, Article 8, Article 13 and the International Standard for Results Management, and each Anti-Doping Organization's rules shall incorporate and implement the rules identified in Article 23.2.2 without substantive change.

7.1.1 If a dispute arises between Anti-Doping Organizations over which Anti-Doping Organization has Results Management responsibility, WADA shall decide which organization has such responsibility. WADA's decision may be appealed to CAS within seven (7) days of notification of the WADA decision by any of the Anti-Doping Organizations involved in the dispute. The appeal shall be dealt with by CAS in an expedited manner and shall be heard before a single arbitrator. Any Anti-Doping Organization seeking to conduct Results Management outside of the authority provided in this Article 7.1 may seek approval to do so from WADA.

7.1.2 Where a National Anti-Doping Organization elects to collect additional Samples pursuant to Article 5.2.4, then it shall be considered the Anti-Doping Organization that initiated and directed Sample collection. However, where the National Anti-Doping Organization only directs the laboratory to perform additional types of analysis at the National Anti-Doping Organization's expense, then the International Federation or Major Event Organization shall be considered the Anti-Doping Organization that initiated and directed Sample collection.

7.1.3 In circumstances where the rules of a National Anti-Doping Organization do not give the National Anti-Doping Organization authority over an Athlete or other Person who is not a National resident, license holder, or member of a sport

organization of that country, or the National Anti-Doping Organization declines to exercise such authority, Results Management shall be conducted by the applicable International Federation or by a third party with authority over the Athlete or other Person as directed by the rules of the International Federation. For Results Management purposes, for a test or a further analysis conducted by WADA or its own initiative, or an anti-doping rule violation discovered by WADA, WADA shall designate an Anti-Doping Organization with authority over the Athlete or other Person.⁴⁴

- 7.7.4 For Results Management relating to a Sample collected and taken during an Event conducted by a Major Event Organization, or an anti-doping rule violation occurring during such Event, the Major Event Organization for that Event shall assume Results Management responsibility to at least the limited extent of conducting a hearing to determine whether an anti-doping rule violation was committed and, if so, the applicable Disqualifications under Articles 9 and 10.1, any forfeiture of any medals, points, or prizes from that Event, and any recovery of costs applicable to the anti-doping rule violation. In (for example) the Major Event Organization assumes only limited Results Management responsibility, the case shall be referred to the Major Event Organization to the applicable International Federation for completion of Results Management.

⁴⁴ Comment to Article 21.4
The Athlete or other Person's International Federation has been named the Anti-Doping Organization of last resort for Results Management to avoid the possibility that the Anti-Doping Organization would have authority

to conduct Results Management. An International Federation is not to provide in its own anti-doping rules that the Athlete or other Person's National Anti-Doping Organization shall conduct Results Management.)

7.3.3 WADA may direct an Anti-Doping Organization with Results Management authority to conduct Results Management in a particular case. If that Anti-Doping Organization refuses to conduct Results Management within a reasonable deadline set by WADA, such refusal shall be considered an act of non-compliance, and WADA may direct another Anti-Doping Organization with authority over the Athlete or other Person that is willing to do so, to take Results Management responsibility in place of the refusing Anti-Doping Organization, or, if there is no such Anti-Doping Organization, any other Anti-Doping Organization that is willing to do so. In such case, the refusing Anti-Doping Organization shall reimburse the costs and attorney's fees of conducting Results Management to the other Anti-Doping Organization designated by WADA, and a failure to reimburse costs and attorney's fees shall be considered an act of non-compliance.⁴⁷

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

⁴⁷ Deleted in Article 7.3.3. When WADA directs an Anti-Doping Organization to conduct Results Management of other Doping Control

activities, the latter is not considered a "designated" or "selected" by WADA.

7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

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

7.3 Identification of Prior Anti-Doping Rule Violations

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

7.4 Principles Applicable to Provisional Suspensions*

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

The Signatories described below in this paragraph shall adopt rules providing that when an *Adverse Analytical Finding or Adverse Passport Finding* upon completion of the *Adverse Passport Finding*

as described in Article 7.4.1, before a Provisional Suspension can be officially imposed by an Anti-Doping Organization, the issuing review specified in the Code must first be completed. In addition, the Signatory imposing a Provisional Suspension shall ensure that the Athlete is given an opportunity for a Provisional Hearing either before or promptly after the imposition of the Provisional Suspension, or an expedited due hearing under Article 7.4.2, promptly after imposition of the Provisional Suspension. The Athlete has a right to a hearing under Article 10.7.2.

* See Appendix 1.

in the last circumstance where the B Sample analysis does not confirm the A Sample finding, the Athlete who has been provisionally suspended will be allowed, where circumstances permit, to participate in subsequent Competitions during the Event.

Similarly, depending upon the relevant rules of the International Federation or a Sport Body, if the issue is still in competition, the Athlete may be able to take part in future Competitions.

Athletes and other Persons shall continue to be a Provisional Suspension subject to a finding of Ineligibility which is ultimately upheld or accepted at Article 10.7.2.

review process] is required for a *Prohibited Substance* or a *Prohibited Method*. After then a *Specified Substance* or *Specified Method*, a *Provisional Suspension* shall be imposed promptly upon or after the review and notification required by [Article 2.2](#), where the Signatory is the ruling body of an Event, the application to that Event, where the Signatory is responsible for team selection (the application to that team selection), where the Signatory is the applicable International Federation, or where the Signatory is another Anti-Doping Organization which has Results Management authority over the alleged anti-doping rule violation. A mandatory *Provisional Suspension* may be eliminated if: (i) the Athlete demonstrates in the hearing panel that the violation is likely to have involved a *Contaminated Product*, or (ii) the violation involves a *Substance of Abuse* and the Athlete establishes entitlement to a reduced period of ineligibility under [Article 10.2.4.1](#). A hearing body's decision not to eliminate a mandatory *Provisional Suspension* on account of the Athlete's assertion regarding a *Contaminated Product* shall not be appealable.

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

A Signatory may adopt rules applicable to any Event for which the Signatory is the ruling body or to any team selection process for which the Signatory is responsible or where the Signatory is the applicable International Federation or has Results Management authority over the alleged anti-doping rule violation, permitting *Provisional Suspensions* to be imposed for anti-doping rule violations not covered by [Article 2.4.1](#) prior to analysis of the Athlete's B Sample or final hearing as described in [Article 8](#).

7.4.3 Opportunity for Hearing in Appeal

Notwithstanding Articles 7.4.1 and 7.4.2, a Provisional Suspension may not be imposed unless the rules of the Anti-Doping Organisation provide the Athlete or other Person with: (i) an opportunity for a Provisional hearing, either before the imposition of the Provisional Suspension or on a timely basis after the imposition of the Provisional Suspension; or (ii) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after imposition of a Provisional Suspension. The rules of the Anti-Doping Organisation shall also provide an opportunity for an expedited appeal against the imposition of a Provisional Suspension, or the decision not to impose a Provisional Suspension, in accordance with Article 13.

7.4.4 Voluntary Acceptance of Provisional Suspension

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

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

7.5 Results Management Decisions

- 7.5.1 Results Management decisions or adjudications by Anti-Doping Organizations must not purport to be limited to a particular geographic area or sport and shall address and determine without limitation the following issues: (i) whether an anti-doping rule violation was committed or a Provisional Suspension should be imposed, the factual basis for such determination, and the specific Code Articles violated, and (ii) all Consequences flowing from the anti-doping rule violation(s), including applicable Disqualifications under Articles 3 and 10.10, any forfeiture of medals or prizes, any period of ineligibility (and the date it begins to run) and any Financial Consequences, except that Major Event Organizations shall not be required to determine ineligibility or Financial Consequences beyond the scope of their Event.⁴⁴

⁴⁴ Comment to Article 7.5.1: Results Management includes various processes (summarized).

7.52 A Results Management decision or adjudication by a Major Event Organization in connection with one of its Events may be limited in its scope but still address and determine, at a minimum, the following issues: (i) whether an anti-doping rule violation was committed, the factual basis for such determination, and the specific Code Articles violated; and (ii) applicable Disqualifications under Articles 9 and 10.1, with any recurring furnishing of medals, points and prizes. In the event a Major Event Organization accepts only limited responsibility for Results Management decisions, it must comply with Article 21.4.¹⁰

7.4 Notification of Results Management Decisions

Alkermes, other Persons, Sponsors and HSPMA shall be notified of Results Management decisions as provided in Article 14 and the International Standards for Results Management.

[illegible]

life scientist Aland is an Advanced Analytical Profiler for a Tampa-based company. He Aland's recent interest is in computer-aided diagnosis (CAD) using digital P and M wave measures to identify lesions of the spine. But the data he Sample was looking through the images of the joints at multiple are not diagnostic since Article 10 of the Advanced Analytical Profiler issued from history of an issue it would be the Higher Court Organization's responsibility to justify whether the Aland's new medical results in the same prior to Sample collection are not reliable under Article 9(1)(3).

2.7 Retirement from Sport²¹

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

ARTICLE 8 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION

8.1 Fair Hearings

For any *Person* who is accused to have committed an *anti-doping rule violation*, the *Anti-Doping Organization* with responsibility for *Results Management* shall provide, at a minimum, a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent* hearing panel in compliance with the *WADA Operational Standard for Results Management*. A timely reasoned decision specifically including an explanation of the reasons for any period of *Ineligibility* and *Disqualification* of results under *Article 10.10* shall be *Publicly Disclosed* as provided in *Article 14.3*.²²

²¹ Deleted in *Article 2.2*. Deleted by all *Athletes* or other *Persons* before the *Athlete* or other *Person* is notified in the authority of any *Anti-Doping Organization* would not constitute an

anti-doping rule violation but could be a significant factor for *Adopting the Athlete* or other *Person* membership in *event organization*.

²² Deleted in *Article 8.1*. The *Article* requires that it will give in the *Results Management* process, the *Athlete* or other *Person* shall be

provided the opportunity for a *fair, impartial and independent* hearing. These principles are also found in *Article 8.1* of the *Commentary* for the *Procedures*

8.2 Event Hearings

Hearings held in connection with Events may be conducted by an expedited process as permitted by the rules of the relevant Anti-Doping Organization and the hearing panel.¹⁰

8.3 Waiver of Hearing

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

8.4 Notice of Decisions

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

8.5 Single Hearing Before CAS

Anti-doping rule violations asserted against International-Level Athletes, National-Level Athletes or other Persons may, with the consent of the Athlete or other Person, the Anti-Doping Organization with Results Management

of Athletes' Rights and Fundamental Principles and are principles generally accepted in International Law. The Article is not intended to displace any Anti-Doping Organization's own rules.

the hearings but rather to ensure that each Anti-Doping Organization provides a hearing process consistent with these principles.)

10 Consistent with Article 8.2, for example, a hearing could be conducted as the use of a single Panel under the auspices of the anti-doping rule violation is necessary or otherwise.

the Athlete's ability to participate in the Event or Activity at Issue where the resolution of the case will affect the validity of the Athlete's results or continued participation in the Event.)

responsibility, shall **WADA**, be heard in a single hearing directly at CAS.³⁴

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

An anti-doping rule violation in Individual Sports in connection with an In-Competition test automatically leads to Disqualification of the result obtained in that Competition with all resulting Consequences, including forfeiture of any medals, points and prizes.³⁵

ARTICLE 10 SANCTIONS ON INDIVIDUALS³⁶

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

An anti-doping rule violation occurring during or in connection with an Event may upon the decision of the ruling body of the Event, lead to Disqualification of all

14. Comment to Article 9.1. In some cases, the combined act of testing & hearing in the first instance at the International or national level, thus violating the due to case before CAS can be very burdensome, where all of the parties involved in this Article are entitled that their personal and

to complete process in a single hearing that is a matter of debate of Anti-Doping Organizations to raise the extra burden of two hearings. An Anti-Doping Organization may propose in the CAS hearing as of course.

15. Comment to Article 9.2. For Team Sports, and sports involved in individual players will be Disqualified. However, Disqualification of the team will be as provided in Article 10.1 in sports which are not Team Sports but where awards are given to teams.

Disqualification of other disciplinary action against the team when not of team team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the International Federation.

16. Comment to Article 10. Disqualification of results has been one of the most discussed and debated areas of anti-doping. Furthermore

states that the same rules and criteria are applied to assess the viable facts of anti-doping rule violations against doping federation of different

of the Athlete's individual results obtained in that Event with all consequences, including forfeiture of all medals, points and prizes, except as provided in [Article 12.1](#).¹⁰

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

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

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

The period of Ineligibility for a violation of [Article 2.1](#), [2.2](#) or [2.4](#) shall be as follows, subject to potential elimination, reduction or suspension pursuant to [Article 10.5](#), [11.6](#) or [12.2](#):

an event or otherwise against sports involving, for example, the following: In cases against the Athlete or professional testing a doping incident from the event and in which the Athlete was not present or those sports where an Athlete's career is short, a limited period of Ineligibility has a much more significant effect on the Athlete than in sports where careers are traditionally much longer. A primary purpose in favor of harmonization is that it is simply not right that two Athletes from the same

country who are present for the same Prohibited Substance under identical circumstances should receive different sanctions only because they participate in different sports. In addition, the much flexibility in sentencing has often been viewed as an unjustifiable uncertainty for some sporting organizations to be more aligned with doping. The lack of harmonization of sanctions has also frequently been the source of conflicts between International Federations and National Anti-Doping Organizations.

10.2.1. Except as provided in [Article 10.2.2](#), Whereas [Article 2](#) Disqualifies the result in a single Competition in which the Athlete tested positive (e.g., the 100 meter

hurdles), only Athlete may not be Disqualified of all results in all races during the Event (e.g., the 1000m World Championships).

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

10.2.1.1 The anti-doping rule violation does not involve a Specified Substance or a Specified Method, unless the Athlete or other Person can establish that the anti-doping rule violation was not intentional.³⁸

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

10.2.2 If Article 10.2.1 does not apply, subject to Article 10.2.4, the period of ineligibility shall be two (2) years.

10.2.3 As used in Article 10.2, the term "intentional" is meant to identify those Athletes or other Persons who engage in conduct which they knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk.³⁹ An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited in-Competition shall be rebuttably presumed to be not "intentional" if the substance is a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition. An anti-doping rule violation resulting from an Adverse Analytical Finding

³⁸ Comment to Article 10.2.1.1: Note 3 is especially useful for an Athlete or other Person in violation that the anti-doping rule violation was not intentional without showing knowledge of the Prohibited Substance used.

and knows, it is hoped, that the Athlete will be successful in proving that the Athlete did not intentionally violate (violating the intent of the Prohibited Substance).

³⁹ Comment to Article 10.2.3: Article 10.2.3 provides a special definition of

"intentional" which is in an apparent conflict with the purpose of Article 10.2.2.

For a substance which is fully prohibited in Competition shall not be considered "intentional" if the substance is not a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out of Competition in a context unrelated to sport performance.

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

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

In addition, the period of Ineligibility calculated under this Article 10.2.2.1 may be reduced to one (1) month if the Athlete in effect Permanently/Indefinitely completes a Substance of Abuse treatment program approved by the Anti-Doping Organization with Results Management responsibility.* This period of Ineligibility established in this Article 10.2.2.1 is not subject to any reduction based on any provision in Article 10.2.

10.2.2.2 If the ingestion, Use or Possession occurred in Competition, and the Athlete can establish that the context

*As discussed in ~~Article 10.2.2.1~~ The determination as to whether the treatment program is approved and whether the Athlete or other Person has voluntarily completed the program shall be made in the sole discretion of the Anti-Doping Organization. The Athlete is required to give Anti-Doping Organizations the means to apply their own program

to identify and oversee legitimate and reputable, as opposed to "black" treatment programs. It is presumed known that the characteristics of legitimate treatment programs may vary widely and change over time and that it would not be practical for ANCA to develop separately criteria for acceptable treatment programs.

of the ingestion, Use or Possession was unrelated to sport performance, than the ingestion, Use or Possession shall not be considered intentional for purposes of Article 10.2.1 and shall not provide a basis for a finding of Aggravating Circumstances under Article 10.4.

10.3 Ineligibility for Other Anti-Doping Rule Violations

The period of Ineligibility for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Article 10.4 or 10.7 are applicable:

10.3.1 For violations of Article 2.3 or 2.5, the period of Ineligibility shall be four (4) years except: (i) in the case of failing to submit to sample collection, if the Athlete can establish that the commission of the anti-doping rule violation was not intentional, the period of Ineligibility shall be two (2) years; (ii) in all other cases, if the Athlete or other Person can establish exceptional circumstances that justify a reduction of the period of Ineligibility, the period of Ineligibility shall be in a range from two (2) years to four (4) years depending on the Athlete or other Person's degree of Fault, or (iii) in a case involving a Protected Person or Recreational Athlete, the period of Ineligibility shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of Ineligibility, depending on the Protected Person or Recreational Athlete's degree of Fault.

10.3.2 For violations of Article 3.4, the period of Ineligibility shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the Athlete's degree of Fault. The flexibility between two (2) years and one (1) year of Ineligibility in this Article is not available in Articles where a pattern of bad-mouse whereabouts changes or other conduct raises a serious suspicion that the Athlete was trying to avoid being available for testing.

- 10.3.3 For violations of Article 2.7 of 2.8, the period of ineligibility shall be a minimum of four (4) years up to lifetime ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a Protected Person shall be considered a particularly serious violation and, if committed by Athlete Support Personnel for violations other than for Specified Substances, shall result in lifetime ineligibility for Athlete Support Personnel. In addition, significant violations of Article 2.7 of 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.⁴¹
- 10.3.4 For violations of Article 2.8, the period of ineligibility imposed shall be a minimum of two (2) years, up to lifetime ineligibility, depending on the seriousness of the violation.
- 10.3.5 For violations of Article 2.9, the period of ineligibility shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the Athlete or other Person's degree of Fault and other circumstances of the case.⁴²
- 10.3.6 For violations of Article 2.11, the period of ineligibility shall be a minimum of two (2) years, up to lifetime ineligibility, depending on the seriousness of the violation by the Athlete or other Person.⁴³

⁴¹ Comment to Article 10.3.3: Those who are involved in doping offences or offences of doping shall be subject to sanctions which are more severe than the Athlete who has justified, from the authority of such organisations

is generally liable to suspension for association membership and other sport benefits. Having Article Support Personnel to compete violates the integrity and the authority of doping.

⁴² Comment to Article 10.3.5: Where the "Other Person" referenced in Article 2.9 (Protecting Association as an Athlete or Other Person) is an

entity and not an individual, the entity may be sanctioned as provided in Article 12.

⁴³ Comment to Article 10.3.6: Conduct that is more serious than Article 2.7

violation and Article 2.7 shall be an Athlete or Other Person of Doping

10.4 Aggravating Circumstances which may increase the Period of Ineligibility

If the Anti-Doping Organization establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (Trafficking or Attempted Trafficking), 2.8 (Administration or Attempted Administration), 2.9 (Complicity or Attempted Complicity) or 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting) that Aggravating Circumstances are present, which justify the imposition of a period of ineligibility greater than the standard sanction, then the period of ineligibility otherwise applicable shall be increased by an additional period of ineligibility of up to two (2) years depending on the seriousness of the violation and the nature of the Aggravating Circumstances, unless the Athlete or other Person can establish that he or she did not knowingly commit the anti-doping rule violation.⁴⁴

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

If an Athlete or other Person establishes in an individual case that he or she bears No Fault or Negligence, then the otherwise applicable period of ineligibility shall be eliminated.⁴⁵

44. *Article 10.4: Aggravating Circumstances may be considered based on the violation that caused the rule violation.*

44. Comments to Article 10.4: Violations under Article 2.7 (Trafficking or Attempted Trafficking), 2.8 (Administration or Attempted Administration), 2.9 (Complicity or Attempted Complicity) and 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against

Reporting) are excluded from consideration.

Violations that are excluded are not included in the application of Article 10.4 because the athletes for those violations already hold a sufficient sanction as it is already fairly able consideration of any Aggravating Circumstances.

45. Comments to Article 10.5: This article and Article 10.4 apply also 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, he or she was deceived by a conspiracy. Conversely, No Fault or Negligence would be only in the following circumstances:

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 Violators of Article 2.1, 2.2 or 2.4

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

10.6.1.1 Specified Substances or Specified Methods

Where the anti-doping rule violation involves a Specified Substance [other than a Substance of Abuse] or Specified Method, and the Athlete or other Person can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years of Ineligibility, depending on the Athlete's or other Person's degree of Fault.

10.6.1.2 Contaminated Products

In cases where the Athlete or other Person can establish both No Significant Fault or Negligence and that the detected Prohibited Substance [other than a Substance of Abuse] came from

his or her own fault resulting from a prohibited or restricted substance or prohibited substance [Athlete] are responsible for what they ingest [Article 2.1] and have been warned against the possibility of contamination [contaminated] by the Administration of a Prohibited Substance, the Athlete's personal opinion to make without disclosure to the Athlete [Athlete] are responsible for their choice of medical personnel and for allowing medical personnel that they cannot be given any Prohibited

Substances and/or substances of the Athlete's fault or fault to a specific cause or other Person within the Athlete's circle of associates [Athlete] are responsible for what they ingest and for the conduct of these Persons to whom they express access to their body and/or [Athlete] however, depending on the nature facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Article 10.6 based on the [Athlete's Fault or Negligence]

a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two (2) years Ineligibility, depending on the Athlete or other Person's degree of fault.¹⁶

10.6.1.3 Protected Persons or Recreational Athlete

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

As outlined in [WADA IELT2](#), it is not to reduce the impact of this Article, the Athlete or other Person must establish not only that the alleged Prohibited Substance came from a Contaminated Product, but must also separately establish the *Significant Fault or Negligence*. It should be further noted that athletes are advised that they have individual responsibility of their own risk. The sanction, reduction based on the *Significant Fault or Negligence* for every time applied to Contaminated Product cases unless the Athlete has expressed a high level of caution before taking the Contaminated Product. In assessing whether the Athlete can establish the degree of the Protected

Person's *Fault*, for example, we considered the purposes of establishing whether the Athlete actually knew the Contaminated Product, whether the Athlete had declared the product when not subsequently determined to be contaminated as the Doping Control team.

The Athlete should not be blamed based purely on the negligence through some process of negligence. While it seems logical that having more than one (multiple) consumption of a "new product" and at the same time with a contaminated source is reasonably prudent, every aspect of it is anti-doping rule violation. *Specifically* there would be the *Fault or Negligence* under Article 10.6.1.3.

10.5.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.4.1¹⁷

If an Athlete or other Person establishes in an individual case where Article 10.4.1 is not applicable, that he or she bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of Ineligibility may be reduced based on the Athlete or other Person's degree of Fault, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight (8) years.

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

10.7.1 Substantive Assistance in Discovering or Establishing Code Violations¹⁸

(10.7.1.1) An Anti-Doping Organization with Health Management responsibility for an anti-doping rule violation may prior to an appeal decision (under Article 13) or the expiration of the time to appeal, suspend a part of the Consequences (other than Disqualification and mandatory Public Disclosure) imposed in an individual

¹⁷ Comment to Article 10.4.2: Article 10.4.2 may be applied to the anti-doping rule violation, except those Article where stated to be an element of the anti-doping rule violation (e.g., Article 2.1.2.2, 2.1.2.3, 2.1.2.4, 2.1.2.5, 2.1.2.6 or 2.1.2.7).

¹⁸ Comment to a former version of e.g., Article 10.2.1 or a range of Ineligibility is already provided in all Article based on the Article or other Person's degree of fault.

¹⁹ Comment to Article 10.7.1: The exception of Article 10.7.1.1 is restricted to athletes and other Persons who acknowledge their violation and

are willing to bring other anti-doping rule violations to light is important to reach sport.

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

The extent to which the otherwise applicable period of ineligibility may be suspended shall be based on the seriousness of the anti-doping rule

violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport, non-compliance with the Code and/or sport integrity violations. No more than three-quarters of the otherwise applicable period of ineligibility may be suspended. If the otherwise applicable period of ineligibility is a lifetime, the non-suspended period under this Article must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of ineligibility shall not include any period of ineligibility that could be applied under [Article 10.3.3.3](#).

If so requested by an *Athlete* or other *Person* who seeks to provide *Substantial Assistance*, the *Anti-Doping Organization* with *Results Management* responsibility shall allow the *Athlete* or other *Person* to provide the information to the *Anti-Doping Organization* subject to a *Without Prejudice Agreement*.

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

(O.T.12) To further encourage Athletes and other Persons to provide Substantial Assistance to Anti-Doping Organizations, at the request of the Anti-Doping Organization conducting Results Management or at the request of the athlete or other Person who has, or has been asserted to have, committed an anti-doping rule violation, or other violation of the Code, WADA may agree at any stage of the Results Management process, including after an appellate decision under Article 13 to what it considers to be an appropriate suspension of the otherwise applicable period of Ineligibility and other Consequences. In exceptional circumstances, WADA may agree to suspension of the period of Ineligibility and other Consequences for Substantial Assistance greater than those otherwise provided in this Article, or even no period of Ineligibility, no mandatory Public Disclosure and/or no return of prize money or payment of fines or costs. WADA's approval shall be subject to reinstatement of Consequences, as otherwise provided in this Article, notwithstanding Article 13. WADA's decision in the context of this Article 10.7.1.2 may not be appealed.

(O.T.13) If an Anti-Doping Organization waivers any part of an otherwise applicable sanction because of Substantial Assistance, their policy providing justification for the decision shall be provided to the other Anti-Doping Organizations with a right to appeal under Article 13.2.1 as provided in Article 14.

In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize an Anti-Doping Organization to enter into appropriate confidentially agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

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

Where an *Athlete* or other Person voluntarily admits the commission of an anti-doping rule violation before having received notice of a sample collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.5, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of ineligibility may be reduced, but not below one-half of the period of ineligibility otherwise applicable.⁴⁹

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 in Article 10.5, 10.6 or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period

⁴⁹ Comment to Article 10.7.2: The Article is intended to apply when an *Athlete* or other Person comes forward and admits to an anti-doping rule violation in circumstances where an Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to individuals

where the admission occurs after the *Athlete* or other Person becomes aware of notice of the charge. The amount by which ineligibility is reduced cannot be based on the likelihood that the *Athlete* or other Person would have been caught had he or she not come forward voluntarily.

of ineligibility shall be determined in accordance with Articles 10.3, 10.4, 10.5, and 10.6. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of ineligibility under Article 10.7, then the period of ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of ineligibility.

10.8 Results Management Agreements

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

Where an Athlete or other Person, after being notified by an Anti-Doping Organization of a potential anti-doping rule violation that carries an asserted period of ineligibility of four (4) or more years (including any period of ineligibility asserted under Article 12.4), admits the violation and accepts the asserted period of ineligibility no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the Athlete or other Person may receive a one-year reduction in the period of ineligibility asserted by the Anti-Doping Organization. Where the Athlete or other Person receives the one-year reduction in the asserted period of ineligibility under this Article 10.8.1, no further reduction in the asserted period of ineligibility shall be allowed under any other Article.³⁰

³⁰ Comment to article 10.8.1. For example, if an Anti-Doping Organization alleges that an Athlete has, under Article 2.1 of the World Anti-Doping Code, committed a doping rule violation and asserts the applicable period of ineligibility is four (4) years, then the Athlete may voluntarily reduce the

period of ineligibility to three (3) years by admitting the violation and accepting the three-year period of ineligibility within the time specified in the Article, with no further reduction allowed. This reduces the time without pay need to a minimum.

11B.2 Case Resolution Agreement

Where the Athlete or other Person admits an anti-doping rule violation after being confronted with the anti-doping rule violation by an Anti-Doping Organization and agrees to consequences acceptable to the Anti-Doping Organization and WADA, at their sole discretion, then: (a) the Athlete or other Person may receive a reduction in the period of ineligibility based on an assessment by the Anti-Doping Organization and WADA of the application of Articles 12.1 through 12.2 to the asserted anti-doping rule violation, the seriousness of the violation, the Athlete or other Person's degree of fault and how promptly the Athlete or other Person admitted the violation, and (b) the period of ineligibility may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the Athlete or other Person shall serve at least one-half of the agreed-upon period of ineligibility going forward from the earlier of the date the Athlete or other Person accepted the imposition of a sanction or a Provisional Suspension which was subsequently respected by the Athlete or other Person. The decision by WADA and the Anti-Doping Organization to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of the period of ineligibility, are not matters for determination or review by a hearing body and are not subject to appeal under Article 13.

If so requested by an Athlete or other Person who seeks to enter into a case resolution agreement under this Article, the Anti-Doping Organization with Results Management responsibility shall allow the Athlete or other Person to discuss an

admission of the anti-doping rule violation with the Anti-Doping Organization subject to a Written Pledge Agreement²¹

10.7 Multiple Violations

10.7.1 Second or Third Anti-Doping Rule Violation

(O.T.1.1) For an Athlete or other Person's second anti-doping rule violation, the period of ineligibility shall be the greater of:

- (a) A six-month period of ineligibility; or
- (b) A period of ineligibility in the range between:

(i) The sum of the period of ineligibility imposed for the first anti-doping rule violation plus the period of ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation; and

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

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

²¹ Comment to Article 10.2.2: Any admission or agreement by an Athlete to the Article 10.2.2 rule shall be recorded in writing in the Concussion set forth in the case (Written agreement, and shall not be applicable to the terms of that agreement).

In some countries, the admission is a period of ineligibility is not binding

is a binding body to derive authority, the Anti-Doping Organization may not award a specific period of ineligibility for purposes of Article 10.2.2 and limit the period to apply to a specific period of ineligibility under Article 10.2.2 to Article 10.2.2.2 and Article 10.2.2.3 and Article 10.2.2.4 will not be applicable to the body.

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

10.9.1.3 The period of ineligibility established in Articles 10.5.1.1 and 10.9.1.2 may then be further reduced by the application of Article 10.7.

10.9.2 An anti-doping rule violation for which an Athlete or other Person has established his Fault or Negligence shall not be considered a violation for purposes of Article 10.8. In addition, an anti-doping rule violation sanctioned under Article 10.1.4 shall not be considered a violation for purposes of Article 10.8.

10.9.3 **Additional Rules for Certain Potential Multiple Violations**

10.9.3.1 For purposes of imposing sanctions under Article 10.8, except as provided in Articles 10.9.3.2 and 10.9.3.3, an anti-doping rule violation will only be considered a second violation if the Anti-Doping Organization can establish that the Athlete or other Person committed the additional anti-doping rule violation after the Athlete or other Person received notice pursuant to Article 7, or after the Anti-Doping Organization made reasonable efforts to give notice of the first anti-doping rule violation, if the Anti-Doping Organization cannot establish this, the violations shall be considered together.

as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction, including the application of Aggravating Circumstances. Results in all Compellence going back to the earlier anti-doping rule violation will be Disqualified as provided in Article 10.10.⁷²

10.9.3.2 f) The Anti-Doping Organization establishes that an Athlete or other Person committed an additional anti-doping rule violation prior to notification, and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of ineligibility for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of ineligibility is served consecutively rather than concurrently with the period of ineligibility imposed for the earlier-noticed violation. Where this Article 10.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.3.1.

10.9.3.3 f) The Anti-Doping Organization establishes that an Athlete or other Person committed a violation of Article 2.5 in connection with the Doping Control process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated

⁷² Commentary to Article 10.3.1: The same rule applies where, after the imposition of a sanction, a Person-Doping Organization discovers facts involving an anti-doping rule violation that occurred prior to application for a first anti-doping rule violation—e.g., the

same Doping Organization shall impose a sanction based on the sanction that would have been imposed if the two violations had been adjudicated at the same time, including the application of Aggravating Circumstances.

is a third-time first violation and the period of ineligibility for such violation shall be varied consecutively rather than concurrently with the period of ineligibility, if any imposed for the underlying anti-doping rule violation. Where this Article 10.7.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.5.1.

12.9.3.4. San Antonio-Domingo Organismos establishes that an Athlete or other Person has committed a second or third anti-doping rule violation during a period of ineligibility, the periods of ineligibility for the multiple violations shall run consecutively rather than concurrently.

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For purposes of Article 10, each will-doping rule violation must have place within the same two-year period if either is to be considered multiple violations.

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

In addition to the automatic disqualification of the results in the Competition which produced the positive Sample under Article 5, all other competitive results of the Athlete obtained from the date a positive Sample was collected (whether In-Competition or Out-of-Competition) as well as any anti-doping rule violation occurred through the commissioning of any Prohibited Substance or Prohibited Method, shall unless otherwise required

otherwise, be disqualified with all of the resulting consequences, including forfeiture of any medals, points and prizes.²⁹

10.11 Forfeited Prize Money

An Anti-Doping Organisation or other Signatory that has recovered prize money forfeited as a result of an anti-doping rule violation shall take reasonable measures to allocate and distribute that prize money to the Athlete who would have been entitled to it had the offending Athlete not competed. An International Federation may provide in its rules whether or not the redistributed prize money shall be considered for purposes of its ranking of Athletes.³⁰

10.12 Financial Consequences

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

78. Comment on Article 10.11: Nothing in the Code prohibits World Athletics or other Persons who have been damaged by the actions of a Person who has

committed an anti-doping rule violation from pursuing any claim which they would otherwise have to seek damages from said Person.

79. Comment on Article 10.12: The Article is not intended to prevent an anti-doping body or the anti-doping Organisation or other Signatory to take any action to collect forfeited prize money if the Anti-Doping Organisation wants and is able and wishes to collect forfeited prize money, if they decide

to right to recover such money in its entirety if the Athlete has otherwise received the money. Reasonable measures to allocate and distribute the prize money" could include using collected forfeited prize money at special camps for an International Federation and its Athletes.]

10.13: Commencement of Ineligibility Period

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

10.13.1 Delays Not Attributable to the Athlete or other Person

Where there have been substantial delays in the hearing process or other aspects of Doping Control and the Athlete or other Person can establish that such delays are not attributable to the Athlete or other Person, the body imposing the sanction may start the period of ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. At competitive events achieved during the period of ineligibility, including retrospective ineligibility, shall be Disqualified.¹⁹

10.13.2 Credit for Provisional Suspension or Period of Ineligibility Served

10.13.2.1 If a Provisional Suspension is respected by the Athlete or other Person, then the Athlete or other Person shall receive a credit for each period of Provisional Suspension against any period of ineligibility which may ultimately be imposed. If the Athlete or other

¹⁹ Disqualification of Athlete results in loss of anti-doping rule violation other than under Article 10.1; the test required for an Anti-Doping Organisation to impose and declare such disqualification is explained in anti-doping rule violation may be lengthy.

particularly where the Athlete or other Person has taken attention action to avoid some form of loss of competition, the body placed in this Article to start the duration of an earlier sanction should not be used.

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

(01322) If an Athlete or other Person voluntarily accepts a Provisional Suspension or withdrawal from an Anti-Doping Organization with Results Management authority and thereafter respects the Provisional Suspension, the Athlete or other Person shall receive a credit for such period of voluntary Provisional Suspension against any period of ineligibility which may ultimately be imposed. A copy of the Athlete or other Person's voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.¹⁴

(01323) No credit against a period of ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Athlete affected had to compete or was suspended by a team.

¹⁴ Comment to Article 12.12.2:
An Athlete's voluntary acceptance of a Provisional Suspension is not an

admission by the Athlete and shall not be used in any way to draw an adverse inference against the Athlete.

10.10.24 In Team Sports, where a period of ineligibility is imposed upon a team, unless fairness requires otherwise, the period of ineligibility shall start on the date of the final hearing decision providing for ineligibility or if the hearing is waived, on the date ineligibility is accepted or otherwise imposed. Any period of team Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of ineligibility to be served.

10.14 Status during Ineligibility or Provisional Suspension

10.14.1 Prohibition against Participation during Ineligibility or Provisional Suspension

No Athlete or other Person who has been declared ineligible or is subject to a Provisional Suspension may during a period of ineligibility or Provisional Suspension, participate in any capacity in a Competition or actively (other than authorized anti-doping Education or rehabilitation programs) authorized or organized by any Signatory, Signatory's member organization, or a club or other member organization of a Signatory's member organization, or in Competitions authorized or organized by any professional league or international or national level Event organization or any club or national level sporting activity funded by a governmental agency.¹⁷

An Athlete or other Person subject to a period of ineligibility longer than four (4) years may,

¹⁷ Excepted in Article 10.14.1. For example, subject to Article 10.14.2 below, coaches, trainers, team physicians or a training staff, athletes or practice organized by the National Federation or a club which is a member of the National Federation or which is funded by a governmental

agency, further, as example Athlete may not compete in a non-Signatory professional league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-Signatory international Event organization or a non-Signatory national level Event organization.

after completing their 141 years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the authority of a Code Signatory or member of a Code Signatory, but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or international event, and does not involve the Athlete or other Person working in any capacity with Protected Persons.

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

10.14.2 Return to Training

As an exception to Article 10.14.1, an Athlete may return to train with a team or to use the facilities of a club or other member organization of a Signatory's member organization during the shorter of (1) the last two (2) months of the Athlete's period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.¹⁰

without triggering the Consequences set forth in Article 10.14.2, the term "activity" also includes, for example, administrative activities such as serving as an official, director, officer, employee, or volunteer of the organization described in this Article. Ineligibility imposed in one sport shall not be recognized in other sports (see Article 17.1, Cumulative Testing (Other of Substance) for Athlete or other Person).

¹⁰ Comment to Article 10.14.2 is that Team Sports and some individual sports (e.g., ice skating and gymnastics) Athletes cannot effectively train as they are not as able to be in complete at the end of the off-season

during 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 would also result in a violation of 10.14.2 by another Athlete. Any performance obtained accumulated during a period of Ineligibility shall not be recognized by a Signatory or its National Federation (or employees).

period of ineligibility. During the training period provided in this Article, an athlete should not yet compete or engage in any activity described in Article 10.14.2 until that 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 Article 10.14.1, the results of such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility, including a reprimand and no period of Ineligibility, may be adjusted based on the Athlete or other Person's degree of fault and other circumstances of the case. The determination of whether an Athlete or other Person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organization whose Results Management led to the imposition of the initial period of Ineligibility. This decision may be appealed under Article 13.

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

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

10.14.4 Withholding of Financial Support (where Applicable)

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

10.15 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in [Article 14.2](#).

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 Testing of Team Sports

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

11.2 Consequences for Team Sports

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

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

The ruling body for an Event may elect to establish rules for the Event which impose Consequences for Team Sports stricter than those in [Article 11.2](#) for purposes of the Event.⁵⁵ Similarly, an International Federation may elect to establish rules imposing stricter Consequences for Team Sports within its authority than those in [Article 11.2](#).

ARTICLE 12: SANCTIONS BY SIGNATORIES AGAINST OTHER SPORTING BODIES

Each Signatory shall adopt rules that obligate each of its member organisations and any other sporting body over which it has authority to comply with, implement, uphold and enforce the Code within that organisation's or body's area of competence. When a Signatory becomes aware that one of its member organisations or other sporting body over which it has authority has failed to fulfil such obligation, the Signatory shall take appropriate action against such organisation or body.⁵⁶ Its penalties, a Signatory's action and rules shall include the possibility of excluding all or some group of, members of that organisation or body from specified future Events or all Events concluded within a specified period of time.⁵⁷

⁵⁵ *Commentary to Article 11.3:* The Olympic, the International Olympic Committee and possible rules which must require distribution of a

list of such organisations and bodies only existing during the period of the Games.

⁵⁶ *Commentary to Article 12:* The Article is not intended to restrict or attenuate the power the Signatory has to discipline each of its member organisations in

its area of competence, but rather to require the Signatory to duly act on when it becomes aware of such acts.

⁵⁷ *Commentary to Article 12:* The Article enables it to be decided whether disciplinary action between organisations may otherwise

exist. For example, against Signatories that are inconsistent with the Code, see [Article 20.11](#).

ARTICLE 13 RESULTS MANAGEMENT- APPEALS*

13.1 Decisions Subject to Appeal

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

13.1.1 Scope of Review Not Limited

The scope of review in 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.¹⁰

10 Comment to Article 13: The appeal of the Code is to those arbitrating bodies created through IFA and designated hearing processes with a final appeal. Arbitration decisions by Arbitrating Organizations are also appealed to Article 13: Specified Process and arbitrations, including

WCOs, are then given the opportunity to appeal those decisions. That the the initiation of expedited Process and engagement with a higher appeal under Article 13 does not include claims in the National Arbitration, who might benefit from being another appellate Organization.)

11 Comment to Article 13.2.1: The hearing language is not intended to make a substantive change to the 2013 Code, but rather the clarification. For example, where possible you charged in the first instance hearing only with

concerning the same conduct prior was conducted. Consistent in ensuring every case prior with transparency and consistency across the staffs in the appeal.)

13.1.2 CAS Shall Not Interfere in the Findings Being Appealed

In making its decision, CAS shall not give deference to the discretion exercised by the body whose decision is being appealed.⁴⁶

13.1.3 WADA Not Required to Exhaust Internal Remedies⁴⁷

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

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

A decision that an anti-doping rule violation was committed, a decision imposing Consequences or not imposing Consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed, a decision that an anti-doping rule violation proceeding cannot go forward (or procedural rationale (including, for example, prescription)), a decision by WADA not to grant an exception to the six-month notice requirement for a retired Athlete to return to competition under Article 5.2.1, a decision by WADA assigning Results Management under Article 3.3, a decision by an Anti-Doping Organisation not to bring forward an *Adverse Analytical Finding* or an *Adverse Finding* as an

⁴⁶ Comment to Article 13.1.2: CAS proceedings are de novo. CAS

proceedings do not test the wisdom or soundness of the findings under CAS.

⁴⁷ Comment to Article 13.1.3: When a challenge has been allowed before the final stage of an Anti-Doping Organisation's process (for example, a final hearing) and no party does so, appeal that decision to the next level of

the Anti-Doping Organisation's process (e.g., the Managing Board, then WADA) may bypass the remaining steps of the Anti-Doping Organisation's internal process and appeal directly to CAS.

anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation in accordance with the International Standard for Results Management; a decision to suspend, or lift, a Provisional Suspension as a result of a Provisional Hearing; an Anti-Doping Organization's failure to comply with [Article 14](#); a decision that an Anti-Doping Organization lacks authority to rule on an alleged anti-doping rule violation or its consequences; a decision to suspend, or not suspend, consequences or to reinstate, or not reinstate, consequences under [Article 10.5.1](#); failure to comply with [Articles 13.4 and 13.5](#); failure to comply with [Article 11.6.1](#); a decision under [Article 11.6.3](#); a decision by an Anti-Doping Organization not to implement another Anti-Doping Organization's decision under [Article 15](#); and a decision under [Article 17.3](#) may be appealed as follows as provided in this [Article 13.2](#):

13.2.1 Appeals Involving International-Level Athletes or International Events

In cases arising from participation in an International Event or in cases involving International-Level Athletes, the decision may be appealed exclusively to CAS.⁴⁴

13.2.2 Appeals Involving Other Athletes or Other Persons

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

- a timely hearing;
- a fair, impartial, and specifically independent and institutionally independent hearing panel;
- the right to be represented by counsel at the Person's own expense; and

⁴⁴ Decisions on [Article 13.2](#) CAS decisions are final and binding except for any errors resulting in

an appealable to the president or a committee of persons elected by

- a timely written, reasoned decision;

If the appeal body as described above is in place and available at the time of the appeal, the Athlete or other Person shall have a right to appeal to CAS.

13.2.3 Persons Entitled to Appeal

13.2.3.1 Appeals Involving International-Level Athletes or International Events

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the relevant International Federation; (d) the National Anti-Doping Organization of the Person's country of residence or countries where the Person is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.

13.2.3.2 Appeals Involving Other Athletes or Other Persons

In cases under Article 13.2.2, the parties having the right to appeal to the appellate body shall be as provided in the National Anti-Doping Organization's rules but, at a minimum, shall include the following parties: (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the relevant International

Federation; (d) the National Anti-Doping Organization of the Person's country of residence or countries where the Person is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA. For cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal to CAS with respect to the decision of the applicable body. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organization whose decision is being appealed and the information shall be provided if CAS so directs.

13.2.3 Duty to Notify

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

13.2.3.A Appeal Deadline for Parties Other than WADA

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

13.2.3.B Appeal Deadline for WADA

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

(d) Twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed,

or

(d) Twenty-one (21) days after WDA's receipt of the complete file relating to the decision.⁴⁷

112.3.A 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 Affected or other Person upon whom the Provisional Suspension is imposed.

112.4 Cross Appeals and other Subsequent Appeals Allowed⁴⁸

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the Code are specifically permitted. Any party with a right to appeal under this Article 12 must file a cross appeal or subsequent appeal at the latest with the party's answer.

⁴⁷ Comment to Article 11.2.3. (11.2.3. Whether provided by CAS rules or Article 11.2.3, a party's decision to appeal does not begin running until receipt of the answer for that appeal. There can be no expiration of a party's right to appeal if the party has not received the answer.)

⁴⁸ Comment to Article 11.2.A. The provision is necessary because when 2010 CAS rules in final period or affect the right to cross appeal when an Arbitrating Organization awards

a decision, after the Affected's time to appeal has expired. The provision permits a bid hearing for all parties.

13.3 Failure to Render a Timely Decision by an Anti-Doping Organization²¹

Where, in a particular case, an Anti-Doping Organization fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if the Anti-Doping Organization had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by the Anti-Doping Organization.

13.4 Appeals Relating to TUEs

TUE decisions may be appealed exclusively as provided in [Article 4.4](#).

13.5 Notification of Appeal Decisions

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

13.6 Appeals from Decisions under Article 24.1

A finding that is not disputed and so becomes a final decision under [Article 24.1](#), finding a Signatory non-compliant with the Code and imposing consequences

²¹ Consistent with [Article 13.2](#), since the ultimate responsibility of anti-doping rule violation investigations and results management remains with the Anti-Doping Organization, it is not intended to establish a final time period for an Anti-Doping Organization to render a decision where WADA may intervene by appealing directly to CAS before taking such action. However, WADA will consult with the Anti-Doping

Organization and give the Anti-Doping Organization an opportunity to explain why it has not yet rendered a decision. Breach of this Article provision as described constitutes a failure to act using rules which otherwise it is deemed contrary to matters it affects the Athlete Management performed by one of its National Federations has been experimentally defined.

for both non-compliance, as well as conditions for Withdrawal of the Signatory, may be appealed to CAS as provided in the International Standard for Code Compliance by Signatories.

13.7 Appeals from Decisions Suspending or Revoking Laboratory Accreditation

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

ARTICLE 14 CONFIDENTIALITY AND REPORTING

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

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

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

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

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

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

14.1.3 Content of an Anti-Doping Rule Violation Notice

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

14.1.4 Status Reports

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

14.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those Persons with a need to know, which could include the appropriate personnel at the applicable National Olympic Committee, National Federation, and team in a Team Sport with the Anti-Doping Organization with Results Management responsibility has made Public Disclosure as permitted by Article 14.2.⁹⁹

⁹⁹ Comment to Article 14.1.5: Anti-Doping Organizations shall provide, where (i) it is necessary (as provided for by the provision of confidential information and, in recognizing

and recognizing ongoing structure of confidential information to (ii) protect or assist of the Anti-Doping Organization].

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

14.2.1 Anti-doping rule violation decisions or decisions related to violations of Ineligibility or Provisional Suspension rendered pursuant to Article 7.6, 6.4, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, the Anti-Doping Organization shall provide an English or French summary of the decision and the supporting records.

14.2.2 An Anti-Doping Organization having a right to appeal a decision rendered pursuant to Article 14.2.1 may, within fifteen (15) days of receipt, request a copy of the full case file pertaining to the decision.

14.3 Public Disclosure

14.3.1 After notice has been provided to the Athlete or other Person in accordance with the International Standard for Results Management, and in the applicable Anti-Doping Organization in accordance with Article 14.1.2, the identity of any Athlete or other Person who is notified of a potential anti-doping rule violation, the Prohibited Substance or Prohibited Method and nature of the violation involved, and whether the Athlete or other Person is subject to a Provisional Suspension may be Publicly Disclosed by the Anti-Doping Organization with Results Management responsibility.

14.3.2 No later than twenty (20) days after it has been determined in an appellate decision under Article 13.2.3 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the admission of

an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 13.8, or a new period of eligibility, or suspension, has been imposed under Article 13.14.3, the Anti-Doping Organization responsible for Results Management must Publicly Disclose the disposition of the anti-doping matter including the sport, the anti-doping rule violated, the name of the Athlete or other Person committing the violation, the Prohibited Substance or Prohibited Method involved (if any) and the Consequences imposed. The same Anti-Doping Organization must also Publicly Disclose within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.⁴¹

- 14.3.3 After an anti-doping rule violation has been determined to have been committed, or an appellate decision under Article 13.2.1 or 13.2.2 or such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the imposition of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 13.8, the Anti-Doping Organization responsible for Results Management may make public such determination or decision and may comment publicly on the matter.
- 14.3.4 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the fact that the decision has been

⁴¹ Disclose as Article 13.2.3 where Public Disclosure is required by Article 13.2.2 except where in a hearing or appeal case, the Anti-Doping Organization's failure to make the Public Disclosure will

not result in a determination of non-compliance with Code or fail to be in Article 2.2 of the International Standard for the Protection of Privacy and Personal Information.)

appealed may be Publicly Disclosed. However, the decision itself and the underlying facts may not be Publicly Disclosed except with the consent of the Athlete or other Person who is the subject of the decision. The Anti-Doping Organization with Results Management responsibility shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.

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

14.3.4 Except as provided in Articles 14.3.1 and 14.3.3, no Anti-Doping Organization or WADA-accredited laboratory or officials or others shall publicly comment on the specific facts of any pending case (no opinion or 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.

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

14.4 Statistical Reporting

Anti-Doping Organizations shall, at least annually, publish publicly a general statistical report of their Doping Control activities, with a copy provided to WADA. Anti-Doping Organizations may also publish reports showing the

name of each Athlete tested and the date of each Testing. WADA shall, at least annually, publish statistical reports summarizing the information that it receives from Anti-Doping Organization(s) and laboratories.

14.5 Doping Control Information Database and Monitoring of Compliance

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

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

as required under the applicable International Standard(s).

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

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

contained in the International Standard for Therapeutic Use Exemptions.

- 14.5.3 To facilitate WADA's oversight and appeal rights for Results Management, Anti-Doping Organizations shall report the following information into ADAMS in accordance with the requirements and timelines outlined in the International Standard for Results Management: (a) notifications of anti-doping rule violations and related decisions for Adverse Analytical Findings, (b) notifications and related decisions for other anti-doping rule violations that are not Adverse Analytical Findings, (c) Withdrawals failures, and (d) any decision imposing, lifting or reinstating a Provisional Suspension.

- 14.5.4 The information described in this Article will be made accessible, where appropriate and in accordance with the applicable rules, to the ADAMS, the Athlete's National Anti-Doping Organization and International Federation, and any other Anti-Doping Organizations with Testing authority over the Athlete.⁴⁶

14.6 Data Privacy⁴⁷

Anti-Doping Organizations may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct their Anti-Doping Activities under the Code.

11.1 Confidentiality of ADAMS ADAMS is a secured, computerized and managed by WADA, and is designed to be consistent with data privacy laws and norms applicable to WADA and other organizations using such system. Personal information regarding

Athletes or other Persons included in ADAMS is not to be shared in third countries and is consistent with the International Standard for the Protection of Privacy and Personal Information.⁴⁸

11.2 Confidentiality of ADAMS ADAMS is a secure platform which can be used for legislative, regulatory, policies or administrative practices for collection and sharing of information

with Anti-Doping Organizations, sharing of data among Anti-Doping Organizations as provided in the Code.⁴⁹

and International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information), and in compliance with applicable law.

ARTICLE 15 IMPLEMENTATION OF DECISIONS

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

15.1.1 A decision of an anti-doping rule violation made by a Signatory Anti-Doping Organization, an appellate body ([Article 13.2.3](#)) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon every Signatory in every sport with the effects described below:

15.1.1.1 A decision by any of the above-described bodies imposing a *Provisional Suspension* (after a *Provisional Hearing* has occurred) on the Athlete or other Person has either accepted the *Provisional Suspension* or has waived the right to a *Provisional Hearing*, expedited hearing or expedited appeal offered in accordance with [Article 7.8.3](#)) automatically prohibits the Athlete or other Person from participation (as described in [Article 12.14.1](#)) in all sports within the authority of any Signatory during the *Provisional Suspension*.

15.1.1.2 A decision by any of the above-described bodies imposing a period of *Ineligibility* after a hearing has occurred or been waived automatically prohibits the Athlete or other Person from participation (as described in [Article 12.14.1](#)) in all sports within the

authority of any Signatory for the period of suspension.

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

15.1.1.4 A decision by any of the above-described bodies to Disqualify results under Article 10.13 for a specified period automatically Disqualifies all results obtained within the authority of any Signatory during the specified period.

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

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

15.1.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a Major Event Organization made in an expedited process during an Event shall not be binding on other Signatories unless the rules of the Major Event Organization provide the Athlete or other Person with an opportunity to an appeal under non-expedited procedures.¹⁸

¹⁸ Consistent to ~~2015~~ 2015 15.1.4, by way of example, when the relevant Major Event Organization gives the Athlete or other Person the option of choosing an expedited CAS appeal of a CAS appeal under normal CAS procedure, the final

decision is authoritative by the Major Event Organization if during an other Signatories' objections of whether the Athlete or other Person should be considered appeal action.

15.2 Implementation of Other Decisions by Anti-Doping Organizations

Signatories may decide to implement other anti-doping decisions rendered by Anti-Doping Organizations not described in Article 15.1.1 above, such as a Provisional Suspension prior to a Provisional Hearing or acceptance by the Athlete or other Person.⁴⁴

15.3 Implementation of Decisions by Body that is not a Signatory

An anti-doping decision by a body that is not a Signatory to the Code shall be implemented by each Signatory if the Signatory finds that the decision purports to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the Code.⁴⁵

44. Comment to Article 15.1 and 15.2 Anti-Doping Organizations created under Article 15.1 are implemented automatically by other Signatories without the intervention of any decision or further action on the Signatory's part. For example, when a National Anti-Doping Organization decides to Provisionally Suspend an athlete, that decision is given immediate effect by the International Federation (see 2.3.30 above). The "decision" is the one made by the National Anti-Doping Organization. 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 Organization. Implementation of an Anti-Doping Organization's decision under Article 15.2 is subject to each Signatory's discretion. A Signatory's implementation of a decision under Article 15.1 or Article 15.2 is not appropriate if it does not fit the spirit of the underlying decision. The extent of recognition of the decision of other Anti-Doping Organizations shall be determined by Article 4.4 and the International Standard for "National Anti-Doping Organizations".

45. Comment to Article 15.3 Where the decision of a body that has not accepted the Code is a *prima facie* Code violation, and in other respects not Code compliant, Signatories should attempt to apply the decision in conformity with the principles of the Code. For example, if in a previous competition 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 temporary suspension is shorter than the

period provided for in the Code, then all Signatories should interpret the finding of an anti-doping rule violation and the Athlete's National Anti-Doping Organization should conduct a hearing consistent with Article 8.6 to determine whether the longer period of eligibility provided in the Code should be imposed. A Signatory's implementation of a decision of its decision will be implemented a decision under Article 15.1 is appropriate under Article 15.1.

ARTICLE 16 DOPING CONTROL FOR ANIMALS COMPETING IN SPORT

- 16.1** In any sport that includes animals in competition, the International Federation for that sport shall establish and implement anti-doping rules for the animals included in that sport. The anti-doping rules shall include a list of Prohibited Substances, appropriate Testing procedures and a list of approved laboratories for Sample analysis.
- 16.2** With respect to determining anti-doping rule violations, Results Management, fair hearings, Consequences, and appeals for animals involved in sport, the International Federation for that sport shall establish and implement rules that are generally consistent with Articles 5, 6, 7, 9, 10, 11, 12 and 13 of the Code.

ARTICLE 17 STATUTE OF LIMITATIONS

No anti-doping rule violation proceeding may be commenced against an Athlete or other Person unless he or she has been notified of the anti-doping rule violation as provided in Article 3, or notification has been reasonably attempted, within ten (10) years from the date the violation is asserted to have occurred.



PART TWO

EDUCATION
AND RESEARCH

ARTICLE 18 EDUCATION

18.1 Principles

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

Education programs shall raise awareness, provide accurate information and develop decision-making capability to prevent intentional and unintentional anti-doping rule violations and other breaches of the Code. Education programs and their implementation shall instill personal values and principles that protect the spirit of sport.

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

18.2 Education Programs and Plan by Signatories

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

Signatories shall develop an Education plan as required in the International Standard for Education. Prioritization of target groups or activities shall be justified based on a clear rationale of the Education Plan.¹⁷

¹⁷ Comment to Article 18.2: The WADA Assessment Tool (ATD) for Signatories are required to include under the International Standard for Testing and Investigations process a framework outlining the risk of

doping within sports. The Assessment Tool can be used to identify priority target groups for Education programs (ISD24 also provides Education resources for Signatories to use to support their program delivery.)

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

An Anti-Doping Organization's Education program shall include the following awareness, information, values-based and Education components which shall at a minimum be available on a website¹⁹:

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

¹⁹ Consent to Article 18.2. Where, for example, a particular National Anti-Doping Organization does not have its own website, the required information may be posted on the

website of the country's national Olympic Committee or other organization responsible for sport in the country.

18.2.1 Education Pool and Target Groups Established by Signatories

Signatories shall identify their target groups and form an Education pool in line with the minimum requirements outlined in the International Standard for Education.¹⁴

18.2.2 Education Program Implementation by Signatories

Any Education activity directed at the Education pool shall be delivered by a United and authorized Person according to the requirements set out in the International Standard for Education.¹⁵

18.2.3 Coordination and Cooperation

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

¹⁴ Consistent to Article 18.2.1, the Education pool shall not be limited to Nations or International-Level Affiliates and shall include all Persons.

including youth who participate in tests under the authority of any Signatory government or other legally recognized authority (the Code).

¹⁵ Consistent to Article 18.2.2, the purpose of this provision is to introduce the concept of an Education Implementer that only be delivered by a United and authorized Person, similar to Testing services and program and operations being certain efforts are critical back in both cases, the requirement for United personnel is to safeguard

the Affairs and maintain consistent standards of delivery. Further details on including a single accredited program for Education are outlined in the WIDA model questions for Education, including best practice examples of implementation that can be implemented.

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

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

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

ARTICLE 19 RESEARCH

19.1 Purpose and Aims of Anti-Doping Research

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

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

19.2 Types of Research

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

19.3 Coordination of Research and Sharing of Results

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

19.4 Research Practices

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

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

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

19.6 **Misuse of Results**

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

PART THREE

ROLES AND RESPONSIBILITIES

401. The members and WSCM shall act in a spirit of understanding and collaboration in order to ensure the success of the fight against doping in sport in the respect of the Code.⁴⁰²

402. The members, the WSCM and the WADA shall ensure that the Code is implemented in a spirit of understanding and collaboration in order to ensure the success of the fight against doping in sport in the respect of the Code.⁴⁰³

ARTICLE 20: ADDITIONAL ROLES AND RESPONSIBILITIES OF SIGNATORIES AND WADA

Each Anti-Doping Organization may delegate aspects of Doping Control or Anti-Doping Education for which it is responsible but remains fully responsible for ensuring that any aspect it delegates is performed in compliance with the Code. To the extent such delegation is made to a *Delegated Third Party* that is not a Signatory, the agreement with the *Delegated Third Party* shall require its compliance with the Code and International Standards.¹⁹¹

20.1 Roles and Responsibilities of the International Olympic Committee

- 20.1.1 To adopt and implement anti-doping policies and rules for the Olympic Games which conform with the Code and the International Standards.
- 20.1.2 To require, as a condition of recognition by the International Olympic Committee, that International Federations and National Olympic Committees within the Olympic Movement are in compliance with the Code and the International Standards.
- 20.1.3 To withhold name or all Olympic funding and/or other benefits from sport organizations that are not in compliance with the Code and/or the International Standards, where required under Article 24.1.

¹⁹¹ Commentary Article 20: Roles and Responsibilities of Anti-Doping Organizations is not responsible for a failure to comply with the Code by a Non-Signatory Delegated Third Party if the Delegated Third Party's failure is committed in connection with conduct prohibited in a different Anti-Doping Organization. For example, if WADA and USAD both delegate aspects of doping control to the same non-Signatory Delegated Third Party,

and the improper work in compliance with the Code is performed by the laboratory that they both WADA and not USAD would be responsible for the failure. However, Anti-Doping Organizations must continuously require Delegated Third Parties to whom they have delegated anti-doping responsibilities to report to the Anti-Doping Organization any failure of non-compliance by the Delegated Third Parties.)

- 20.1.4 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which it has authority, in accordance with Article 12.
- 20.1.5 To authorize and facilitate the Independent Observer Program.
- 20.1.6 To require all Athletes preparing for or participating in the Olympic Games, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.
- 20.1.7 Subject to applicable law, as a condition of such position or involvement, to require all, of its board members, directors, officers, and those employees (and those of approved Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.
- 20.1.8 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Professionally Suspended or is serving a period of ineligibility under the Code or if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.

- 20.1.9 To vigorously pursue all potential anti-doping rule violations within its authority, including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping.
- 20.1.10 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.
- 20.1.11 To accept bids for the Olympic Games only from countries where the government has ratified, accepted, approved or acceded to the UNESCO Convention, and where required under Article 24.1.9 to not accept bids for Events from countries where the National Olympic Committee, the National Paralympic Committee and/or the National Anti-Doping Organization is not in compliance with the Code or the International Standards.
- 20.1.12 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.
- 20.1.13 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.
- 20.1.14 To adopt a policy or rule implementing Article 23.

20.2 Rules and Responsibilities of the International Paralympic Committee

- 20.2.1 To adopt and implement anti-doping policies and rules for the Paralympic Games which conform with the Code and the International Standards.
- 20.2.2 To require, as a condition of membership of the International Paralympic Committee, that international Federations and National Paralympic Committees within the Paralympic Movement are in compliance with the Code and the International Standards.

- 2023 To withhold some or all Paralympic funding and/or other benefits from sport organizations that are not in compliance with the Code and/or the International Standards, where required under Article 24.1.
- 2024 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standards for Code Compliance by Signatories, and (b) by any other sporting body over which it has authority in accordance with Article 12.
- 2025 To authorize and facilitate the Independent Observer Program.
- 2026 To require all Athletes preparing for or participating in the Paralympic Games, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.
- 2027 Subject to applicable law, as a condition of such position or involvement, to require all, of its board members, directors, officers, and their employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.
- 2028 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation

of anti-doping rules. If Code-consistent rules had been applicable to such Person.

20.2.9 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the *International Standard for Education*.

20.2.10 To vigorously pursue all potential anti-doping rule violations within its authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping.

20.2.11 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.

20.2.12 To request the operational independence of laboratories as provided in the *International Standard for Laboratories*.

20.3 Roles and Responsibilities of International Federations

20.3.1 To adopt and implement anti-doping policies and rules which conform with the Code and *Personnel Standards*.

20.3.2 To require, as a condition of membership, that the powers, rules and programs of their National Federations and other members are in compliance with the Code and the *International Standards* and to take appropriate action to enforce such compliance; areas of compliance effort include but not be limited to: i) requiring that their National Federations conduct Testing only under the documented authority of their International Federation and use their National Anti-Doping Organization or other Sample Collection Authority to collect Samples in compliance with the *International Standard for Testing and Investigations*, ii) requiring that their National Federations recognize the authority of the National Anti-Doping Organization in their country in accordance with [Article 5.2.1](#) and assist as appropriate with the National

Anti-Doping Organization's implementation of the national testing program for their sport), and requiring that their National Federations analyse all Samples collected using a WADA-accredited or WADA-approved laboratory in accordance with Article 5.1, and (ii) requiring that any national level anti-doping rule violation cases discovered by their National Federations are adjudicated by an *Operationally Independent Hearing panel* in accordance with Article 8.1 and the International Standard for Results Management.

- 20.3.3 To require all Athletes preparing for or participating in a Competition or activity authorized or supervised by the International Federation or one of its member organizations, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement;
- 20.3.4 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and three employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory;
- 20.3.5 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (either their authorized anti-doping education or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation

of anti-doping rules. If Code-consistent rules had been applicable to such Person.

- 20.5.4 To require Athletes who are not regular members of the International Federation or one of its member National Federations to be available for Sample collection and to provide accurate and up-to-date whereabouts information as part of the International Federation's Registered Testing Pool consistent with the conditions for eligibility established by the International Federation or, as applicable, the Major Event Organization¹⁰⁰
- 20.5.7 To require each of their National Federations to establish rules requiring all Athletes preparing for or participating in a Competition or activity authorized or organized by a National Federation or one of its member organizations, and all Athlete Support Personnel associated with such Athletes, to agree to be bound by anti-doping rules and the Results Management authority of Anti-Doping Organization in conformity with the Code as a condition of such participation);
- 20.5.8 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their National Anti-Doping Organization and International Federation and to cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct the investigation;
- 20.5.9 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which they have authority, in accordance with Article 17.

¹⁰⁰ ADAMS 3.0 is Article 20.5.4 (the word "include" is inserted).

¹⁰¹ ADAMS 3.0 inserted the word "personnel".

- 20.3.10 To authorize and facilitate the *Independent Observer Program at International Events*.
- 20.3.11 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.
- 20.3.12 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.
- 20.3.13 To plan, implement, evaluate and provide anti-doping Education in line with the requirements of the International Standard for Education, including requiring National Federations to conduct anti-doping Education in coordination with the applicable National Anti-Doping Organization.
- 20.3.14 To accept bids for World Championships and other International Events only from countries where the government has ratified, accepted, approved or acceded to the UNESCO Convention, and where required under [Article 24.1.9](#) to not accept bids for Events from countries where the National Olympic Committee, the National Paralympic Committee and/or the National Anti-Doping Organization is not in compliance with the Code or the International Standards.
- 20.3.15 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.

- 20.3.15 To cooperate fully with WADA in connection with investigations conducted by WADA pursuant to Article 20.3.15.
- 20.3.17 To have disciplinary rules in place and require National Federations to have disciplinary rules in place to prevent Athlete Support Personnel who are Using Prohibited Substances or Prohibited Methods without valid justification from providing support to Athletes within the International Federation's or National Federation's authority.
- 20.3.18 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.
- 20.3.19 To adopt a policy or rule implementing Article 20.3.

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

- 20.4.1 To ensure that their anti-doping policies and regulations comply with the Code and the International Standards.
- 20.4.2 To require, as a condition of membership, that the policies, rules and programs of their National Federations and other members are in compliance with the Code and the International Standards, and to take appropriate action to enforce such compliance.
- 20.4.3 To respect the autonomy of the National Anti-Doping Organization in their country and not to interfere in its operational decisions and activities.
- 20.4.4 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their National Anti-Doping Organization and International Federation and to cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct the investigation.

- 20.4.3 To require, as a condition of participation in the Olympic Games and Paralympic Games that, at a minimum, Athletes who are not regular members of a National Federation to available for Sample collection and to provide whereabouts information as required by the International Standard for Testing and Investigations as soon as the Athlete is identified on the long list or subsequent entry document submitted in connection with the Olympic Games or Paralympic Games.
- 20.4.4 To cooperate with their National Anti-Doping Organization and to work with their government to establish a National Anti-Doping Organization where one does not already exist, provided that, in the interim, the National Olympic Committee or its designee shall fulfil the responsibility of a National Anti-Doping Organization. For those countries that are members of a Regional Anti-Doping Organization, the National Olympic Committee, in cooperation with the government, shall maintain an active and supportive role with their respective Regional Anti-Doping Organization.
- 20.4.5 To require each of their National Federations to establish rules or other material requiring all Athletes preparing for or participating in a Competition or activity authorized or organized by a National Federation or one of its member organizations, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules and Anti-Doping Organization Results Management authority in conformity with the Code as a condition of such participation or involvement.
- 20.4.6 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect

of Doping Control, to agree to be bound by anti-doping rules as Persons or conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.

- 20.4.9 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Permanently Disqualified or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.
- 20.4.10 To withhold some or all funding, during any period of Ineligibility, to any Athlete or Athlete Support Person who has violated anti-doping rules.
- 20.4.11 To withhold some or all funding to those member or recognized National Federations that are not in compliance with the Code and/or the International Standards.
- 20.4.12 To plan, implement, evaluate and provide anti-doping Education in line with the requirements of the International Standard for Education, including requiring National Federations to conduct anti-doping Education in coordination with the applicable National Anti-Doping Organization.
- 20.4.13 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping.
- 20.4.14 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.
- 20.4.15 To have disciplinary rules in place to prevent Athlete Support Personnel who are Using Prohibited

Substances or Prohibited Methods without valid justification from providing support to athletes within the National Olympic Committee's or National Paralympic Committee's authority)

20.4.7b To respect the operational independence of laboratories as provided in the *International Standard for Laboratories*.

20.4.12 To adopt a policy or rule implementing [Article 2.1](#).

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

20.5 Roles and Responsibilities of *National Anti-Doping Organizations*¹⁶

20.5.1 To be independent in their operational decisions and activities from sport and government, including without limitation by prohibiting any involvement in their operational decisions or activities by any Person who is at the same time involved in the management or operations of any International Federation, National Federation, Major Event Organization, National Olympic Committee, National Paralympic Committee, or government department with responsibility for sport or anti-doping.¹⁶

¹⁶ Consistent to [Article 20.5](#), the same principle applies to members of the organization described in

[the Article can be shared by both National Anti-Doping Organizations and Regional Anti-Doping Organizations.](#)

¹⁷ Consistent to [Article 20.5.1](#), this would not, for example, prohibit a National Anti-Doping Organization from

acting as a Disputed First Party to a Major Event Organization or other Anti-Doping Organization.

- 20.5.2 To adopt and implement anti-doping rules and policies which conform with the Code and the International Standards
- 20.5.2 To cooperate with other relevant National organizations and agencies and other Anti-Doping Organizations
- 20.5.w To encourage reciprocal Testing between Anti-Doping Organizations
- 20.5.3 To promote anti-doping research
- 20.5.a Where funding is provided, to withhold some or all funding, during any period of ineligibility, to any Athlete or Athlete Support Person who has violated anti-doping rules
- 20.5.3 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping and to ensure proper imposition of Consequences
- 20.5.8 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education
- 20.5.9 Each National Anti-Doping Organization shall be the authority on Education within their respective countries
- 20.5.10 Subject to applicable law, as a condition of study position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory
- 20.5.11 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control

either their authorized anti-doping Education or rehabilitation program) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-sancioning rules had been applicable to such Person.

20.5.12 To conduct an automatic investigation of *Athlete Support Personnel* within their authority, in the case of any anti-doping rule violation by a *Protected Person*, and to conduct an automatic investigation of any *Athlete Support Person* who has provided support to more than one *Athlete* found to have committed an anti-doping rule violation.

20.5.13 To cooperate fully with WADA in connection with investigations conducted by WADA pursuant to Article 20.7.16.

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

20.5.15 To adopt a policy or rule implementing Article 2.1.

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

20.6 Roles and Responsibilities of Major Event Organizations

20.6.1 To adopt and implement anti-doping policies and rules for its Events which conform with the Code and the *International Standards*.

- 20.4.2 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which it has authority, in accordance with Article 13.
- 20.4.3 To authorize and facilitate the *Independent Observer Program*.
- 20.4.4 To require all Athletes preparing for or participating in the Event, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.
- 20.4.5 Subject to applicable law, as a condition of such position or involvement, to require all, of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.
- 20.4.6 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-consistent rules had been applicable to such Person.
- 20.4.7 To vigorously pursue all potential anti-doping rule violations within its authority, including investigation into whether Athlete Support

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

20.6.8 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.

20.6.9 To accept bids for Events only from countries where the government has ratified, accepted, approved or acceded to the UNESCO Convention, and where required under Article 24.1.8) is not accept bids for Events from countries where the National Olympic Committee, the National Paralympic Committee and/or the National Anti-Doping Organization is not in compliance with the Code or the International Standards.

20.6.10 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.

20.6.11 To respect the operational independence of Laboratories as provided in the International Standard for Laboratories.

20.6.12 To adopt a policy or rule implementing Article 2.11.

20.7 Roles and Responsibilities of WADA

20.7.1 To accept the Code and commit to fulfil its roles and responsibilities under the Code through a declaration approved by WADA's Foundation Board.¹⁸

20.7.2 To adopt and implement policies and procedures which conflict with the Code and the International Standards.

20.7.3 To provide support and guidance to Signatories in their efforts to comply with the Code and the International Standards and monitor such compliance in accordance with Article 24.1 of the Code and the International Standard for Code Compliance by Signatories.

¹⁸ As provided in Article 20.7.1, WADA cannot file a Signatory without a declaration.

¹⁹ *International Standard for Compliance with the Code.*

- 20.7.4 To approve *International Standards* applications to the implementation of the Code;
- 20.7.5 To accredit and reaccredit laboratories to conduct sample analysis or to approve others to conduct sample analysis;
- 20.7.6 To develop and publish guidelines and models of best practice;
- 20.7.7 To submit to the WADA Executive Committee for approval, upon the recommendation of the WADA Athletes' Committee the *Athletes' Anti-Doping Rights Act* which compiles in one place those *Athletes' rights* which are specifically identified in the Code and *International Standards*, and other agreed upon principles of best practice with respect to the overall protection of *Athletes' rights* in the context of anti-doping;
- 20.7.8 To promote, conduct, commission, fund and coordinate anti-doping research and to promote anti-doping education;
- 20.7.9 To design and conduct an effective *Independent Observer Program* and other types of *Event Referee programs*;
- 20.7.10 To conduct, in exceptional circumstances and at the direction of the WADA Director General, testing on its own initiative or as requested by other *Anti-Doping Organizations*, and to cooperate with relevant national and international organizations and agencies, including but not limited to, facilitating inquiries and investigations;¹⁶⁷
- 20.7.11 To approve, in consultation with *International Federations*, *National Anti-Doping Organizations*, and *Major Event Organizations*, defined *Testing and Sample analysis programs*.

¹⁶⁷ *Provision 11 Article 20.7.10*
WADA is not a "testing agency" and it reserves the right, in exceptional circumstances, to conduct its own

tests, where proposals have been brought to the attention of the relevant *Anti-Doping Organizations* and have not been satisfactorily addressed.

- 20.7.12 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of affiliated Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory;
- 20.7.13 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (either, then, authorized anti-doping education or rehabilitation programs) who is *Provisionally Suspended* or is serving a period of *Ineligibility* under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if Code-concomitant rules had been applicable to such Person;
- 20.7.14 To initiate its own investigations of anti-doping rule violations, non-compliance of Signatories and ANGL-accredited laboratories, and other activities that may facilitate doping.

20.8 Cooperation Regarding Third-Party Regulations

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

ARTICLE 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS

21.1 Roles and Responsibilities of Athletes

- 21.1.1 To be knowledgeable of and comply with all applicable anti-doping policies and rules adopted pursuant to the Code.
- 21.1.2 To be available for sample collection at all times.¹⁰⁸
- 21.1.3 To take responsibility in the context of anti-doping for what they ingest and use.
- 21.1.4 To inform medical personnel of their obligation not to use Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules adopted pursuant to the Code.
- 21.1.5 To disclose to their National Anti-Doping Organization and International Federation any decision by a non-Signatory finding that the Athlete committed an anti-doping rule violation within the previous ten (10) years.
- 21.1.6 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.¹⁰⁹

¹⁰⁸ Comment to Article 21.1.2: WADA does intend to establish a standard right to refuse sample collection at all times, or

only in the morning, for example, is to ensure that some athletes (the ones of EPO doing their best to cheat) will be vulnerable in the morning.)

¹⁰⁹ Comment to Article 21.1.6: Failure to cooperate is not an anti-doping rule violation under the Code, but it may be

the basis for disciplinary action under a Signatory's rules.)

- 21.1.2 To disclose the identity of their Athlete Support Personnel upon request by any Anti-Doping Organization with authority over the Athlete.

21.2 Roles and Responsibilities of Athlete Support Personnel

- 21.2.1 To be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the Code and which are applicable to them or the Athlete whom they support.
- 21.2.2 To cooperate with the Athlete's testing program.
- 21.2.3 To use their influence on Athlete values and behavior to foster anti-doping attitudes.
- 21.2.4 To disclose to their National Anti-Doping Organization and International Federation any decision by a non-Signatory United that they committed an anti-doping rule violation within the previous two (2) years.
- 21.2.5 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.¹⁹⁹
- 21.2.6 Athlete Support Personnel shall not Use or Possess any Prohibited Substance or Prohibited Method without valid justification.²⁰⁰

199 Comment to Article 21.2.5: United is required to tell its Anti-Doping Organization even if the United is not a signatory.

200 United is a signatory to the Code and is therefore bound by the Code's provisions.

201 Comment to Article 21.2.6: In those situations where the Athlete Support Personnel of a Prohibited Substance or Prohibited Method is an Athlete Support Person without justification is not an anti-doping rule violation under the Code, it should be subject to other

sport disciplinary rules. Trained and other Athlete Support Personnel who are not members of Athletes, they should not be engaging in prohibited conduct which violates anti-doping rules. It is prohibited to purchase and

21.3 Roles and Responsibilities of Other Persons Subject to the Code

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

21.4 Roles and Responsibilities of Regional Anti-Doping Organizations

- 21.4.1 To ensure member countries adopt and implement rules, policies and programs which conform with the Code;
- 21.4.2 To require, as a condition of membership, that a member country sign an official Regional Anti-Doping Organization membership form which clearly states the delegation of anti-doping responsibilities to the Regional Anti-Doping Organization;
- 21.4.3 To cooperate with other relevant national and regional organizations and agencies and other Anti-Doping Organizations;
- 21.4.4 To encourage reciprocal Testing between National Anti-Doping Organizations and Regional Anti-Doping Organizations;
- 21.4.5 To promote and assist with capacity building among relevant Anti-Doping Organizations;
- 21.4.6 To promote anti-doping research;
- 21.4.7 To plan, implement, evaluate and promote anti-doping education in line with the requirements of the International Standard for Education.

ARTICLE 22 INVOLVEMENT OF GOVERNMENTS¹⁷⁷

Each government's commitment to the Code will be evidenced by its signing the Copenhagen Declaration on Anti-Doping in Sport of 3 March 2002, and by ratifying, accepting, approving or acceding to the UNESCO Convention.

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

- 22.1 Each government should take all actions and measures necessary to comply with the UNESCO Convention.
- 22.2 Each government should put in place legislative, regulatory, policies or administrative practices for cooperation and sharing of information with Anti-Doping Organizations, sharing of data among Anti-Doping Organizations as provided in the Code; unrestricted transport of urine and blood samples in a manner that maintains their security and integrity; and unrestricted entry and exit of Doping Control officials and unrestricted access for Doping Control officials to all areas where International-Level Activities or National-Level Activities

¹⁷⁷ *Statement by Jochen Zeig, WADA president, issued by WADA on 10 October 2002, in response to several non-governmental organizations, such as the Code, for their pressure, questioning why the Code is not binding to the Signatories to the Code but rather to sign the Copenhagen Declaration and still to accept support or advice by the UNESCO Convention. Although the acceptance declaration may be offered, the effort is needed*

to sign without its international and government program support in the Code is very much a joint effort between the sport movement and governments.

The effort was made under the Copenhagen Declaration signed by governments. However, there are simply "declarations" and governments are not "accepted" in efforts in the requirements of the UNESCO Convention.

live or train by contact, no advance notice testing, subject to applicable border control, immigration and access requirements and regulations.

- 22.3** Each government should adopt rules, regulations or policies to discipline officials and employees who are involved in Doping Control, sport performance or medical care in a sport setting, including in a supervisory capacity, for engaging in actions which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.
- 22.4** Each government should not permit any Person to be involved in any position involving Doping Control, sport performance or medical care in a sport setting, including: (i) a supervisory capacity where such Person: (i) is serving a period of ineligibility for an anti-doping rule violation under the Code, or (ii) is not subject to the authority of an Anti-Doping Organization, and where ineligibility has not been addressed in a Results Management process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person, in which case the disqualifying status of such Person should be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed.
- 22.5** Each government should encourage cooperation between all of its public services or agencies and Anti-Doping Organizations to timely share information with Anti-Doping Organizations which would be useful in the fight against doping and where to do so would not otherwise be legally prohibited.
- 22.6** Each government should respect arbitration as the preferred means of resolving doping-related disputes, subject to human and fundamental rights and applicable national law.

- 22.7** Each government (that does not have a National Anti-Doping Organisation in its country) should work with its National Olympic Committee to establish one.
- 22.8** Each government should respect the autonomy of a National Anti-Doping Organisation in its country or a Regional Anti-Doping Organisation to which its country belongs and any WADA-accredited or approved laboratory in its country and not interfere in their operational decisions and activities.
- 22.9** Each government should not limit or restrict WADAs access to any doping Samples or anti-doping records or information held or controlled by any Signatory, member of a Signatory or WADA-accredited or approved laboratory.
- 22.10** Failure by a government to ratify, accept, approve or accede to the UNESCO Convention may result in ineligibility to bid for another multi-Sports as provided in Articles 20.1.1), 20.1.4 and 20.6.3, and the failure by a government to comply with the UNESCO Convention (hereafter as determined by UNESCO) may result in meaningful consequences by UNESCO and WADA as determined by each organization.

PART FOUR

**ACCEPTANCE,
COMPLIANCE,
MODIFICATION AND
INTERPRETATION**

ARTICLE 23. ACCEPTANCE AND IMPLEMENTATION

23.1 Acceptance of the Code

- 23.1.1 The following entities may be Signatories to the Code: the International Olympic Committee, International Federations, the International Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Event Organizations, National Anti-Doping Organizations and other organizations having significant resources in sport.
- 23.1.2 The International Olympic Committee, International Federations recognized by the International Olympic Committee, the International Paralympic Committee, National Olympic Committees, National Paralympic Committees, National Anti-Doping Organizations and Major Event Organizations recognized by one or more of the aforementioned entities shall become Signatories by signing a declaration of acceptance or by another form of acceptance determined to be acceptable by WADA.
- 23.1.3 Any other entity described in Article 23.1.1 may submit an application to WADA to become a Signatory which will be reviewed under a policy adopted by WADA. WADA's acceptance of such applications shall be subject to conditions and requirements established by WADA in such policy.¹¹⁷ Upon acceptance of an application by WADA, the applicant's becoming a Signatory is subject to the applicant signing a declaration

¹¹⁷ Examples of items Article 23.1.3, for example, have conditions and requirements would include financial commitments by the entity to cover testing, administration, monitoring

and compliance costs that may be attributable to the compliance process and the entity's subsequent Signatory status.]

of acceptance of the Code and an acceptance of the conditions and requirements established by WADA for such approval.

21.1.4 A list of all acceptances will be made public by WADA.

23.2 Implementation of the Code

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

23.2.2 The following Articles as applicable to the scope of the Anti-Doping Activity which the Anti-Doping Organization performs, must be implemented by Signatories without substantive change (allowing for any non-substantive changes to the language in order to refer to the organization's name, sport, section numbers, etc.)⁷⁶

- [Article 1](#) [Definition of Doping]
- [Article 2](#) [Anti-Doping Rule Violations]
- [Article 3](#) [Proof of Doping]
- [Article 4.1.2](#) [Specified Substances or Specified Methods]
- [Article 4.2.3](#) [Substances of Abuse]
- [Article 4.3.1](#) [WADA's Determination of the Prohibited List]
- [Article 7.1](#) [Withdrawal from Sport]
- [Article 7](#) [Automatic Disqualification of Individual Results]

⁷⁶ The Comment to [Article 23.2.2](#) relating to the Code provision on Anti-Doping Organization "can adapt and refer to any specific disciplinary rules for conduct by Athlete Support Personnel related to doping that exist more generally and of

such conduct as anti-doping rule violations under the Code. For example, a National or International Federation could refer to "violate the Games of a youth when staff/players Athlete Support Personnel with doping rule violations while under that youth's supervision."

- [Article 10](#) (Sanctions on Individuals)
- [Article 11](#) (Consequences to Teams)
- [Article 12](#) (Appeals), with the exception of [12.2](#), [12.4](#), and [12.7](#)
- [Article 13.1](#) (Automatic Binding Effect of Decisions)
- [Article 17](#) (Statutes of Commissions)
- [Article 24](#) (Interpretation of the Code)
- [Appendix 1 – Definitions](#)

No additional provision may be added to a Signatory's rules which changes the effect of the Articles enumerated in this Article. A Signatory's rules must expressly acknowledge the Commentary of the Code and endorse the Commentary with the same status that it has in the Code. However, nothing in the Code precludes a Signatory from having safety, medical, eligibility or Code of Conduct rules which are applicable for purposes other than anti-doping.⁷⁸

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

23.3 Implementation of Anti-Doping Programs

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

⁷⁸ *Commentary to Article 23.2:* For example, an International Federation could develop its competition and event rules, its rules of conduct (as provided in [AD1119](#)) (as in *Procedures of the Court of Arbitration for Sport*) and its anti-doping sample collection rules of competition. An international Federation could be said to have the latter three but would not have the latter two as part of the substance of its Code of Conduct (as the other three).

The International Federation's Code of Conduct could also require additional compliance for its rules of conduct (e.g. *Competition rules that already comply with the latter portion mentioned in the Code* (other portions accepted outside rules governing the use of medical or sample collection), an international Federation could not rely on a *Signatory's Code* but its member leagues (having no member and other eligibility rules).

ARTICLE 24 MONITORING AND ENFORCING COMPLIANCE WITH THE CODE AND UNESCO CONVENTION

24.1 Monitoring and Enforcing Compliance with the Code¹¹⁹

24.1.1 Compliance by Signatories with the Code and the International Standard shall be monitored by WADA in accordance with the International Standard for Code Compliance by Signatories.

24.1.2 To facilitate such monitoring, each Signatory shall report to WADA on its compliance with the Code and the International Standard as and when required by WADA. As part of that reporting, the Signatory shall accurately provide all of the information requested by WADA and shall explain the actions it is taking to correct any Non-Conformities.

24.1.3 Failure by a Signatory to provide accurate information in accordance with Article 24.1.2 itself constitutes an instance of Non-Conformity with the Code, as does failure by a Signatory to submit accurate information to WADA where required by other Articles of the Code or by the International Standard for Code Compliance by Signatories or other International Standard.

24.1.4 In cases of Non-Conformity Substantial with reporting obligations or otherwise, WADA shall follow the corrective procedures set out in the International Standard for Code Compliance by Signatories. If the Signatory or its delegate fails to correct the Non-Conformities within the specified timeframe, then (following approval of such course by WADA's Executive Committee) WADA shall send a formal notice to the Signatory.

¹¹⁹ Compared to Article 24.1 of the 2003 Code, see Part 2 of the Annex to Article 2 of Article 24.1 of the 2015 Code.

alleging that the Signatory is non-compliant, specifying the consequences that WADA proposes should apply for such non-compliance from the list of potential consequences set forth in Article 24.1.12, and specifying the conditions that WADA proposes the Signatory should have to satisfy in order to be reinstated to the list of Code-compliant Signatories. That notice will be publicly reported in accordance with the International Standard for Code Compliance by Signatories.

- 24.1.3 If the Signatory does not dispute WADA's allegation of non-compliance or the consequences or Reinstatement conditions proposed by WADA within twenty-one (21) days of receipt of the formal notice, the non-compliance alleged will be deemed admitted and the consequences and Reinstatement conditions proposed will be deemed accepted. The notice will automatically become final and will be issued by WADA as a final decision, and (without prejudice to any appeal filed in accordance with Article 13.4) it will be enforceable with immediate effect in accordance with Article 24.1.9. The decision will be publicly reported as provided in the International Standard for Code Compliance by Signatories or other International Standards.

- 24.1.4 If the Signatory wishes to dispute WADA's allegation of non-compliance, and/or the consequences and/or the Reinstatement conditions proposed by WADA, it must notify WADA in writing within twenty-one (21) days of its receipt of the notice from WADA. In that event, WADA shall file a formal notice of dispute with CAS, and that dispute will be resolved by the CAS Ordinary Arbitration Division in accordance with the International Standard for Code Compliance by Signatories. WADA shall have the burden of proving to the CAS Panel, on the balance of probabilities, that the Signatory is non-compliant (if that is disputed). If the CAS Panel decides that

WADA has met that burden, and if the Signatory has also disputed the consequences and/or the Reinstatement conditions proposed by WADA, the CAS Panel will also decide, by reference to the relevant provisions of the International Standard for Code Compliance by Signatories: (a) what consequences should be imposed from the list of potential consequences set out in Article 24.1.2 of the Code; and (b) what conditions the Signatory should be required to satisfy in order to be Reinstated.

- 24.1.2 WADA will publicly report the fact that the case has been referred to CAS for determination. Each of the following Persons shall have the right to intervene and participate as a party in the case, provided it gives notice of its intervention within ten (10) days of such publication by WADA:

24.1.2.1 the International Olympic Committee and/or the International Paralympic Committee (as applicable), and the National Olympic Committee and/or the National Paralympic Committee (as applicable), where the decision may have an effect in relation to the Olympic Games or Paralympic Games (including decisions affecting eligibility to attend/participate in the Olympic Games or Paralympic Games); and

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

Any other Person wishing to participate as a party in the case must apply to CAS

within ten (10) days of publication by WMO of the fact that the case has been referred to CAS for determination. CAS shall permit such intervention III if all other parties in the case agree, or III if the applicant demonstrates a sufficient legal interest in the outcome of the case to justify its participation as a party.

24.1.11 CAS's decision resolving the dispute will be publicly reported by CAS and by WMO. Subject to the right under Swiss law to challenge that decision before the Swiss Federal Tribunal, the decision shall be final and enforceable with immediate effect in accordance with Article 24.1.8.

24.1.12 Final decisions issued in accordance with Article 24.1.5 or Article 24.1.8 determining that a Signatory is non-compliant, imposing consequences for such non-compliance, and/or setting conditions that the Signatory has to satisfy in order to be reinstated to the list of Code-compliant Signatories, and decisions by CAS further to Article 24.1.15 are applicable worldwide, and shall be recognized, respected and given full effect by all other Signatories in accordance with their authority and within their respective spheres of responsibility.

24.1.13 If a Signatory wishes to dispute WMO's allegation that the Signatory has not yet met all of the Reinstatement conditions imposed on it and therefore is not yet entitled to be reinstated to the list of Code-compliant Signatories, the Signatory must advise WMO in writing within twenty-one (21) days of its receipt of the allegation from WMO. In that event, WMO shall file a formal notice of dispute with CAS, and the dispute will be resolved by the CAS Ordinary Arbitration Division in accordance with Articles 24.1.4 to 24.1.8. WMO shall have the burden to prove to the CAS

Panel, in the absence of probabilities, that the Signatory has not yet met all of the Requirements conditions imposed on it and therefore is not yet entitled to be Reinstated. Subject to the right under Swiss law to challenge CAS's decision before the Swiss Federal Tribunal, CAS's decision shall be final and enforceable with immediate effect in accordance with Article 24.1.7.

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

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

24.1.12.1 *ineligibility or withdrawal of WADA privileges:*

(a) in accordance with the relevant provisions of WADA's Statutes, the Signatory's Representatives being ruled ineligible for a specified period to hold any WADA office or any position as a member of any WADA board or committee or other body (including but not limited

to WADA's Foundation Board, the Executive Committee, and any Standing Committee) (although WADA may exceptionally permit Representatives of the Signatory to remain as members of WADA expert groups where there is no effective substitute available).

(ii) the Signatory being ruled ineligible to host any event organized or co-hosted or co-organized by WADA;

(iii) the Signatory's Representatives being ruled ineligible to participate in any WADA Independent Observer Program or WADA Outreach program or other WADA activities;

(iv) withdrawal of WADA funding to the Signatory (whether direct or indirect) relating to the development of specific activities or participation in specific programs; and

24.1.12.2 the Signatory's Representatives being ruled ineligible for a specified period to hold any office of or position as a member of (or board or committees or other bodies of) any other Signatory (or its members) or association of Signatories.

24.1.12.3 Special Monitoring of some or all of the Signatory's Anti-Doping Activities, until WADA considers that the Signatory is in a position to implement such Anti-Doping Activities in a compliant manner without such monitoring.

24.1.12.4 Supervision and/or Takeover of some or all of the Signatory's Anti-Doping Activities by an Approved Third Party, until WADA considers that the Signatory is in a position to implement such Anti-Doping

Activities itself in a compliant manner without such measures.

(d) If the non-compliance involves non-compliant rules, regulations and/or legislation, then the Anti-Doping Activities in issue shall be conducted under other applicable rules but one or more other Anti-Doping Organizations, e.g. International Federations or National Anti-Doping Organizations or Regional Anti-Doping Organizations that are compliant, as directed by WADA. In that case, while the Anti-Doping Activities (including anti Testing and Results Management) will be administered by the Approved Third Party under and in accordance with those other applicable rules at the cost of the non-compliant Signatory, any costs incurred by the Anti-Doping Organization as a result of the use of their rules in this manner shall be reimbursed by the non-compliant Signatory.

(d) If it is not possible to fill the gap in the Signatory's Anti-Doping Activities in this way (for example, because national legislation prohibits it, and the National Anti-Doping Organization has not enacted an amendment to that legislation or other action), then it may be necessary as an alternative measure to exclude Athletes who would have been covered by the Signatory's Anti-Doping Activities from participating in the Olympic Games/Paralympic Games/other Events, in order to protect the rights of other Athletes and to preserve public confidence in the integrity of competition at those events.

country in question, the Signatory that awarded that right must assess whether it is legally and practically possible to withdraw that right and, if so, to transfer the Event to another country. If it is legally and practically possible to do so, then the Signatory shall do so.

24.1.12.2 All Signatories shall ensure that they have due authority under their statutes, rules and regulations, and/or hosting agreements, to comply with this requirement (including a right in any hosting agreement to cancel the agreement without penalty where the relevant country has been ruled ineligible to host the Event).

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

(a) the National Olympic Committee and/or the National Paralympic Committee of the Signatory's country;

(b) the Representatives of that country and/or of the National Olympic Committee and/or the National Paralympic Committee of that country; and/or

(c) the Athletes and Athlete Support Personnel affiliated to that country and/or to the National Olympic Committee and/or to the National Paralympic

Committee (NOC/NIF) to the National Federation of that country.

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

24.1.12.11 Where the Signatory is a Major Event Organization:

(a) Special Monitoring or Supervision or Release of the Major Event Organization's Anti-Doping Activities at the next edition(s) of its Event; and/or

(b) Suspension or loss of eligibility to receive funding and other benefits from and/or the recognition/membership/patronage (as applicable) of the International Olympic Committee, the International Paralympic Committee, the Association of National Olympic Committees, or other patron body; and/or

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

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

24.1.13 Other Consequences

Government(s) and Signatories and associations of Signatories may impose additional consequences within their respective spheres of authority for non-compliance by Signatories, provided that this does not undermine or restrict in any way the ability to apply consequences in accordance with this Article 24.1.¹¹⁸

24.2 Monitoring Compliance with the UNESCO Convention

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

ARTICLE 25 MODIFICATION AND WITHDRAWAL

25.1 Modification

25.1.1 WMO shall be responsible for overseeing the evolution and improvement of the Code. All States and other stakeholders and governments shall be invited to participate in such process.

118 *Example A (Article 25.1.1):* For example, the International Olympic Committee may decide to impose penalties on other competitors as an International Association or a National Olympic Committee pursuant to the Olympic Charter, even if withdrawal of eligibility is imposed

on International Sports Federations or an Olympic Congress, while an International Federation may decide to suspend International Events that are scheduled to be held in the country of a non-compliant Signatory, or that such is another scenario.

- 25.1.2 WADA shall initiate proposed amendments to the Code and shall initiate a consultative process to both receive and respond to recommendations made both at its review and feedback from Athletes and other stakeholders and governments on recommended amendments.
- 25.1.3 Amendments to the Code shall, after appropriate consultation, be approved by a two-thirds majority of the WADA Foundation Board including a majority of both the public sector and Olympic Movement members casting votes. Amendments shall, unless provided otherwise, go into effect three (3) months after such approval.
- 25.1.4 Signatories shall modify their rules to incorporate the 2021 Code as at before 1 January 2021 to take effect on 1 January 2021. Signatories shall implement any subsequent applicable amendments to the Code within one (1) year of approval by the WADA Foundation Board.¹¹⁹

25.2 Withdrawal of Acceptance of the Code

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

¹¹⁹ Comment 14 / Article 25.1
and 25.1.4 under Article 25.1.2, are in changed redaction. However, as Signatories automatically go into effect three (3) months after approval unless provided otherwise in comment, Article 25.1.4 addresses how to change Signatories approval on Athletes or other Persons, which can only be achieved upon mutual Athletes or

other Persons by changes to the governing rules of the relevant Signatory (e.g., an International Federation). For that reason, Article 25.1.4 provides for a longer period of time for each Signatory to update its rules to the 2021 Code and also any necessary measures to ensure the appropriate Athletes and other Persons are covered by the rules.

ARTICLE 26 INTERPRETATION OF THE CODE

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

ARTICLE 27 TRANSITIONAL PROVISIONS

- 27.1 General Application of the 2021 Code**
The 2021 Code shall apply in full as of 1 January 2021 (the "Effective Date").

27.2 Non-Retroactive except for Articles 10.9.A and 17 of: Unless Principle of "Les Miller" Applies

Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set forth in this 2021 Code, unless the panel hearing the case determines the principle of "les Miller" appropriately applies under the circumstances of the case. For these purposes, the retroactive periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.A and the statute of limitations set forth in Article 17 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in the 2021 Code (except, however, that Article 17 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date).

27.3 Application to Decisions Rendered Prior to the 2021 Code

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

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

For purposes of assessing the period of *Ineligibility* for a second violation under Article 10.9.1, where the sanction for the first violation was determined based on pre-2021 Code rules, the period of *Ineligibility* which would have been assessed for that first violation had 2021 Code rules been applicable, shall be applied.¹⁹²

27.5 Additional Code Amendments

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

27.6 Changes to the Prohibited List

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

¹⁹² Consistent with Article 27.6, where the violation occurred on or after 1 January 2021, where a first violation leading to an anti-doping rule violation has been considered prior to the entrance of the Code or where the Code is first

applied, the 2021 Code and the period of *Ineligibility* assessed has been consistently relevant, the 2021 Code may not be applied to determine the sanction.



APPENDIX 1

DEFINITIONS

DEFINITIONS¹²³

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

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

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

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

Aggravating Circumstances: Circumstances involving, or actions by, an Athlete or other Person which may justify the imposition of a period of Ineligibility greater than the standard sanction. Such circumstances and actions shall include, but are not limited to: the Athlete or other Person Used or Possessed multiple Prohibited Substances or Prohibited Methods; Used or Possessed a Prohibited Substance or Prohibited Method on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing

¹²³ Changes to Definitions Defined: lowercase letters, as well as those which shall include more plural and forms used to alter parts of speech.

effects of this anti-doping rule violation(s) beyond the otherwise applicable period of ineligibility, the Athlete or Person engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation, or the Athlete or other Person engaged in Tampering during Results Management. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of ineligibility.

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

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

Athlete: Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus including them within the definition of "Athlete." In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to conduct limited Testing or no Testing at all, analyze Samples for less than the full menu of Prohibited Substances, require limited or no whereabouts information, or not require advance TUEs. However, if an Article 2.1, 2.2 or 2.3 anti-doping rule violation is committed by any Athlete over

wherein an Anti-Doping Organization has elected to exercise its authority to test and who competes below the international or national level, then the Consequences set forth in the Code must be applied. For purposes of [Article 2.8](#) and [Article 2.9](#) and for purposes of anti-doping information and Education, any Person who participates in sport under the authority of any Signatory government, or other sports organization accepting the Code is an *Athlete*.¹²⁷

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

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

Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an Attempt to commit a violation if the Person renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

Atypical Findings: A report from a WADA-accredited laboratory or other WADA-approved laboratory which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

¹²⁷ Consistent with Article 1, persons who participate in sport may fall in one of four categories: (1) International-Level Athlete, (2) National-Level Athlete, (3) individual who competes internationally or National-Level Athlete, but even when the International Federation or National Anti-Doping Organization has elected to exercise authority, (4) National-Level Athlete, and (5) individual who competes internationally.

¹²⁸ Consistent with Article 1, persons who participate in sport may fall in one of four categories: (1) International-Level Athlete, (2) National-Level Athlete, (3) individual who competes internationally or National-Level Athlete, but even when the International Federation or National Anti-Doping Organization has elected to exercise authority, (4) National-Level Athlete, and (5) individual who competes internationally.

Atypical Passport Finding: A report described as an *Atypical Passport Finding* is described in the applicable International Standards.

CAS: The Court of Arbitration for Sport

Code: The World Anti-Doping Code

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

Consequences of Anti-Doping Rule Violations ("Consequences")
An Athlete or other Person's violation of an anti-doping rule may result in one or more of the following: [a] Disqualification means the Athlete's results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; [b] Ineligibility means the Athlete or other Person is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or holding as provided in Article 10.14; [c] Provisional Suspension means the Athlete or other Person is barred temporarily from participating in any *Competition* or activity prior to the final decision of a hearing conducted under Article 8; [d] Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and [e] Public Disclosure means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with Article 24. Teams or Team Sports may also be subject to *Consequences* as provided in Article 11.

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

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

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

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

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of Consequences, including all steps and processes in between, including but not limited to: testing, investigations, whereabouts, TUEs, Sample collection and handling, laboratory analysis, Results Management and investigations or proceedings relating to violations of Article 12.14 (Status During Ineligibility or Provisional Suspension).

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

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

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

Event Venues: Those venues as designated by the ruling Body for the Event.

Fault: Fault is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an Athlete's or other Person's degree of Fault include, for example, the Athlete's or other Person's experience, whether the Athlete or other Person is a Protected Person, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of

care and investigation exercised by the Athlete in relation to what should have been the perceived level of risk. In assessing the Athlete's or other Person's degree of Fault, the circumstances considered must be specific and necessary to explain the Athlete's or other Person's departure from the expected standard of behavior. Thus, for example, the fact that an Athlete would lose the opportunity to earn large sums of money during a period of ineligibility, or the fact that the Athlete only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of ineligibility under Article 10.6.1 or 10.8.2.¹²²

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

In-Competition. The period commencing at 11:59 p.m. on the day before a Competition in which the Athlete is scheduled to participate through the end of such Competition and the Sample collection process related to such Competition. Provided, however, WADA may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by WADA, the alternative definition shall be followed by all Major Event Organizations for that particular sport.¹²³

¹²² [Comment to Fault: The criteria for assessing an Athlete's degree of Fault in the same order as listed above (Fault is to be considered "minor" under Article 21.2 in violation of Article 10.6.1 or 10.8.2)]

where, when the degree of Fault is assessed, the conclusion is that the Constituted Fault or Negligence is the fault of the Athlete or other Person concerned.)

¹²³ [Comment to In-Competition: Having previously agreed to participate in a Competition, an Athlete's presence at, entry, attendance or refusal to compete at, constitutes an implied agreement to the relevant provisions for In-Competition Testing. Such maximum adverse

Analysis: Faults in between Competitions during an Event are based on proximity and possible performance enhancement benefits from substances prohibited Out of Competition being carried over into the Competition period.]

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

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

Integrity: See Consequences of Anti-Doping Rule Violations above.

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

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

International-Level Athlete: Athletes who compete in sport at the international level, as defined by each international Federation, consistent with the International Standard for Testing and Investigations.⁴⁸²

International Standard: A standard adopted by WADA in support of the Code. Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) will be sufficient to conclude that the procedures addressed by the International Standard were performed properly.

⁴⁸² Examples of International-Level athletes consistent with the International Standard for Testing and Investigations: the International Federation is free to determine the criteria it will use to classify Athletes as International-Level Athletes, e.g., the criteria for participation in particular International Events, the type of license, etc. However, it must publish those

criteria in clear and concise form, so that Athletes are able to ascertain quickly and easily when they will become classified as International-Level Athletes. For example, if the criteria include participation in certain International Events, then the International Federation must publish a list of these International Events.

International Standards shall include any Technical Documents issued pursuant to the International Standard.

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

Marker: A compound, group of compounds or biological metabolite that indicates the use of a Prohibited Substance or Prohibited Method.

Metabolite: Any substance produced by a biotransformation process.

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

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

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

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

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

National Olympic Committee: The organization recognized by the International Olympic Committee. The term National Olympic Committee shall also include the National Sport Confederation in those countries where the National Sport Confederation

assumes typical National Olympic Committee responsibilities in the anti-doping area.

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

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

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

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

Participants: Any *Athlete* or *Athlete Support Person*.

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

Possession: The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists; provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited Method and intended to exercise control over it). Provided, however, there shall be no anti-doping rule violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, (i) the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organization. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes Possession by the Person who makes the purchase.¹⁴⁶

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

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

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

TLS Scenario re Possession: Given this definition, whether a dealer does or an athlete's car would constitute a violation under the definition equates to whether the dealer intended to exercise control over the car; if the dealer, the Anti-Doping Organization must establish that even though the dealer did not have exclusive control over the car, the dealer knew about the athlete's access and intended to take control over (from, destroy, or the example of smoking marijuana, have

a car even someone cannot enter the car control of an athlete and against the Anti-Doping Organization must establish that the dealer knew the athlete could access the car control and that the dealer intended to exercise control over them. The act of purchasing a Prohibited Substance does constitute Possession, even where the substance, the product that it produces is received by someone else, and is not in a sealed party container.)

Protected Person: An Athlete or other natural Person who: (i) is the victim of the Anti-Doping Rule violation; (ii) has not reached the age of sixteen (16) years; (iii) has not reached the age of eighteen (18) years and is not included in any Registered Testing Pool and has never competed in any International Event in any sport category; or (iv) for reasons other than age has been determined to lack legal capacity under applicable national legislation.¹²⁷

Provisional Hearing: For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the Athlete with notice and an opportunity to be heard in either written or oral form.¹²⁸

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

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

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

¹²⁷ Comment to Proposed Annex: The Code treats Protected Persons differently from other Athletes or Persons. In certain circumstances based on the understanding that, below a certain age or intellectual capacity, an Athlete or other Person may not possess the mental capacity to understand and appreciate the

provisions applied conduct contained in the Code. This would include, for example, a Paralympic Athlete with a documented lack of legal capacity due to an intellectual impairment. The term "open category" is meant to exclude competition that is opened to some or age group categories.

¹²⁸ Comment to Provisional Hearing: A Provisional Hearing is not a preliminary proceeding which may not involve a full review of the facts of the case. Following a Provisional Hearing, the athlete remains subject

to a subsequent full hearing in the "main" of the Code. By contrast, an "abbreviated hearing," as that term is used in Article 7.4.3 is a full hearing on the merits conducted in an expedited case schedule.

represented any country in an International Event in an open category or has been included within any Registered Testing Pool or other whereabouts information pool maintained by any International Federation or National Anti-Doping Organization.¹²⁹

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

Registered Testing Pool: The pool of highest-priority Athletes established collectively at the international level by International Federations and at the national level by National Anti-Doping Organizations, who are subject to in-competition and Out-of-Competition testing as part of that International Federation's or National Anti-Doping Organization's test distribution plan and therefore are required to provide whereabouts information as provided in [Article 5.3](#) and the International Standard for Testing and Investigations.

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

¹²⁹ Statement to International Athletes:
The term, "open category," is meant to

exclude competition that is limited to
junior or age group categories.

Sample or Specimen: Any biological material collected for the purposes of Doping Control.¹⁸

Signatories: Those entities accepting the Code and agreeing to implement the Code, as provided in [Article 23](#).

Specified Method: See [Article 4.2.2](#).

Specified Substance: See [Article 4.2.1](#).

Strict Liability: The rule which provides that, under [Article 3.1](#) and [Article 2.2](#), it is not necessary that intent, fault, negligence, or knowing use on the Athlete's part be demonstrated by the Anti-Doping Organization in order to establish an anti-doping rule violation.

Substance of Abuse: See [Article 4.2.3](#).

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

Tampering: Intentional conduct which subverts the Doping Control process but which would not otherwise be included in the definition of Prohibited Methods. Tampering shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a Sample, affecting or making impossible the analysis of a Sample, falsifying documents submitted to an Anti-Doping Organization or TUE committee or hearing panel, securing false testimony

¹⁸ The IOC does not intend to distinguish between samples and specimens. It has assumed from the outset that the collection of these Samples means the

use of certain means or without which it has been assumed that there is no need for a separate term.

from witnesses, confilicting any other fraudulent act upon the Anti-Doping Organization or hearing body to affect Results Management or the imposition of Consequences, and any other similar (intentional) interference or Attempted interference with any aspect of Doping Control.¹⁴⁹

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

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

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

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

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

Trafficking: Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by an Athlete, Athlete Support Person or any other Person subject to the authority of an Anti-Doping Organization to any third party; provided, however, this definition

¹⁴⁹ Comment is requested. For example, this Article should prohibit sharing identification numbers on a Doping Control form during Testing, causing the B bottle at the time of B Sample analysis, altering B Sample to the addition of a foreign substance or manipulating or attempting to manipulate a potential witness or a witness who has attended testimony or participated in the Doping Control process. Tampering includes intentional

which occurs during the Results Management process. See Article 3.3.5. However, actions taken as part of a Person's legitimate access to an anti-doping file (such as changing the file) or intentional tampering otherwise needed to ensure a Doping Control official properly performs his/her Doping Control duties does not constitute intentional Tampering that is addressed in the disciplinary rules of sport organizations.

shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* Used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

UNESCO Convention: The (International) Convention against Doping in Sport adopted by the 30th session of the UNESCO General Conference on 19 October 2005, including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

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

WADA: The World Anti-Doping Agency.

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

DEFINITIONS SPECIFIC TO ARTICLE 24.1

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

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

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

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

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

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

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

Reinstatement: When a Signatory that was previously declared non-compliant with the Code and/or the International Standards is determined to have corrected that non-compliance and to have met all of the other conditions imposed in accordance with Article 13 of the International Standard for Code Compliance by Signatories for Reinstatement of its name to the list of Code-compliant Signatories. Until Reinstated, shall be interpreted accordingly.

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

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

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

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



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