Tennis Anti-Doping Programme 2017
TENNIS
ANTI-DOPING PROGRAMME
2017

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1. **Introduction**

1.1 The purpose of this Tennis Anti-Doping Programme (together with any successor versions, the "Programme") is to maintain the integrity of tennis and to protect the health and rights of tennis players participating in Covered Events.

1.2 The ITF is a signatory to the World Anti-Doping Code (the "Code"). This Programme is adopted and implemented pursuant to the mandatory provisions of the 2015 version of the Code, as part of the ITF’s continuing efforts to keep doping out of tennis.

1.3 The Programme, which includes the appendices hereto, encompasses:

1.3.1 incorporation of the Anti-Doping Rule Violations identified in the Code, based on the List of Prohibited Substances and Prohibited Methods that is maintained by WADA, as described in Code Article 4.1 (the "Prohibited List");

1.3.2 collection of Samples both In-Competition and Out-of-Competition for Doping Control purposes;

1.3.3 investigation of Atypical Findings, Atypical Passport Findings and other matters that may evidence or lead to the discovery of evidence of Anti-Doping Rule Violations;

1.3.4 review by an independent Review Board of Adverse Analytical Findings, Adverse Passport Findings and/or other evidence of possible Anti-Doping Rule Violations, to confirm that there is a case to answer before anyone is charged with commission of such a violation;

1.3.5 the hearing and determination of any such charges by an independent and impartial anti-doping tribunal (the "Independent Tribunal"), with the right to appeal from the decision of the Independent Tribunal to the Court of Arbitration for Sport in Lausanne, Switzerland ("CAS"); and

1.3.6 where it is found that an Anti-Doping Rule Violation has been committed under the Programme, imposition of Consequences of the nature and scope specified in the Code.

1.4 Terms in this Programme beginning with capital letters have the meaning given to them in Appendix One to this Programme.

1.5 The effective date of this Programme is 1 January 2017 (the "Effective Date").
1.6 Transitional provisions:

1.6.1 The Programme shall apply in full to all cases where the alleged Anti-Doping Rule Violation occurs after the Effective Date.

1.6.2 Any case pending prior to the Effective Date, or brought after the Effective Date but based on an Anti-Doping Rule Violation that occurred before the Effective Date, shall be governed by the predecessor version of the Programme in force at the time the Anti-Doping Rule Violation occurred, save that (i) Article 10.7.5 of this Programme shall apply retroactively; (ii) Article 15 of this Programme shall also apply retroactively, unless the statute of limitations applicable under the predecessor version of the Programme has already expired by the Effective Date; and (iii) the Independent Tribunal may decide to apply other provisions from this Programme as well where doing so benefits the Participant alleged to have committed the Anti-Doping Rule Violation, based on the principle of *lex mitior*.

1.6.3 Anti-Doping Rule Violations committed prior to the Effective Date, whether under predecessor versions of the Programme and/or other relevant rules, count as prior offences for purposes of determining sanctions under Article 10, including Article 10.7 and especially Article 10.7.5. If the sanction for the first violation was determined based on rules that pre-dated the 2015 Code, then for purposes of Article 10.7.1, that sanction shall be disregarded and instead the sanction that would have been imposed for the first violation if rules compliant with the 2015 Code had applied will be used.

1.7 The Programme shall be interpreted in a manner that is consistent with the Code. The Code shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of any Signatory or government. The comments annotating various provisions of the Code, the International Standards and the Programme shall be used to interpret the Programme.

1.8 Subject to Article 1.7, this Programme is governed by and shall be construed in accordance with English law. Strictly without prejudice to the arbitration provisions of Articles 8 and 12 of the Programme, disputes relating to the Programme shall be subject to the exclusive jurisdiction of the English courts.

1.9 The Board of Directors of the ITF may amend this Programme from time to time. Such amendments shall come into effect on the date specified by the Board of Directors.

1.10 For purposes of this Programme, the following are "Covered Events": the Grand Slam tournaments, Davis Cup, Fed Cup, Hopman Cup, the Olympic Tennis event, the Paralympic Tennis event, other IOC-recognised
International Events, WTA tournaments and season-ending championships, ATP World Tour tournaments and ATP World Tour Finals, ATP Challenger Tour tournaments, ITF Pro Circuit tournaments, ITF Juniors events, ITF Seniors events, ITF Wheelchair events, and ITF Beach Tennis Tour events.

1.11 Any player who enters or participates in a Covered Event or who has an ATP or WTA ranking (including any 'protected' or 'special' ranking) in the 2017 calendar year (a "Player") is automatically bound by and required to comply with all of the provisions of this Programme, including making him/herself available upon request for Testing both In-Competition and Out-of-Competition. Save as set out in Article 3.5.2(a), each such Player shall be deemed an "International-Level Athlete" for purposes of the Code and the International Standards.

1.12 It is the sole responsibility of each Player:

1.12.1 to acquaint him/herself, and to ensure that each Person from whom he/she takes advice (including medical personnel) is acquainted, with all of the requirements of the Programme;

1.12.2 to know what constitutes an Anti-Doping Rule Violation under this Programme and what substances and methods are prohibited;

1.12.3 to be available for Sample collection at all times upon request;

1.12.4 to ensure that anything he/she ingests or Uses, as well as any medical treatment he/she receives, does not give rise to an Anti-Doping Rule Violation;

1.12.5 to disclose to the ITF and his/her NADO any decision by a non-Signatory finding that he/she infringed anti-doping rules within the previous ten years; and

1.12.6 to cooperate with the ITF and any other Anti-Doping Organisation conducting investigations into possible Anti-Doping Rule Violations.

1.13 It is also the sole responsibility of each Player to ensure that the ITF is able to communicate with him/her efficiently and reliably in relation to matters arising under this Programme. To that end, each Player shall be deemed to be immediately contactable at the postal address and telephone number (and e-mail address, if any) that he/she has specified on any Doping Control form that he/she completes, and it shall be the Player's responsibility to complete such contact details (to be referred to herein as the "Player's Nominated Address") as necessary to ensure that he/she is immediately contactable at the Player's Nominated Address. Any notice required to be given to the Player under this Programme, if delivered by courier service to the Player's Nominated Address, shall be deemed to have been received by the Player on the date of delivery to such address reflected in the confirmation of delivery provided by the courier service company. At its discretion, as an alternative
to or in conjunction with such courier delivery, the ITF may use any other method of secure and confidential communication available, including but not limited to facsimile and/or e-mail; provided that if the Player denies receipt of such notice then (subject only to Article 3.5.6) the burden will be on the ITF to prove that he/she did receive it.

1.14 Retirement:

1.14.1 A Player shall continue to be bound by and required to comply with the Programme for all purposes, including submitting to Testing and (if requested by the ITF) providing whereabouts information, unless and until he/she gives written notice to the ATP, WTA, or ITF (as applicable) that he/she will not be competing in any Covered Events with effect from a given date. If he/she gives such notice, he/she shall be deemed to have retired (and to be no longer subject to the Programme) with effect from that given date (the "Retirement Date").

1.14.2 The ITF shall continue to have jurisdiction over a retired Player under the Programme in respect of matters taking place prior to his/her Retirement Date.

1.14.3 After his/her Retirement Date, a Player may not return to compete in a Covered Event or a national-level event unless he/she has submitted again to the Programme, including making him/herself available for Testing, by giving six months of prior written notice to the ITF Anti-Doping Manager, to his/her NADO, and to his/her National Association of his/her intent to return to competition. The Player must acknowledge in that written notice that he/she is therefore again subject to the Programme, effective from the start of that six month period, and thereafter must comply with the Programme, including making him/herself available for Testing (including, if requested, by providing whereabouts information) during that six month period. WADA, in consultation with the ITF and relevant NADO, may grant an exemption to the requirement of six months of written notice of return from retirement where the strict application of that requirement would be manifestly unfair to a Player. WADA's decision may be appealed pursuant to Article 12.

1.14.4 A Player who retires while serving a period of Ineligibility may not return to compete in Covered Events or national-level Events until the Player has submitted again to the Programme, including making him/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 Player retired, if that period was longer than six months) to the ITF Anti-Doping Manager, to his/her NADO, and to his/her National Association.
1.14.5 Where an Event that will take place after the applicable period set out in Article 1.14.3 or 1.14.4 has expired has an entry deadline that falls during such period, the Player may submit an application for entry in the Event in accordance with that deadline, notwithstanding that at the time of such application the applicable period has not yet expired.

1.14.6 Any competitive results obtained in violation of Article 1.14.3 or 1.14.4 shall be Disqualified.

1.15 Any coach, trainer, manager, agent, team staff, official, medical or paramedical personnel, parent or any other Person working with, treating or assisting a Player who is participating in or preparing to participate in a Covered Event (a "Player Support Person" or, in plural form, "Player Support Personnel") is also automatically bound by and required to comply with all of the provisions of this Programme.

1.16 It is the sole responsibility of each Player Support Person:

1.16.1 to acquaint him/herself with all of the provisions of the Programme;

1.16.2 to know what constitutes an Anti-Doping Rule Violation under this Programme and what substances and methods are prohibited;

1.16.3 to cooperate with the Testing of Players;

1.16.4 to use his/her influence on Player values and behaviour to foster anti-doping attitudes;

1.16.5 to disclose to his/her NADO and to the ITF any decision by a non-Signatory finding that he/she infringed applicable anti-doping rules within the previous ten years;

1.16.6 to cooperate with the ITF and any other Anti-Doping Organisation conducting investigations into possible Anti-Doping Rule Violations; and

1.16.7 not to Use or Possess any Prohibited Substance or Prohibited Method without valid justification.

2. Anti-Doping Rule Violations

Doping is defined as the occurrence of one or more of the following (each, an "Anti-Doping Rule Violation"):

2.1 The presence of a Prohibited Substance or any of its Metabolites or Markers in a Player's Sample, unless the Player establishes that such presence is consistent with a TUE granted in accordance with Article 3.5.

2.1.1 It is each Player's personal duty to ensure that no Prohibited Substance enters his/her body. A Player is responsible for any
Prohibited Substance or any of its Metabolites or Markers found to be present in his/her Sample. Accordingly, it is not necessary that intent, fault, negligence or knowing use on the Player's part be demonstrated in order to establish an Anti-Doping Rule Violation under Article 2.1; nor is the Player's lack of intent, fault, negligence or knowledge a defence to a charge that an Anti-Doping Rule Violation has been committed under Article 2.1.

2.1.2 Except in the case of those substances for which a quantitative threshold is specifically identified in the Prohibited List, and subject to the special criteria established in the Prohibited List (and/or other International Standards) to distinguish between endogenous and exogenous production of certain substances, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in a Player's Sample constitutes an Anti-Doping Rule Violation under Article 2.1, unless the Player establishes that such presence is consistent with a TUE granted in accordance with Article 3.5.

2.2 Use or Attempted Use by a Player of a Prohibited Substance or a Prohibited Method, unless the Player establishes that such Use or Attempted Use is consistent with a TUE granted in accordance with Article 3.5.

2.2.1 It is each Player's personal duty to ensure that no Prohibited Substance enters his or her body and that no Prohibited Method is used. Accordingly, it is not necessary that intent, fault, negligence or knowing use on the Player's part be demonstrated in order to establish an Anti-Doping Rule Violation for Use of a Prohibited Substance or a Prohibited Method under Article 2.2; nor is the Player's lack of intent, fault, negligence or knowledge a defence to a charge that an Anti-Doping Rule Violation of Use has been committed under Article 2.2.

2.2.2 Without prejudice to Article 2.2.1, it is necessary that intent on the Player's part be demonstrated in order to establish an Anti-Doping Rule Violation of Attempted Use under Article 2.2.

2.2.3 The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. For an Anti-Doping Rule Violation to be committed under Article 2.2, it is sufficient that the Player Used or Attempted to Use the Prohibited Substance or Prohibited Method.

2.2.4 Notwithstanding Article 2.2.3, a Player's Use or Attempted Use of a substance Out-of-Competition shall not constitute an Anti-Doping Rule Violation under Article 2.2 where the Use of that substance Out-of-Competition is not prohibited (see Article 4.4.3). However, if that substance (or any of its Metabolites or Markers) is still present in a Sample collected from the Player when he/she is next In-
Competition, that is an Anti-Doping Rule Violation under Article 2.1.

2.3 Evading Sample collection, or (without compelling justification) refusing or failing to submit to Sample collection after notification as authorised in applicable anti-doping rules.

2.4 Failing three times in any 12-month period (a) to file whereabouts information in accordance with Article I.3 of the International Standard for Testing and Investigations (a "Filing Failure"); and/or (b) to be available for Testing at the declared whereabouts in accordance with Article I.4 of the International Standard for Testing and Investigations (a "Missed Test").

2.5 Tampering or Attempted Tampering with any part of Doping Control. This Article prohibits conduct that subverts or Attempts to subvert the Doping Control process but that would not otherwise be included in the definition of Prohibited Methods. Tampering shall include, without limitation, intentionally interfering or attempting to interfere with a Doping Control official, providing fraudulent information to an Anti-Doping Organisation, or intimidating or attempting to intimidate a potential witness.

2.6 Possession of a Prohibited Substance or a Prohibited Method:

2.6.1 Possession by a Player at any time or place of a substance that is prohibited at all times or of a Prohibited Method is an Anti-Doping Rule Violation under Article 2.6, unless the Player establishes that such Possession is consistent with a TUE granted in accordance with Article 3.5 or other acceptable justification.

2.6.2 Possession by a Player In-Competition of any Prohibited Substance that is only prohibited In-Competition is an Anti-Doping Rule Violation under Article 2.6, unless the Player establishes that such Possession is consistent with a TUE granted in accordance with Article 3.5 or other acceptable justification.

2.6.3 Possession by a Player Support Person at any time or place of a substance that is prohibited at all times or of a Prohibited Method, in connection with a Player, Competition or training, is an Anti-Doping Rule Violation under Article 2.6, unless the Player Support Person establishes that such Possession is consistent with a TUE to the Player in accordance with Article 3.5 or other acceptable justification.

2.6.4 Possession by a Player Support Person In-Competition of any Prohibited Substance that is only prohibited In-Competition, in connection with a Player, Competition or training, is an Anti-Doping Rule Violation under Article 2.6, unless the Player Support Person establishes that such Possession is consistent with a TUE granted to
the Player in accordance with Article 3.5 or other acceptable justification.

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.

2.8 Administration or Attempted Administration to any Player at any time or place of a substance that is prohibited at all times or of a Prohibited Method, or Administration or Attempted Administration to any Player In-Competition of any Prohibited Substance that is only prohibited In-Competition, unless the Participant alleged to have committed this Anti-Doping Rule Violation establishes that such Administration or Attempted Administration was consistent with a TUE granted in accordance with Article 3.5.

2.9 Complicity: assisting, encouraging, aiding, abetting, conspiring to commit, covering up or any other type of intentional complicity involving an Anti-Doping Rule Violation, an Attempted Anti-Doping Rule Violation, or a violation of Article 10.11.1 by another Person.

2.10 Prohibited Association:

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

(a) (if subject to the authority of an Anti-Doping Organisation) is serving a period of Ineligibility; or

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

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

2.10.2 For the avoidance of doubt, this Article 2.10 applies even when the Player Support Person’s disqualifying conduct occurred prior to the Effective Date. However, in order for Article 2.10 to apply, it is necessary that (a) the Participant who is associating with the Player Support Personnel has previously been advised in writing by the ITF, by another Anti-Doping Organisation with jurisdiction over the
Participant, or by WADA, of the Player Support Person’s disqualifying status and the potential Consequences of prohibited association; and (b) the Participant can reasonably avoid the association. The ITF or other Anti-Doping Organisation shall also use reasonable efforts to advise the Player Support Person who is the subject of the notice to the Participant that he/she may, within 15 days, come forward to the ITF or other Anti-Doping Organisation to explain why the criteria described in Articles 2.10.1(a) and 2.10.1(b) do not apply to him/her.

2.10.3 The burden shall be on the Participant to establish that any association with a Player Support Person described in Article 2.10.1(a) or 2.10.1(b) is not in a professional or sport-related capacity.

2.10.4 If the ITF or other Anti-Doping Organisation becomes aware of any Player Support Personnel who meet the criteria described in Articles 2.10.1(a), 2.10.1(b), or 2.10.1(c), it shall submit that information to WADA.

3. **Prohibited Substances, Prohibited Methods, and TUEs**

3.1 Incorporation of the Prohibited List:

3.1.1 This Programme incorporates and is based upon the Prohibited List.

3.1.2 A copy of the Prohibited List in effect as from 1 January 2017 is set out at Appendix Three to this Programme. WADA may amend the Prohibited List as set out in Code Article 4.1. Unless provided otherwise by WADA in the Prohibited List or a revision thereto, amendments by WADA to the Prohibited List shall come into effect under this Programme automatically three months after publication of such amendments by WADA on its website, without the need for any further action by the ITF. It is the responsibility of each Player and each Player Support Personnel to be familiar with the most current version of the Prohibited List.

3.1.3 Without prejudice to the last sentence of Article 3.1.2, the ITF shall take reasonable steps to publicise any amendments made by WADA to the Prohibited List.

3.2 Criteria for Including Substances and Methods on the Prohibited List:

The criteria for including substances and methods on the Prohibited List are set out in Code Article 4.3. Such substances and methods may be included by general category (e.g., anabolic agents) or by reference to a particular substance or method. In accordance with Code Article 4.3.3, WADA’s determination of the substances and methods that will be included on the Prohibited List, the classification of substances into categories on the
Prohibited List, and the classification of a substance as prohibited at all times or In-Competition only, is final and shall not be subject to challenge by a Participant 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.

3.3 Players and other Persons are reminded that:

3.3.1 Many Prohibited Substances may appear (either as listed ingredients or otherwise, e.g., as unlisted contaminants) within supplements and/or medications that may be available with or without a physician's prescription. Since Players are strictly liable for any Prohibited Substances present in Samples collected from them (see Article 2.1.1), they are responsible for ensuring that Prohibited Substances do not enter or come to be present in their bodies by any means and that Prohibited Methods are not Used.

3.3.2 There are often synonyms for substances that are mentioned by name on the Prohibited List, but not all of those synonyms are necessarily included on the Prohibited List. In addition, the Prohibited List is not a 'closed list' of Prohibited Substances but instead also encompasses substances that are not mentioned by name on the Prohibited List but instead are incorporated onto the Prohibited List by category and/or by reference to 'substances with a similar chemical structure or similar biological effect(s)'. As a result, the fact that a particular substance does not appear by name on the Prohibited List does not mean that the substance is not a Prohibited Substance. It is the Player's responsibility to determine the status of the substance, e.g., by contacting IDTM (via the contact details set out in the inside front cover of the Programme).

3.3.3 As described in Code Article 4.2.1, WADA may expand the Prohibited List for the sport of tennis, and/or the ITF may request that WADA include additional substances or methods that have the potential for abuse in the sport of tennis in the monitoring programme described in Code Article 4.5.

3.4 Specified Substances:

3.4.1 For purposes of this Programme all Prohibited Substances shall be considered "Specified Substances" except (a) substances in the class of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the Prohibited List. The category of Specified Substances shall not include Prohibited Methods.

3.4.2 In the event that WADA expands the Prohibited List by adding a new class of Prohibited Substances, WADA's Executive Committee
shall determine whether any or all of the Prohibited Substances within the new class of Prohibited Substances shall be considered Specified Substances within the meaning of Article 3.4.1. This determination may not be challenged by any Participant.

3.5 Therapeutic Use Exemptions:

3.5.1 In certain circumstances (set out in the International Standard for Therapeutic Use Exemptions), Players may be granted permission to Use one or more Prohibited Substances or Prohibited Methods for therapeutic purposes (a "Therapeutic Use Exemption" or "TUE"). 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 to the Player in accordance with the International Standard for Therapeutic Use Exemptions.

3.5.2 Ordinarily, the Player must obtain a TUE prior to the presence, Use or Attempted Use, Possession or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method. A TUE may only be granted retroactively in the following limited circumstances:

(a) Where the Player applying for the TUE had not played in the qualifying draw or main draw of any Covered Event prior to the Covered Event at which he/she was required to submit to Testing.

*Comment to Article 3.5.2(a):* If a Player is participating in his/her first ever Covered Event, he/she is deemed not to be an International Level Athlete for purposes of the Code and therefore is not required to have an advance TUE. Therefore, if such Player is tested at that event, and a Prohibited Substance or a Marker or Metabolite of a Prohibited Substance is found to be present in his/her Sample, and/or evidence of his/her Use of a Prohibited Method is found, he/she may apply for a retroactive TUE to Use that substance or method. If the TUE is granted on terms consistent with the presence/Use found, then no further action will be taken against the Player. But if the TUE is not granted on terms consistent with that presence/Use, then proceedings may be brought against the Player for an Anti-Doping Rule Violation.

(b) Where emergency treatment or treatment of an acute medical condition was necessary;

(c) Where, due to other exceptional circumstances, there was insufficient time or opportunity for the Player to submit, or
for the TUE Committee to consider, an application for the TUE prior to Sample collection; or

(d) Where it is agreed by the ITF and by WADA that fairness requires the grant of a retroactive TUE.

3.5.3 If a Player has a TUE granted by his/her NADO that he/she wishes to have recognised by the ITF for the purposes of the Programme, the Player should apply to the TUE Committee for recognition of the TUE (c/o the APA), in accordance with the procedure set out in Article 7 of the International Standard for Therapeutic Use Exemptions. The request must be accompanied by all of the information specified in Article 7 of the International Standard for Therapeutic Use Exemptions, and the TUE Committee may require that further information be provided as necessary. Unless and until such recognition is granted in writing, the Player uses the Prohibited Substance or Prohibited Method in issue entirely at his/her own risk.

3.5.4 If the TUE Committee agrees that the TUE granted to the Player by his/her NADO meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the ITF shall recognise it. If the TUE Committee considers that the TUE does not meet those criteria and so refuses to recognise it, the ITF shall notify the Player and his/her NADO promptly, with reasons. The Player and/or the NADO shall have 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 NADO remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for Covered Events) pending WADA's decision. If the matter is not referred to WADA for review, the TUE becomes invalid for any purpose upon expiry of the 21-day review deadline.

Comment to Article 3.5.4: If the TUE Committee declines to recognise a TUE granted by a NADO only because medical records or other information are missing that are needed to demonstrate satisfaction with the criteria in the International Standard for Therapeutic Use Exemptions, the matter should not be referred to WADA. Instead, the file should be completed by the Player (referring back to his/her NADO as necessary) and re-submitted to the TUE Committee.

3.5.5 If the Player does not already have a TUE granted by his/her NADO for the substance or method in question, the Player must apply directly to the TUE Committee (c/o the APA) for a TUE as soon as the need arises, in accordance with the procedure set out in Article 6 of the International Standard for Therapeutic Use Exemptions. The request must be accompanied by all of the information specified in Article 6 of the International Standard for Therapeutic Use Exemptions, and the TUE Committee may require that further information be provided as necessary. If the TUE Committee denies
the Player's application, the ITF must notify the Player promptly, with reasons. If the TUE Committee grants the Player's application, the ITF must notify not only the Player but also his/her NADO. If the NADO considers that the TUE does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has 21 days from such notification to refer the matter to WADA for review. If the NADO refers the matter to WADA for review, the TUE granted by the ITF remains valid for Covered Events and Out-of-Competition Testing (but is not valid for national-level events) pending WADA's decision. If the NADO does not refer the matter to WADA for review, the TUE granted by the ITF becomes valid for all purposes (i.e., including national-level events as well) upon expiry of the 21-day review deadline.

3.5.6 It shall be the Player's responsibility: (a) to ensure that the application for a TUE is complete and accurate; (b) to ensure that the application for a TUE contains an up-to-date and accurate postal address and facsimile number or e-mail to which notification of the approval or denial of the application can be communicated to the Player; and (c) to make appropriate arrangements to ensure that any postal or facsimile communication made to the address or facsimile number specified by the Player on the TUE application comes to his/her immediate attention. For the avoidance of doubt, for the purposes of this Article 3.5, any communication made by courier service to the postal address specified by the Player on his/her TUE application shall be deemed to have been received by the Player on the date of delivery to such address reflected in the confirmation of delivery provided by the courier service company, and any communication made to the facsimile number specified by the Player on his/her TUE application shall be deemed to have been received by the Player on the day of such transmission. In the event of a change of address or facsimile number while a TUE application is pending, it is the responsibility of the Player to notify the APA of the new details.

3.5.7 A Player may not assume that his/her application for a TUE (or for renewal or recognition of a TUE) will be granted. The TUE Committee will evaluate an application for the grant (or renewal or recognition) of a TUE in accordance with the criteria set out in Article 4 of the International Standard for Therapeutic Use Exemptions. The application will be processed as quickly as is reasonably practicable, but Players should note that the procedure normally takes at least seventy-two hours from receipt of the complete application, and may take significantly longer.

3.5.8 All decisions by the TUE Committee (whether for the grant/denial, renewal/non-renewal, or recognition/non-recognition of a TUE) will be notified in writing to the Player and will be reported in
accordance with Article 5.4 of the International Standard for Therapeutic Use Exemptions. In the event that an application is granted, the decision shall specify the dosage(s), frequency, route and duration of Administration of the Prohibited Substance or Prohibited Method in question that the TUE Committee is permitting, reflecting the clinical circumstances, as well as any conditions imposed in connection with the TUE. In the event than an application for the grant or renewal or recognition of a TUE is denied, the decision shall include an explanation of the reason(s) for the denial.

3.5.9 Unless and until a Player receives notice in writing of a decision granting or recognising a TUE, the Player uses the Prohibited Substance or Prohibited Method in issue entirely at his/her own risk.

3.5.10 If a TUE is granted, it will become effective as of the date specified in the notice of such grant. If the application is denied, the Player may apply to WADA to review that denial in accordance with Article 3.5.12.

3.5.11 The TUE Committee will grant a TUE with effect for a specified period. The TUE may also be granted subject to such conditions or restrictions as the TUE Committee may see fit. A Player who wishes to continue to use the Prohibited Substance or Prohibited Method in question beyond the period for which the TUE has been granted must make a new application for a further TUE in accordance with the provisions of this Article 3.5. A Player who wishes to have any conditions or restrictions imposed by the TUE Committee removed or varied must apply to WADA in accordance with Article 3.5.12.

3.5.12 Review by WADA:

(a) WADA shall review any decision by the ITF not to recognise a TUE granted by the NADO that is referred to WADA by the Player or the NADO. In addition, WADA shall review any decision by the ITF to grant a TUE that is referred to WADA by the Player's NADO. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative.

(b) 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.

(c) If WADA reverses the grant of a TUE, that reversal shall not apply retroactively, but rather only from the point that the Player receives notice of the reversal. Therefore, the Player's results obtained from the date that the TUE came into effect
until the date that the Player receives notice of WADA's reversal of the grant of the TUE shall not be Disqualified, nor shall the Player be subject to any other Consequences based on his/her Use of the Prohibited Substance or Prohibited Method in question during such period.

(d) A failure by WADA to take action within a reasonable time on a properly submitted application for review of a TUE decision shall be considered a denial of the application.

3.5.13 TUE decisions may be appealed as set out in Article 12.3.

3.5.14 Players are warned that TUEs granted by the ITF may not be automatically recognised by Major Event Organisations (e.g., the IOC, for the Olympic Games). In case of doubt, Players should contact the ITF Anti-Doping Manager for advice.

4. Testing

4.1 A Player must submit upon request to Testing at any time or place by or on behalf of the ITF or by or on behalf of any other Anti-Doping Organisation with Testing authority over such Player. For the avoidance of doubt, nothing in the Programme limits the Testing authority given to the ITF and other Anti-Doping Organisations under Article 5 of the Code.

4.1.1 For purposes of the Code, the "Event Period" shall be deemed to start at the same time as the In-Competition period and to end at midnight on the day of the last match played in the Event.

4.1.2 For purposes of the Code, the "Event Venue" shall be deemed to be the area that is the greater of (a) the city in which the Covered Event takes place; and (b) the area within a twenty-mile radius of the venue of the Covered Event.

4.2 Testing shall only be undertaken under the Programme for anti-doping purposes, i.e., to obtain analytical evidence as to the Player's compliance (or non-compliance) with the Programme's strict prohibition on the presence/Use of Prohibited Substances and Prohibited Methods. For the avoidance of doubt, the ITF may select Players for Target Testing so long as such Target Testing is not used for any purpose other than legitimate anti-doping purposes. All Testing under this Programme shall be conducted by qualified persons duly authorised by the ITF. Such Testing shall be conducted in accordance with (a) the International Standard for Testing and Investigations, (b) the Tennis Testing Protocols, and (c) (in the case of ABP Testing) the ABP Guidelines. Players must familiarise themselves with, and must comply with, all of the requirements of the International Standard for Testing and Investigations, the Tennis Testing Protocols, and the ABP Guidelines, because a failure to comply with those requirements may constitute an Anti-Doping Rule Violation.
4.3 In-Competition Testing:

4.3.1 Players shall be subject to Testing on behalf of the ITF at Covered Events. The selection of the Events at which Testing is to take place shall be made by the ITF, and shall remain confidential except to those Persons with a reasonable need to know of such selection in order to facilitate such Testing. The actual timing of the Testing at a selected Event, and the selection of Players to be tested at that Event, shall be at the discretion of the ITF.

4.3.2 Save where Article 4.3.2(a) applies, a Player may be notified that he/she has been selected for In-Competition Testing in conjunction with an Event in which he/she is participating at any time from 00:01 local time on the day of the first match of the main draw (or of the qualifying draw, if he/she is participating in the qualifying draw) of the Competition in question (a) until 60 minutes after the completion of the Player's last match in the Event (120 minutes if the Player's last match in the Event is the final match in the Competition in question) (or, where he/she is participating in the Event as a nominated member of the team, 60 minutes after the completion of his/her team's last match in the Event) (120 minutes if the team's last match in the Event is the final match in the Competition in question); or (b) further to Article 4.3.3, until his/her withdrawal, no-show, retirement or default from the Competition. Such periods (and only such periods) shall be deemed "In-Competition" periods for purposes of this Programme and the Code, and Samples collected pursuant to notifications made in such periods shall be deemed to have been collected In-Competition.

(a) Where a Player is participating in the ATP World Tour Finals, the WTA season-ending championships, the Davis Cup or Junior Davis Cup, the Fed Cup or Junior Fed Cup, or the Hopman Cup, the Player may be notified that he/she has been selected for In-Competition Testing in conjunction with that Event at any time in the following period:

(i) from 00:01 local time on

    (A) the day of the first match of the Event; or (if earlier)

    (B) the first day that the Player is required to attend the Event (e.g., for the official draw ceremony);

(ii) until:

    (A) 60 minutes after the completion of the Player's last match in the Event (120 minutes if the Player's last match in the Event is the final match in the Competition in question) (or, where he/she is
participating in the Event as a nominated member of the team, 60 minutes after the completion of his/her team's last match in the Event) (120 minutes if the team's last match in the Event is the final match in the Competition in question); or

(B) (further to Article 4.3.3) the Player's withdrawal, no-show, retirement or default from the Competition;

and (for these events only) that period (rather than the period set out in Article 4.3.2) shall be the "In-Competition Period".

4.3.3 Any Player who retires, is a no-show, is defaulted from a match or withdraws from the Competition at any time after 00:01 local time on the day of the first match of the main draw (or of the qualifying draw, if he/she is participating in the qualifying draw) of the Competition (or any earlier day that applies by virtue of Article 4.3.2(a)) must submit to Testing upon or after such retirement/no-show/default/withdrawal if requested to do so. If the Competition in question is a doubles Competition, then his/her doubles partner must also submit to Testing at the same time if requested to do so. If the Player in question is not on-site at the time of the request, the ITF may require that the Player appear for Testing at a specified time and location, in which case the Player may be required to contribute to the cost of the Sample collection in an amount not exceeding US$5,000. All Samples collected in accordance with this Article 4.3.3 (i.e., where collection of the Sample is triggered by the Player's retirement, no-show, default or withdrawal from Competition) that are collected as part of a test commenced prior to midnight of the day following the Player's retirement, no-show, default or withdrawal from Competition will be deemed to have been collected In-Competition for purposes of this Programme, whether or not the Player has actually played a match or part of a match in the Competition.

4.3.4 Where a Sample is collected In-Competition, the Player may be charged with an Anti-Doping Rule Violation under Article 2.1 and/or Article 2.2 if analysis of the Sample establishes that any Prohibited Substance (or any of its Metabolites or Markers) is present in the Sample, or if such analysis reveals evidence of Use of any Prohibited Substance or Prohibited Method.

4.3.5 The ITF may authorise independent observers appointed by WADA to observe any Testing conducted under the Programme as part of the Independent Observer Programme.
4.4 Out-of-Competition Testing:

4.4.1 Any period that is not an In-Competition period shall be deemed an "Out-of-Competition" period for purposes of this Programme and the Code. Any Sample collected pursuant to a notification given to a Player outside of an In-Competition period shall therefore be considered to have been collected Out-of-Competition. Save in exceptional and justifiable circumstances, all such Testing shall take place without advance notice to the Player in question.

4.4.2 The ITF may select any Player for Out-of-Competition Testing, whether or not he/she has been included in the International Registered Testing Pool. The timing of such Out-of-Competition Testing shall be at the discretion of the ITF. Decisions relating to timing and selection of Players for Out-of-Competition Testing shall remain confidential except to those with a reasonable need to know of them in order to facilitate such Testing.

4.4.3 Where a Sample is collected during an Out-of-Competition period, there shall only be an Anti-Doping Rule Violation under Article 2.1 and/or Article 2.2 if analysis of the Sample establishes that a substance (or any of its Metabolites or Markers) that is prohibited during Out-of-Competition periods (i.e., it is listed in the section of the Prohibited List entitled "Substances and Methods Prohibited At All Times (In- and Out-of-Competition)") is present in the Sample, or if such analysis reveals evidence of Use of such a substance or of a Prohibited Method.

4.4.4 A reasonable effort will be made to avoid inconvenience to a Player who is subjected to Out-of-Competition Testing. However, the ITF shall not be liable for any inconvenience or loss caused to the Player as a result of such Testing.

4.5 Additional Obligations on Players Included in the International Registered Testing Pool:

4.5.1 The ITF may from time to time designate any Player or Players for inclusion in a pool of Players to be known as the "International Registered Testing Pool". Any Player designated for inclusion in (or removed from) the International Registered Testing Pool will be notified of such inclusion or removal in accordance with Article I.2 of the International Standard for Testing and Investigations.

4.5.2 A Player who is included in the International Registered Testing Pool is required:

(a) to advise the ITF (or, if the ITF agrees or WADA so specifies, his/her NADO) of his/her whereabouts on a quarterly basis, in
the manner set out in Article I.3 of the International Standard for Testing and Investigations; and

(b) to be available for Testing at such whereabouts, in accordance with Article I.4 of the International Standard for Testing and Investigations.

4.5.3 In accordance with Article I.3.3 of the International Standard for Testing and Investigations, a Player in the International Registered Testing Pool is not required to provide a 60-minute time-slot for dates falling within the In-Competition Period of a Covered Event in which the Player is scheduled to compete ("In-Competition Dates"). However:

(a) This does not apply to Events organised by a Major Event Organisation. The Player must continue to provide a 60-minute time-slot for all dates falling within the In-Competition Periods of those Events.

(b) In respect of Covered Events to which Article 4.5.3 does apply, if circumstances change such that dates that the Player has identified in his/her whereabouts filing as In-Competition Dates no longer qualify as such (for example, because the Player withdraws or retires from or is knocked out of a Covered Event), the Player must update his/her whereabouts filing to provide a 60-minute time-slot for each of the dates that no longer qualifies as an In-Competition Date, in accordance with Article I.3.2 of the International Standard for Testing and Investigations. Failure to do so may be treated as a Filing Failure.

4.5.4 Subject to the results management procedure referenced at Article 4.5.6 of this Programme:

(a) a Player's failure to advise the ITF (or, if the ITF agrees or WADA so specifies, his/her NADO) of his/her whereabouts shall be deemed a Filing Failure for the purposes of this Programme where the conditions of Article I.3.6 of the International Standard for Testing and Investigations are met; and

(b) a Player's failure to be available for Testing at his/her declared whereabouts shall be deemed a Missed Test for the purposes of this Programme where the conditions of Article I.4.3 of the International Standard for Testing and Investigations are met.

4.5.5 Whereabouts information provided by a Player to the ITF pursuant to Article 4.5.2 will be accessible, through ADAMS or another system approved by WADA, to WADA and to other Anti-Doping
Organisations having authority to test the Player as provided in Code Article 5.2. This 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 in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for those purposes.

4.5.6 Results management in relation to an Anti-Doping Rule Violation under Article 2.4:

(a) The ITF shall have results management authority in relation to potential Whereabouts Failures by any Player who files his/her whereabouts information with the ITF.

(b) If a Whereabouts Failure by a Player who is subject to the ITF's result management authority is uncovered through an attempt by or on behalf of an Anti-Doping Organisation other than the ITF to test that Player, then the ITF shall procure the requisite information and assistance from that other Anti-Doping Organisation pursuant to Article I.5.2 of the International Standard for Testing and Investigations, so that the ITF may conduct its results management in respect of that Whereabouts Failure in accordance with Article 4.5.6(c). Upon request, the Player shall assist the ITF in obtaining such information and assistance.

(c) Results management in relation to potential Whereabouts Failures shall be conducted by the ITF in accordance with Article I.5.2 of the International Standard for Testing and Investigations (with the administrative review, if any, carried out by the Review Board in accordance with Article 7.7) in order to determine whether all of the requirements of Article I.3.6 of the International Standard for Testing and Investigations (in the case of a Filing Failure) or all of the requirements of Article I.4.3 of the International Standard for Testing and Investigations (in the case of a Missed Test) are met.

(d) Where a Player who is subject to the ITF's Article 4.5.6(a) results management authority is declared to have committed three Whereabouts Failures (i.e., any combination of Filing Failures and/or Missed Tests adding up to three) within any 12-month period, then the matter shall be referred to the Review Board to determine, in accordance with Article 7.7 of
this Programme and Article I.5.4 of the International Standard for Testing and Investigations, whether the Player has a case to answer under Article 2.4.

Comment to Article 4.5.6(d): In the event that a Player who is removed from the International Registered Testing Pool after having recorded one or two Whereabouts Failures remains (or is put into) his/her NADO's registered testing pool, the ITF shall provide full information regarding such Whereabouts Failures to the NADO so that if any other Whereabouts Failures are recorded against that Player, the NADO will have all the information it needs to bring proceedings against the Player for violation of Article 2.4. The same principle will apply in reverse if a Player who has one or two Whereabouts Failures from his/her time in a national registered testing pool is designated for inclusion in the International Registered Testing Pool.

4.5.7 A Player in the International Registered Testing Pool shall continue to be subject to the requirements of this Article 4.5 unless and until:

(a) the Player retires in accordance with the requirements of Article 1.14; or

(b) the Player is notified in writing that he/she no longer satisfies the criteria established by the ITF pursuant to Article 4.5.1 for inclusion in the International Registered Testing Pool.

4.6 ABP Testing:

4.6.1 The ITF will designate one or more person(s), within or outside the ITF, to administer and manage the ABP Programme on behalf of the ITF (the "Athlete Passport Management Unit", or "APMU"). The ITF will also appoint suitably qualified, independent experts to form the Expert Panel for purposes of the ABP Programme.

4.6.2 The ITF will decide, in its sole discretion, which Players will be selected for ABP Testing. The ITF will also decide (consulting as appropriate with the Expert Panel, via the APMU) on the timing of such Testing. The ITF will also coordinate as necessary with other competent Anti-Doping Organisations carrying out ABP Testing in relation to any Player(s). All Players subject to this Programme shall be deemed to have agreed to the ITF and such other Anti-Doping Organisations sharing their data in relation to such ABP Testing with each other for purposes of their respective ABP Programmes.

4.6.3 Blood Samples that are intended to be part of the haematological module of the ABP Programme will be collected, transported and analysed in accordance with the International Standard for Testing and Investigations, the International Standard for Laboratories, and the mandatory protocols set out in Appendices A to C of the ABP Guidelines. For the avoidance of doubt, all urine Samples collected
under the Programme may be evaluated in accordance with the steroid module of the ABP Programme.

4.6.4 The data arising from analysis of such Samples will be processed and reviewed in accordance with the ABP Guidelines to identify Atypical Passport Findings that warrant referral to a single expert from the Expert Panel, and thereafter (if appropriate) to two further experts from the Expert Panel, for consideration in accordance with Appendix E of the ABP Guidelines.

4.6.5 Where the three experts from the Expert Panel unanimously conclude that, subject to any explanation provided by the Player, it is highly likely that the Player Used a Prohibited Substance or Prohibited Method, and it is unlikely that there is any other plausible explanation for the Atypical Passport Finding, that conclusion (which should include the reasons for the conclusion) (an "Adverse Passport Finding"), shall be notified by the ITF to the Player and WADA. The ITF shall send the Player a copy of the relevant ABP Documentation Package, invite him/her to provide (by a specified deadline) an explanation for the data on which the Adverse Passport Finding is based, and explain that in the absence of a satisfactory explanation the matter will be referred to the Review Board to determine whether the Player has a case to answer under Article 2.2.

4.6.6 The ITF will forward any explanation provided by the Player in response to that notice, together with any information supplied by the Player in support of that explanation, to the three experts from the Expert Panel, for consideration (along with any other information that the three experts deem necessary) in accordance with the ABP Guidelines. Following such consideration:

(a) If the three experts are no longer unanimously of the view that it is highly likely that the Player Used a Prohibited Substance or Prohibited Method, and unlikely that there is any other plausible explanation for the data on which the Adverse Passport Finding is based, the ITF shall notify the Player, WADA and the Player's NADO and (subject to the rights of appeal set out at Article 12) the matter shall not proceed any further.

(b) If the three experts maintain, notwithstanding the Player's explanation, that it is highly likely that the Player Used a Prohibited Substance or Prohibited Method, and unlikely that there is any other plausible explanation for the data on which the Adverse Passport Finding is based, then the ITF shall refer the Adverse Passport Finding to the Review Board for consideration in accordance with Article 7.5.
5. **Sample Analysis**

5.1 Substances Subject to Detection:

Subject to Article 4.4.3, Samples collected under this Programme may be analysed (a) to detect the presence of Prohibited Substances (and/or their Metabolites or Markers) and/or evidence of the Use of Prohibited Substances or Prohibited Methods; (b) to assist the ITF in profiling relevant parameters in a Player's Sample, including for DNA or genomic profiling (e.g., as part of the ABP Programme); and/or (c) for any other legitimate anti-doping purpose. Samples may be collected and stored for future analysis.

5.2 Use of Accredited and Approved Laboratories:

5.2.1 For purposes of detecting the presence of a Prohibited Substance or its Metabolites or Markers and/or evidence of the Use of a Prohibited Substance or a Prohibited Method, the ITF shall send Samples for analysis only to laboratories that have been accredited or otherwise approved by WADA.

5.2.2 For purposes of screening a blood (or other non-urine) Sample to determine whether the Player's corresponding urine Sample should be analysed as set out at Article 5.2.1, the ITF may send Samples either to laboratories that have been accredited or approved by WADA or to any other entity approved by WADA (e.g., a local hospital or a mobile testing unit).

5.2.3 For purposes of ABP Testing, the ITF may send Samples to a laboratory or laboratories that has/have been accredited or otherwise approved by WADA or to the satellite facility of a WADA-accredited laboratory or using mobile units operated under applicable ISO accreditation by a WADA-accredited laboratory.

5.2.4 Subject to the foregoing provisions of this Article 5.2, the laboratory or laboratories or other facility or facilities used for the analysis of Samples collected under this Programme shall be chosen exclusively by the ITF.

5.3 Restrictions on Use of Samples:

5.3.1 All Samples provided by a Player for the purposes of Testing under this Programme shall be the property of the ITF, and the ITF shall be entitled to determine all matters regarding the analysis and disposal of such Samples.

5.3.2 No Sample may be used for research without the Player's written consent. A Sample used (with the Player's consent) for purposes other than as described in Article 5.2 shall have the identity code
removed or shall be transferred into an anonymous container so that it cannot be traced back to the Player who provided it.

5.4 Standards for Sample Analysis and Reporting:

5.4.1 Laboratories shall analyse Samples and report results to the APA and the ITF Anti-Doping Manager in accordance with the Code and the International Standard for Laboratories.

5.4.2 Subject to Articles 4.3.3, the ITF shall pay the costs of collection and analysis of Samples under this Programme.

5.4.3 Any Adverse Analytical Findings reported by the laboratory shall be dealt with as set out in Article 7.3.

5.4.4 Any Atypical Findings reported by the laboratory shall be dealt with as set out in Article 7.4.

5.5 Further Analysis of Samples:

5.5.1 A Player's Sample may be subject to further analysis at any time before both the A and B Sample analytical results (or the A Sample result where B Sample analysis has been waived or will not be performed) have been communicated by the ITF to the Player as the asserted basis for an Article 2.1 violation.

5.5.2 A Sample collected under this Programme may be stored and subjected to further analyses for the purposes described in Article 5.2 at any time exclusively at the direction of the ITF or WADA. The circumstances and conditions for further analysis of Samples shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

6. Investigations

6.1 In addition to conducting the Testing referenced at Article 4 of this Programme, the ITF shall have the power to gather anti-doping intelligence and conduct investigations in accordance with the requirements of the Code and the International Standard for Testing and Investigations into matters that may evidence or lead to the discovery of evidence of an Anti-Doping Rule Violation. Such investigations may be conducted in conjunction with, and/or information obtained in such investigations may be shared with, other Signatories and/or other relevant authorities. The ITF shall have discretion, where it deems appropriate, to stay its own investigation pending the outcome of investigations being conducted by other Signatories and/or other relevant authorities.
6.2 Where a Participant knows or suspects that any other Participant has committed an Anti-Doping Rule Violation, it shall be the obligation of the first Participant to report such knowledge or suspicion to the ITF Anti-Doping Manager as soon as possible. The first Participant shall have a continuing obligation to report any new knowledge or suspicion regarding any Anti-Doping Rule Violation to the ITF Anti-Doping Manager, even if his/her prior knowledge or suspicion has already been reported. In cases of refusal or failure to comply with any of the foregoing without acceptable justification, Article 16 shall apply.

6.3 Players and other Persons must cooperate fully with investigations conducted pursuant to this Article 6 (and in cases of refusal or failure to do so without compelling justification, Article 16 shall apply). In particular (but without limitation):

6.3.1 The ITF Anti-Doping Manager may make a written demand to a Participant (a "Demand") to furnish to the ITF Anti-Doping Manager any information that may evidence or lead to the discovery of evidence of an Anti-Doping Rule Violation, including (without limitation) requiring the Participant to attend an interview and/or to provide a written statement setting forth his/her knowledge of the relevant facts and circumstances. The Participant must furnish such information within seven business days of the making of such Demand, or within such other deadline as may be specified by the ITF Anti-Doping Manager. Any information furnished to the ITF Anti-Doping Manager shall be kept confidential except when it becomes necessary to disclose such information to further the investigation of and/or to bring proceedings relating to an Anti-Doping Rule Violation, or when such information is reported to administrative, professional, or judicial authorities pursuant to an investigation or prosecution of non-sporting laws or regulations.

Comment to Article 6.3.1: Where a Participant provides information to the ITF pursuant to Article 6.3.1 that may evidence or lead to the discovery of evidence of one or more Anti-Doping Rule Violation(s) by one or more other Persons, the ITF will not reveal to third parties the identity of the Participant who has furnished the information unless absolutely necessary to enable the ITF to pursue the investigation of, and/or to bring proceedings in relation to, the Anti-Doping Rule Violation(s), or to enable administrative, professional or judicial authorities to pursue the investigation or prosecution of non-sporting laws or regulations. Otherwise, the ITF will use all reasonable endeavours only to use the information provided in a manner that does not reveal the identity of that Participant.

6.3.2 Each Player and other Person waives and forfeits any rights, defences and privileges provided by any law in any jurisdiction to withhold information requested in a Demand. If a Participant refuses or fails to produce such information, then if (a) disciplinary proceedings are brought against him/her under Article 16, or (b) the
Review Board confirms, in accordance with Article 7.8, that there is a good faith basis for the Demand, the eligibility of the Participant to compete in Covered Events (or, in the case of a Player Support Personnel, to assist Players participating in Covered Events) may be withdrawn, and he/she may be denied credentials and access to Covered Events, pending compliance with the Demand.

6.4 If the Participant subverts or Attempts to subvert the investigation process (e.g., by providing false, misleading or incomplete information, and/or by destroying potential evidence), proceedings may be brought against him or her for violation of Article 2.5 (Tampering or Attempted Tampering).

6.5 Where, as the result of an investigation under this Article 6, the ITF forms the view that a Participant has a case to answer for commission of an Anti-Doping Rule Violation, the ITF shall refer the matter to the Review Board, to be dealt with as set out in Article 7.6.

7. **Review Board**

7.1 The ITF shall have results management authority as provided in Article 4.5.6 of this Programme, in this Article 7, and in Article 7.1 of the Code.

7.2 Responsibilities of the Review Board:

7.2.1 The Review Board shall carry out the functions assigned to it under this Article 7 and elsewhere in this Programme.

7.2.2 Where a matter is referred to the Review Board under this Programme, where necessary the Review Board may request that the ITF provide additional information for the Review Board's consideration. However, in a case involving an Adverse Analytical Finding or Atypical Finding, at no point during its deliberations should the Review Board be advised of the identity of the Player involved.

7.2.3 There shall be no obligation for the Review Board to meet in person to deliberate. However, any decision by the Review Board that the Participant has a case to answer under Article 2 of this Programme must be unanimous.

7.3 Review of Adverse Analytical Findings:

7.3.1 Upon receipt of an Adverse Analytical Finding in relation to an A Sample, then (save where an application for a retroactive TUE is made in accordance with Article 3.5.2 of this Programme for the Prohibited Substance in question, in which case no action shall be taken pending a decision on the application) the ITF shall, without delay:
(a) identify three Review Board members (who shall include one technical, one legal and one medical expert) to consider the matter; and

(b) send the relevant papers to the three Review Board members. Where it appears that the Adverse Analytical Finding may be consistent with a TUE previously granted to the Player, in the first instance only the laboratory's certificate of analysis of the A sample and anonymised copies of the TUE application and decision shall be sent to the three Review Board members. However, if there is no potentially applicable TUE, or if the Review Board determines that the Adverse Analytical Finding is not consistent with the TUE in question, the APA shall send the entire A Sample laboratory documentation package to the three Review Board members, along with any other relevant papers.

7.3.2 The three Review Board members shall conduct a review to determine whether:

(a) the Adverse Analytical Finding is consistent with a TUE that has been granted or recognised in accordance with Article 3.5; or

(b) the Player should be invited to make an application to the TUE Committee for a retroactive TUE in accordance with Article 3.5.2; or

(c) there is any departure from the International Standard for Testing and Investigations or from the International Standard for Laboratories that caused the Adverse Analytical Finding.

7.3.3 If the Review Board determines that (b) in Article 7.3.2 applies, the matter shall be suspended until either the Player fails to make an application to the TUE Committee on a timely basis, or the TUE Committee has ruled on the Player's application. At that point the Review Board will consider the matter again in light of the Player's failure or the TUE Committee's ruling (as applicable).

7.3.4 If the Review Board determines that either (a) or (c) in Article 7.3.2 applies, it shall advise the ITF that there is no case to answer. The ITF shall notify the Player, WADA and the Player's NADO and (subject to the rights of appeal set out at Article 12) the matter shall not proceed any further.

7.3.5 If the Review Board determines that neither (a) nor (b) nor (c) in Article 7.3.2 applies, it shall advise the ITF that there is a case to answer under Article 2, and the ITF shall send the Player a Notice of Charge in accordance with Article 8.1.1.
7.4 Review of Atypical Findings:

7.4.1 In accordance with the applicable provisions of the Code and the International Standards, in certain circumstances where a Prohibited Substance that is detected in a Sample may also be produced endogenously, the laboratory may report the presence of such substance as an Atypical Finding that should be investigated further.

7.4.2 If a laboratory reports an Atypical Finding in respect of a Sample collected from a Player under this Programme, then (save where an application for a retroactive TUE is made in accordance with Article 3.5.2 of this Programme for the Prohibited Substance in question, in which case no action shall be taken pending a decision on the application) if the ABP Guidelines apply, the Atypical Finding will be processed in accordance with the ABP Guidelines. Otherwise, however, the ITF shall refer the Atypical Finding to three suitably qualified Review Board members, who shall conduct an initial review to determine whether:

(a) the Atypical Finding is consistent with a TUE that has been granted or recognised in accordance with Article 3.5; or

(b) there is any departure from the International Standard for Testing and Investigations or from the International Standard for Laboratories that caused the Atypical Finding.

7.4.3 If the Review Board determines that either (a) or (b) in Article 7.4.2 applies, it shall advise the ITF that there is no case to answer. The ITF shall notify the Player, WADA and the Player's NADO, and (subject to the rights of appeal set out at Article 12) the matter shall not proceed any further.

7.4.4 If the Review Board determines that neither (a) nor (b) in Article 7.4.2 applies, the ITF shall conduct the follow-up investigation required by the International Standards.

7.4.5 If, following the investigation, the Review Board concludes that the Atypical Finding should be considered an Adverse Analytical Finding, and that there is a case to answer under Article 2, the matter shall proceed in accordance with Article 7.3.5.

7.4.6 Pending the outcome of the investigation, the ITF will keep the Atypical Finding confidential, save that:

(a) if it determines that the B Sample should be analysed as part of the investigation, it shall notify the Player in accordance with Article 8.1.1(c), and such notice shall additionally include a description of the Atypical Finding and specify the
Player's right to request copies of the A and B Sample laboratory documentation packages; and

(b) if requested by a Major Event Organisation in the lead-up to its Event, or by a sports organisation about to select Players for an International Event, it may confirm that the Player has a pending Atypical Finding, after telling the Player.

7.4.7 If the ITF decides not to pursue the Atypical Finding as an Adverse Analytical Finding, it shall so notify the Player, WADA and the Player's NADO and any other Anti-Doping Organisation with the right to appeal that decision under Article 12.

7.5 Review of Adverse Passport Findings:

7.5.1 If an Adverse Passport Finding is confirmed by the three experts from the Expert Panel in accordance with Article 4.6.6, then (save where an application for a retroactive TUE for the Prohibited Substance or Prohibited Method in question is made in accordance with Article 3.5.2 of this Programme, in which case no action shall be taken pending a decision on the application) the ITF shall refer that finding (together with a copy of the associated ABP Documentation Package) to three suitably qualified Review Board members, who shall conduct a review to determine whether:

(a) the Adverse Passport Finding is consistent with a TUE that has been granted or recognised in accordance with Article 3.5; or

(b) there is any departure from the International Standard for Testing and Investigations, or from the International Standard for Laboratories, or from the mandatory protocols set out in Appendices A to C of the ABP Guidelines, that invalidates the Adverse Passport Finding; or

(c) there are any other issues that concern the Review Board and that it would wish to discuss with the experts referred to in Article 4.6.5.

The Review Board may consult on these issues (via the APMU) with the group of three experts referred to in Article 4.6.5.

7.5.2 If the Review Board determines that either (a) or (b) in Article 7.5.1 applies, or if (c) applies and the experts are not able to satisfy the Review Board's material concerns, the Review Board shall advise the ITF that there is no case to answer. The ITF shall notify the Player, WADA and the Player's NADO and (subject to the rights of appeal set out at Article 12) the matter shall not proceed any further.
7.5.3 If the Review Board determines that neither (a) nor (b) nor (c) in Article 7.5.1 applies, it shall advise the ITF that there is a case to answer under Article 2.2, and the ITF shall send the Player a Notice of Charge in accordance with Article 8.1.1.

7.6 Referrals to the Review Board that involve evidence other than Adverse Analytical Findings or Atypical Findings or Adverse Passport Findings:

7.6.1 Where a matter is referred to the Review Board that involves evidence of a potential Anti-Doping Rule Violation other than an Adverse Analytical Finding or an Atypical Finding or an Adverse Passport Finding:

(a) the ITF shall identify three Review Board members who have the expertise required by the nature of the particular case, to review the evidence to determine whether there is a case to answer under Article 2; and

(b) the ITF shall send the entire dossier of evidence to each of those three Review Board members.

7.6.2 Where the Review Board concludes that there is no case to answer under Article 2, then the ITF shall notify the Player, WADA, the Player's NADO and any other Anti-Doping Organisation with a right of appeal under Article 12, and (subject to the rights of appeal set out at Article 12.2) the matter shall not proceed any further.

7.6.3 Where the Review Board concludes that there is a case to answer under Article 2, the ITF shall send the Player a Notice of Charge in accordance with Article 8.1.1.

7.7 Review of Whereabouts Failures:

7.7.1 Where (in accordance with Article I.5.2 of the International Standard for Testing and Investigations) a Player requests an administrative review of a Filing Failure or Missed Test declared by the ITF (pursuant to Article 4.5.6), the ITF Anti-Doping Manager shall refer the file to one or more suitably qualified members of the Review Board, who shall carry out that administrative review in accordance with the applicable Article of the International Standard for Testing and Investigations.

7.7.2 If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, the ITF shall so advise WADA, the Player's NADO, (if applicable) the Anti-Doping Organisation that uncovered the Whereabouts Failure, and any other Anti-Doping Organisation with a right of appeal against that decision under Article 12, giving reasons for that
decision. Subject to any such appeal, the matter shall not proceed any further.

7.7.3 If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are met, or if the Player does not request an administrative review, the ITF shall notify the Player and shall record the notified Whereabouts Failure against him/her.

7.7.4 The ITF shall report a decision to record a Whereabouts Failure against a Player to WADA and all other relevant Anti-Doping Organisations, as well as the ATP or WTA (as applicable), on a confidential basis, via ADAMS or other system approved by WADA.

7.7.5 Where two Whereabouts Failures have already been recorded against the Player in the 12-month period prior to the alleged Whereabouts Failure under administrative review, if the Review Board determines that the alleged Whereabouts Failure under review should be recorded against the Player as well, then Article 4.5.6(d) shall apply, and if the Review Board determines there is a case to answer under Article 2.4, then the ITF shall send the Player a Notice of Charge in accordance with Article 8.1.1.

7.8 Review of Demands:

7.8.1 Where the ITF Anti-Doping Manager wishes to apply the consequences set out in Article 6.3.2 for a Participant's failure to comply with a Demand, the ITF Anti-Doping Manager shall first refer the Demand to one or more members of the Review Board to determine whether there is a good faith basis for the Demand, such that withdrawing eligibility for, access to, and accreditation for Covered Events in the case of non-compliance with the Demand is justified. This reference to the Review Board may be made before the Demand is made of the Participant, or after the Demand has been made and the Participant has failed to comply, but in any event no consequences may be applied until the Review Board has determined that there is a good faith basis for the Demand.

7.8.2 In considering the Demand, the Review Board shall have the discretion but not the obligation to invite such submissions from the ITF Anti-Doping Manager and the Participant in question as it sees fit.

7.8.3 If the Review Board determines that there is no good faith basis for the Demand, then (a) the ITF Anti-Doping Manager shall not pursue the Demand with the Player; and (b) there shall be no consequences imposed on the Player for not complying with the Demand.
7.8.4 If the Review Board determines that there is a good faith basis for the Demand, then if the Player fails to produce the information requested in the Demand the consequences set out at Article 6.3.2 shall apply.

7.9 Results Management for Tests Initiated During the Olympic Games or the Paralympic Games:

Where a Player commits an Anti-Doping Rule Violation at the Olympic Games, the International Olympic Committee shall determine the question of Disqualification from the Olympic Games. Where a Player commits an Anti-Doping Rule Violation at the Paralympic Games, the International Paralympic Committee shall determine the question of Disqualification from the Paralympic Games. In each case, however, the question of further Consequences, if any, to be imposed in relation to such Anti-Doping Rule Violation shall be determined in accordance with this Programme.

7.10 Results Management for Anti-Doping Rule Violations Discovered By Another Anti-Doping Organisation:

Unless otherwise agreed by the ITF, where another Anti-Doping Organisation tests a Player under its own rules, and that test results in an Adverse Analytical Finding, or if that Anti-Doping Organisation uncovers or receives other evidence of an Anti-Doping Rule Violation by a Participant, then (save for cases involving Whereabouts Failures where the ITF has results management authority pursuant to Article 4.5.6) it shall be the responsibility of that Anti-Doping Organisation to investigate and pursue the matter, including bringing proceedings against the Participant (if appropriate) under its rules, failing which the ITF may take responsibility over the matter and/or may require the Participant's National Association to pursue the matter.

8. Proceedings Before an Independent Tribunal

8.1 Notice of Charge:

8.1.1 When the Review Board determines, pursuant to Article 7, that a Participant has a case to answer under Article 2, the ITF Anti-Doping Manager shall send a written notice to the Participant (the "Notice of Charge"), with copies to the Chairman of the Independent Panel and the Anti-Doping Organisations set out in Article 13.4, setting out:

(a) the Anti-Doping Rule Violation(s) alleged to have been committed, including the specific Article(s) of this Programme alleged to have been infringed, a summary of the facts upon which such allegations are based (and if the charge has resulted from an Adverse Analytical Finding, a copy of the laboratory documentation pack supporting that Adverse Analytical Finding should be enclosed with the Notice of
Charge), and any other information required by the International Standard for Testing and Investigations;

(b) the Consequences applicable under the Programme if it is determined that the alleged Anti-Doping Rule Violation has been committed;

(c) where the charge is brought under Article 2.1, the right of the Player and/or the Player's representative to attend the opening and analysis of the B Sample, on a specified date (usually within seven working days of the Player's receipt of the Notice of Charge) and at a specified time and place, for purposes of Article 8.2 (B Sample analysis);

(d) (where applicable) the matters relating to Provisional Suspension specified at Article 8.3; and

(e) the Participant's entitlement to respond to the Notice of Charge in one of the following ways:

(i) to admit the Anti-Doping Rule Violation(s) charged, and accede to the Consequences specified in the Notice of Charge;

(ii) to admit the Anti-Doping Rule Violation(s) charged, but to dispute and/or seek to mitigate the Consequences specified in the Notice of Charge, and to have the Independent Tribunal determine the Consequences at a hearing conducted in accordance with Article 8; or

(iii) to deny the Anti-Doping Rule Violation(s) charged, and to have the Independent Tribunal determine the charge and (if the charge is upheld) any Consequences, at a hearing conducted in accordance with this Article 8;

(iv) provided that if the Participant wishes to exercise his/her right to a hearing before the Independent Tribunal, he/she must submit a written request for such a hearing so that it is received by the Chairman of the Independent Panel (with a copy to the ITF Anti-Doping Manager) as soon as possible, but in any event within 10 days of the Participant's receipt of the Notice. The request must also state how the Participant responds to the charge in the Notice and must explain (in summary form) the basis for such response. In the event no such response is received by that deadline, the Participant will be deemed to have admitted the Anti-Doping Rule Violation(s) charged, and to have acceded to the Consequences specified in the Notice of Charge.
8.1.2 Upon receipt of a response from the Participant indicating that he/she disputes any matter(s) set out in the Notice of Charge, the Chairman of the Independent Panel will appoint three people from the Independent Panel to form an Independent Tribunal to hear and determine the dispute, consisting of a legally qualified member acting as Chairman of the Independent Tribunal and (subject always to Article 8.4.2(a)) two other suitably qualified members.

8.1.3 In the Notice of Charge, or at any other time prior to the determination of the charge by the Independent Tribunal, the ITF may invite the Participant to admit the Anti-Doping Rule Violation(s) charged and accede to specified Consequences.

8.1.4 In the event that the ITF withdraws the Notice of Charge, or the Participant admits the Anti-Doping Rule Violation(s) charged and accedes to the Consequences specified by the ITF (or is deemed to have done so in accordance with Article 8.1.1), a hearing before the Independent Tribunal shall not be required. Instead the ITF shall promptly issue a decision confirming (as applicable) its withdrawal of the Notice of Charge or the commission of the Anti-Doping Rule Violation(s) and the imposition of the specified Consequences (including, if applicable, a justification for why the maximum potential sanction was not imposed), shall Publicly Report that decision in accordance with Article 8.8, and shall send a copy of the decision to the Participant and to any other party that has a right, further to Article 12, to appeal the decision (and any such party may, within 15 days of receipt, request a copy of the full case file pertaining to the decision).

8.2 B Sample Analysis:

8.2.1 If the Player admits the presence in his/her Sample of the Prohibited Substance (or any of its Metabolites or Markers) detected by the laboratory, the Player shall be deemed (a) to have waived his/her right to have the B Sample analysed; and (b) to have accepted the Adverse Analytical Finding based on the A Sample analysis only.

8.2.2 If the Player does not admit the presence in his/her Sample of the Prohibited Substance (or any of its Metabolites or Markers) detected by the laboratory, the analysis of the B Sample shall proceed on the date and at the time and venue specified pursuant to Article 8.1.1(c). The Player and/or his/her representative shall be entitled to be present at the analysis of the B Sample at the Player's cost. A representative of the ITF may also be present. There shall be no right to an adjournment of the date scheduled for analysis of the B Sample; instead, any such adjournment shall be at the absolute discretion of the ITF. In the event that neither the Player nor any representative of the Player attends the B Sample analysis, the
laboratory shall appoint an independent witness, in accordance with the International Standard for Laboratories, to verify that the B Sample container shows no signs of tampering and that the identifying numbers correspond to those on the collection documentation.

8.2.3 If the analysis of B Sample does not confirm the Adverse Analytical Finding in respect of the A Sample, then (unless the ITF charges the Player with Use under Article 2.2) the entire test shall be considered negative and the Player shall be so informed. In such circumstances, the proceedings instituted against the Player shall be discontinued, any Provisional Suspension previously imposed shall be deemed vacated with immediate effect, in accordance with Article 8.3.1(b), and no further action shall be taken against the Player.

8.2.4 If the analysis of the B Sample confirms the Adverse Analytical Finding in respect of the A Sample to the satisfaction of the ITF, then the matter shall proceed to a hearing in accordance with the provisions of Article 8.

8.3 Provisional Suspension:

8.3.1 Mandatory Provisional Suspension:

(a) If (and only if) each of the following conditions is met:

(i) an Adverse Analytical Finding is issued against a Player for a Prohibited Substance other than a Specified Substance or a Prohibited Method, or an Adverse Passport Finding is issued; and

(ii) the Review Board has completed its review in accordance with Articles 7.3 or 7.5 (as applicable) and has concluded that the Player in question has a case to answer under Article 2;

then the ITF shall notify the Player, in the Notice of Charge sent to the Player in accordance with Article 8.1, that he/she will be Provisionally Suspended with effect from the date 10 days after the date of deemed receipt of the Notice of Charge, pending determination of the charge against him/her at a full hearing pursuant to Article 8. However, the ITF shall at the same time notify the Player of his/her right, at his/her election, to make an application in accordance with Article 8.3.3 to the Chairman of the Independent Tribunal convened to hear his/her case, either immediately or at any time prior to the full hearing, showing cause why the Provisional Suspension should not be imposed (or, where it has been
imposed, why it should be vacated) in advance of the full hearing.

(b) If the B Sample analysis does not confirm the A Sample analysis, then Article 8.2.3 shall apply, and no Provisional Suspension shall be imposed on the Player. If a Provisional Suspension was imposed on the Player prior to receipt of the results of the B Sample analysis, then in accordance with Article 8.2.3 it shall be deemed automatically vacated with immediate effect, without any need for any further order.

(c) If, within 10 days of the date of deemed receipt of the Notice of Charge, the results of the B Sample analysis are not received, or they are received and they confirm the A Sample results, and the Player does not exercise his/her right to apply in accordance with Article 8.3.3 for an order that a Provisional Suspension should not be imposed prior to 17:00 (GMT) on the tenth day after the date of deemed receipt of the Notice of Charge, then the Provisional Suspension will come into effect automatically at that point and will remain in place (subject to the Player's right at any time to apply to the Chairman of the Independent Tribunal for it to be vacated) pending determination of the charge against the Player.

8.3.2 Discretionary Provisional Suspension:

If (and only if):

(a) the Participant has pleaded guilty to, or otherwise admitted (for example, in response to a Notice of Charge) engaging in, conduct that constitutes an Anti-Doping Rule Violation; and

(b) the Review Board has completed its review in accordance with Article 7 and has concluded that the Participant in question has a case to answer in respect of that Anti-Doping Rule Violation;

then the ITF may notify the Player in writing that he/she will be Provisionally Suspended with effect from the date 10 days after the date of deemed receipt of the notice, pending a full hearing pursuant to Article 8. (Where applicable, that notice may be given in the Notice of Charge sent to the Participant in accordance with Article 8.1). However, the ITF shall at the same time notify the Participant of his/her right, at his/her election, to make an application in accordance with Article 8.3.3 to the Chairman of the Independent Tribunal convened to hear his/her case, either immediately or at any time prior to the full hearing, for an order that the Provisional Suspension should not be imposed (or, if the Provisional Suspension
has been imposed, that it should be vacated). If the Participant does not exercise his/her right to apply for an order that a Provisional Suspension should not be imposed prior to 17:00 (GMT) on the tenth day after the date of deemed receipt of the notice, then the Provisional Suspension will come into effect automatically at that point and will remain in place (subject to the right of the Participant at any time to apply to the Chairman of the Independent Tribunal for it to be vacated) pending determination of the charge against the Participant.

8.3.3 Challenging a Provisional Suspension.

(a) If the Participant exercises his/her right to apply to the Chairman of the Independent Tribunal for an order that a Provisional Suspension should not be imposed (or, if already in place, that it should be vacated), then:

(i) any submissions that the Participant wishes to make (personally or through a representative) in support of the application must be made in writing to the Chairman of the Independent Tribunal at the same time as the application is made, with a copy sent simultaneously to the ITF Anti-Doping Manager;

(ii) any submissions that the ITF Anti-Doping Manager wishes to make (personally or through a representative) must be made in writing to the Chairman of the Independent Tribunal as soon as possible after receipt of the Participant's submissions, with a copy sent simultaneously to the Participant;

(iii) the Chairman of the Independent Tribunal, sitting alone, will rule on the application as soon as reasonably practicable. The Chairman shall have discretion, where fairness requires, to invite or to allow the parties to make oral submissions, either by a telephone conference call or in person, prior to rendering his/her decision on the application. For the avoidance of doubt, however, neither party shall have the right to make such submissions if the Chairman in his/her discretion does not invite or allow such submissions;

(iv) if the application of the Participant is received prior to 17:00 GMT on the tenth day after the date of deemed receipt of the written notice referred to in Article 8.3.2, the Provisional Suspension will not come into effect unless and until that application is rejected;
(v) if the application of the Participant is made after the Provisional Suspension has come into effect, the Provisional Suspension will remain in effect pending the Chairman's decision on the application; and

(vi) where the Provisional Suspension is to be imposed (or has been imposed) pursuant to Article 8.3.1 (Mandatory Provisional Suspension), the Provisional Suspension shall be imposed (or shall not be vacated) unless the Player establishes to the comfortable satisfaction of the Chairman (on the balance of probabilities) that, notwithstanding the matters set out in Article 8.3.1(a):

(A) the charge has no reasonable prospect of being upheld, e.g., because of a material defect in the evidence on which the charge is based; or

(B) the Player has a strong arguable case that he/she bears No Fault or Negligence for the Anti-Doping Rule Violation(s) charged, so that any period of Ineligibility that might otherwise be imposed for such offence is likely to be completely eliminated by application of Article 10.4; or

(C) the violation is likely to have involved a Contaminated Product; or

(D) other facts exist that make it clearly unfair, in all the circumstances of the case, to impose a Provisional Suspension prior to determination of the charge against the Player. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the Provisional Suspension would prevent the Player competing in a particular Competition or Event shall not qualify as exceptional circumstances for these purposes.

(vii) where the Provisional Suspension is to be imposed (or has been imposed) pursuant to Article 8.3.2 (Discretionary Provisional Suspension), the Provisional Suspension shall not be imposed (or shall be vacated) unless the ITF establishes to the comfortable satisfaction of the Chairman that:

(A) there is a strong arguable case that the Player has pleaded guilty to or otherwise admitted engaging
in conduct that constitutes the Anti-Doping Rule Violation(s) charged;

(B) any plea of No Fault or Negligence is unlikely to succeed;

(C) the violation is not likely to have involved a Contaminated Product; and

(D) no other facts exist that make it clearly unfair, in all of the circumstances of the case, to impose a Provisional Suspension prior to determination of the charge against the Participant. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the Provisional Suspension would prevent the Participant participating in a particular Competition or Event shall not qualify as exceptional circumstances for these purposes.

(b) Where the Chairman grants the Participant's application and rules that no Provisional Suspension should be imposed on the Player, or that a Provisional Suspension previously imposed on the Participant should be vacated, then (subject only to the possibility of reconsideration in light of new evidence) that decision will be final and binding on the parties, and the ITF shall have no right of appeal against it.

(c) Where no such application is made, or it is made but the Chairman rejects the application, and a Provisional Suspension is therefore imposed (or is not vacated), the Participant has:

(i) a right to appeal immediately to CAS against the rejection of the application (if any) in accordance with Article 12 (save that there shall be no right to appeal a decision by the Chairman not to eliminate a mandatory Provisional Suspension on account of the Participant's assertion that the violation is likely to have involved a Contaminated Product), provided however that the Provisional Suspension shall remain in effect pending a decision by CAS on the merits of the appeal;

(ii) the right to have the proceedings before the Independent Tribunal expedited so that the hearing is held, and the charge against him/her is determined, as soon as possible, consistent with the requirements of due process; and
(iii) the right, if the charge against him/her is upheld by the Independent Tribunal and a period of Ineligibility is imposed, to have the period of any Provisional Suspension that he/she has already served credited against that period of Ineligibility, in accordance with Article 10.10.3(a).

8.3.4 Prohibition against Participation during Provisional Suspension.

(a) A Participant may not, during the period of any Provisional Suspension, play, coach or otherwise participate in any capacity (or, if the Person is a Player Support Personnel, assist any Player playing, coaching or otherwise participating in any capacity) in:

(i) any Covered Event;

(ii) any other Event or Competition or activity (other than authorised anti-doping education or rehabilitation programmes) authorised, organised or sanctioned by the ITF, the ATP, the WTA, any National Association or member of a National Association, or any Major Event Organisation; or

(iii) any Event or Competition authorised or organised by any professional league or any other international or national-level Event organisation.

(b) Without prejudice to the generality of Article 8.3.4(a), a Participant shall not, during the period of any Provisional Suspension, be given accreditation for, or otherwise granted access to, any Covered Event or other Event or Competition, or other function, event or activity, to which access is controlled by the ITF, the ATP, the WTA, any National Association or member of a National Association, or any Major Event Organisation, and any accreditation previously issued shall be withdrawn.

(c) In addition, the ITF will take the necessary steps to have the Provisional Suspension recognised and enforced by other relevant organisations in accordance with Code Article 15 (Application and Recognition of Decisions).

8.3.5 For the avoidance of doubt, no Provisional Suspension may be imposed on a Participant under this Programme except in the circumstances set out in Article 8.3.1 or Article 8.3.2, and in accordance with the provisions of Article 8.3.3. In other cases where a Notice of Charge is issued, however:
(a) the Participant shall be offered the opportunity to accept a voluntary Provisional Suspension. If the Participant accepts that offer in writing in accordance with Article 10.10.3 and thereby foregoes any form of involvement in any Covered Event or other Event or Competition that is authorised or organised by the ITF, the ATP, the WTA, any National Association or member of a National Association, or any Major Event Organisation, or any professional league or other international or national level Event Organisation, pending determination of the charge against him/her (including but not limited to playing, coaching and/or participating in any capacity at such Events or Competitions) (or, if the Person is a Player Support Personnel, assisting any Player playing, coaching or otherwise participating in any capacity at such Events or Competitions), and does not seek accreditation for, or otherwise seek access to, any Covered Event or other Event or Competition, or other function, event or activity, to which access is controlled by the ITF, the ATP, the WTA, any National Association or member of a National Association, or any Major Event Organisation, then that period of voluntary Provisional Suspension will be credited (in accordance with Article 10.10.3(a)) against any period of Ineligibility subsequently imposed on the Participant; and

(b) if a Player continues to compete in Events pending determination of the charge against him/her, where requested by the ITF the organisers of the relevant Events shall pay to the ITF upon demand the following proportions of any Prize Money won by the Player subsequent to his/her receipt of the Notice of Charge (taken in aggregate, across all of the relevant Events), to be held in escrow pending the determination of the charge:

<table>
<thead>
<tr>
<th>Total Aggregate Prize Money</th>
<th>Percentage Withheld</th>
</tr>
</thead>
<tbody>
<tr>
<td>US$0-7,500</td>
<td>0%</td>
</tr>
<tr>
<td>US$7,501-27,500</td>
<td>50%</td>
</tr>
<tr>
<td>US$27,501+</td>
<td>100%</td>
</tr>
</tbody>
</table>

If the final decision of the Independent Tribunal does not require the forfeiture of such escrowed Prize Money, then it shall be returned without delay to the Player, together with any interest earned on the money while it was in escrow. If such forfeiture is required, any interest earned shall be retained by the ITF.

8.3.6 No admission shall be inferred, or other adverse inference drawn, from the decision of a Participant (a) not to make an application under Article 8.3.3 to avoid (or to vacate) a Provisional Suspension;
or (b) to accept a voluntary Provisional Suspension under Article 8.3.5(a).

8.4 Preliminary Meeting with the Chairman of the Independent Tribunal:

8.4.1 If the Participant charged exercises his/her right to a hearing, the Chairman of the Independent Tribunal shall convene a preliminary meeting with the ITF and its legal representatives, and with the Participant and/or his/her legal representatives (if any). The meeting may be held in person or by telephone conference call. The non-attendance of the Participant or his/her representative at the meeting, after proper notice of the meeting has been provided, shall not prevent the Chairman of the Independent Tribunal from proceeding with the meeting in the Participant's absence, whether or not any written submissions are made on the Participant's behalf.

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

(a) consider any request by either party that the Chairman hear the matter sitting alone;

(b) consider any request by either party that the case be consolidated for hearing with any other pending case(s);

(c) determine the date(s) (which must be at least 21 days after the meeting, unless the parties consent to a shorter period) upon which the hearing shall be held. Subject to the foregoing sentence, the hearing shall be commenced as soon as practicable after the Notice of Charge is sent, and ordinarily within 60 days of the date that the Participant requests a hearing. It shall be completed expeditiously;

(d) establish dates reasonably in advance of the date of the hearing at which:

(i) the ITF shall submit a brief with argument on all issues that the ITF wishes to raise at the hearing and written witness statements from each fact and/or expert witness that the ITF intends to call at the hearing, setting out the evidence that the ITF wishes the Independent Tribunal to hear from the witness, and enclosing copies of the documents that the ITF intends to introduce at the hearing;

(ii) the Participant shall submit an answering brief, addressing the ITF's arguments and setting out argument on the issues that the Participant wishes to raise at the
hearing, as well as written witness statements from the Participant and from each other witness (fact and/or expert) that the Participant intends to call at the hearing, setting out the evidence that the Participant wishes the Independent Tribunal to hear from the witness, and enclosing copies of the documents that the Participant intends to introduce at the hearing; and

(iii) the ITF may submit a reply brief, responding to the Participant's answer brief and producing any rebuttal witness statements and/or documents; and

(e) make such order as the Chairman shall deem appropriate in relation to the production of relevant documents and/or other materials between the parties; provided that save for good cause shown no documents and/or other materials shall be ordered to be produced in relation to any Adverse Analytical Finding beyond the documents that the International Standard for Laboratories requires to be included in the laboratory documentation pack.

8.4.3 The parties shall be required to raise at the preliminary meeting any legitimate objection that they may have to any of the members of the Independent Tribunal convened to hear the case. Any unjustified delay in raising any such objection shall constitute a waiver of the objection. If any objection is made, the Chairman of the Independent Panel shall rule on its legitimacy.

8.4.4 If, because of a legitimate objection or for any other reason, a member of the Independent Tribunal is, or becomes, unwilling or unable to hear the case, then the Chairman of the Independent Panel may, at his/her absolute discretion: (a) appoint a replacement member from the Independent Panel; or (b) authorise the remaining members to hear the case on their own.

8.5 Conduct of Hearings Before the Independent Tribunal:

8.5.1 Subject to the discretion of the Chairman of the Independent Tribunal to order otherwise for good cause shown by either party, hearings before the Independent Tribunal shall (a) take place in London; and (b) be conducted on a confidential basis.

8.5.2 Each of the ITF and the Participant has the right to be present and to be heard at the hearing. Each of the ITF and the Participant also has the right (at his/her/its own expense) to be represented at the hearing by legal counsel of his/her/its own choosing. Subject always to any contrary direction made by the Chairman of the Independent Tribunal for good cause shown, and also subject always to the
Confidentiality provisions of Article 13.4, (a) where the Player charged has an ATP ranking, an ATP representative may attend the hearing as an observer if the ATP so desires; (b) where the Player charged has a WTA ranking, a WTA representative may attend the hearing as an observer if the WTA so desires; and (c) where the charge is based on an Adverse Analytical Finding in respect of a Sample collected at a Grand Slam event, a representative of the Grand Slam Board may attend the hearing as an observer if the Grand Slam Board so desires.

8.5.3 Subject strictly to Article 8.7.6, the Participant may choose not to appear in person at the hearing, but rather to provide a written submission for consideration by the Independent Tribunal, in which case the Independent Tribunal shall consider the submission in its deliberations. However, the non-attendance of the Participant or his/her representative at the hearing, after proper notice of the hearing has been provided, shall not prevent the Independent Tribunal from proceeding with the hearing in his/her absence, whether or not any written submissions are made on his/her behalf.

8.5.4 The procedure followed at the hearing shall be at the discretion of the Chairman of the Independent Tribunal, provided that the hearing is conducted in a fair manner with a reasonable opportunity for each party to present evidence (including the right to call and to question witnesses), address the Independent Tribunal and present his/her case.

8.5.5 Save where the Chairman orders otherwise for good cause shown by either party, the hearing shall be in English, and certified English translations shall be submitted of any non-English documents put before the Independent Tribunal. The cost of the translation shall be borne by the party offering the document(s). If required by the Chairman, the ITF shall make arrangements to have the hearing recorded or transcribed (save for the private deliberations of the Independent Tribunal). If requested by the Participant, the ITF shall also arrange for a translator to attend the hearing to translate oral questions and/or answers. The costs of such transcription and translation shall be paid by the ITF, subject to any costs-shifting order that the Independent Tribunal may make further to Article 8.8.4.

8.6 Burdens and Standards of Proof:

8.6.1 The ITF shall have the burden of establishing that an Anti-Doping Rule Violation has been committed. The standard of proof shall be whether the ITF has established the commission of the alleged Anti-Doping Rule Violation to the comfortable satisfaction of the Independent Tribunal, bearing in mind the seriousness of the
allegation that is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.

8.6.2 Where this Programme places the burden of proof upon the Participant alleged to have committed an Anti-Doping Rule Violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

8.7 Methods of Establishing Facts and Presumptions:

The Independent Tribunal shall not be bound by judicial rules governing the admissibility of evidence. Instead, facts relating to an Anti-Doping Rule Violation may be established by any reliable means, including admissions. The following rules of proof shall be applicable at the hearing:

8.7.1 Analytical methods or decision limits approved by WADA after consultation within the relevant scientific community and that have been the subject of peer review shall be presumed to be scientifically valid. Any Participant seeking to rebut this presumption shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. CAS, on its own initiative, may also inform WADA of any such challenge. At WADA’s request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. WADA shall also have the right to intervene as a party, appear amicus curiae, or otherwise provide evidence in such proceeding, provided it gives notice thereof within 10 days of its receipt of the CAS file.

8.7.2 Compliance with an International Standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard were performed properly.

8.7.3 WADA-accredited laboratories, and other laboratories approved by WADA, shall be presumed to have conducted Sample analysis and custodial procedures in compliance with the International Standard for Laboratories. The Participant may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred that could reasonably have caused the Adverse Analytical Finding. In such an event, the ITF shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

8.7.4 Departures from any other International Standard, or other anti-doping rule or policy set out in the Code or this Programme that did not cause the facts alleged or evidence cited in support of a charge
(e.g., an Adverse Analytical Finding) shall not invalidate such facts or evidence. If the Participant establishes the occurrence of a departure from an International Standard or other anti-doping rule or policy set out in the Code or this Programme that could reasonably have caused the Adverse Analytical Finding or other facts alleged to constitute an Anti-Doping Rule Violation, then the ITF shall have the burden to establish that such departure did not cause such Adverse Analytical Finding or other facts.

8.7.5 Sufficient proof of an Anti-Doping Rule Violation under Article 2.1 is established (a) by an Adverse Analytical Finding in respect of a Player's A Sample if (i) the Player waives analysis of the B Sample and the B Sample is therefore not analysed; or (ii) the Player's B Sample is analysed, and that analysis confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Player's A Sample; or (b) by splitting the Player's B Sample into two bottles, if the analysis of the second bottle confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first bottle.

8.7.6 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction that is not the subject of a pending appeal shall be irrebuttable evidence against the Participant to whom the decision pertained of those facts, unless that Participant establishes that the decision violated principles of natural justice.

8.7.7 The Independent Tribunal may draw an inference adverse to the Participant charged with an Anti-Doping Rule Violation based on the Participant's refusal or failure (a) to respond to a Demand or other questions put to him/her as part of an Article 6 investigation; or (b) after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the Independent Tribunal) and to answer questions from the ITF or the Independent Tribunal.

8.8 Decisions of the Independent Tribunal:

8.8.1 Once the parties have completed their respective submissions, the Independent Tribunal shall retire to deliberate in private as to whether an Anti-Doping Rule Violation has been committed and (if so) what the Consequence should be. Any decision that an Anti-Doping Rule Violation has been committed must be made unanimously, with no abstentions. Where Article 10 specifies a range of possible sanctions for the Anti-Doping Rule Violation found to have been committed, the Independent Tribunal shall also fix the sanction within that range for the case at hand, after
considering any submissions on the subject that the parties may wish to make.

8.8.2 The Independent Tribunal shall not make any verbal announcement of the decision but instead shall issue its decision in writing within 14 days after the conclusion of the hearing (or where, exceptionally, that deadline cannot be met, as soon thereafter as possible). Such decision will be sent to the parties and (subject strictly to the confidentiality provisions of Article 13.4) to WADA and to any other party that has a right to appeal the decision pursuant to Article 12 (and any such party may, within 15 days of receipt, request a copy of the full case file pertaining to the decision). The decision shall set out and explain:

(a) with reasons, the Independent Tribunal's findings as to whether any Anti-Doping Rule Violation(s) has/have been committed;

(b) with reasons, the Independent Tribunal's findings as to what Consequences, if any, are (or are not) to be imposed, including (if applicable) a justification for why the maximum potential sanction was not imposed;

(c) with reasons, the date that such Consequences shall come into force and effect pursuant to Article 10.10; and

(d) the rights of appeal applicable pursuant to Article 12.

8.8.3 The ITF shall pay the costs of convening the Independent Tribunal and of staging the hearing, subject to any costs-shifting order that the Independent Tribunal may make further to Article 8.8.4.

8.8.4 The Independent Tribunal has the power to make a costs order against any party, where it is proportionate to do so. If it does not exercise that power, each party shall bear its own costs, legal, expert, hearing, and otherwise. No recovery of costs may be considered a basis for reducing the period of Ineligibility or other sanction that would otherwise be applicable.

8.8.5 Subject only to the rights of appeal under Article 12, the Independent Tribunal's decision shall be the full, final and complete disposition of the case and will be binding on all parties. If the decision is that an Anti-Doping Rule Violation has been committed, (a) the decision shall be Publicly Disclosed in full without delay, and in any event no later than 20 days after its issue; and (b) the ITF may also publish such other parts of the proceedings before the Independent Tribunal as the ITF thinks fit. However, Public Disclosure shall not be required where the Participant who has been found to have committed an Anti-Doping Rule Violation is a Minor. Any optional
Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case. If the Participant is exonerated of all charges, then the decision may only be Publicly Disclosed with the consent of the Participant who is the subject of the decision. In the absence of such consent, the confidentiality of the decision shall be strictly maintained by all parties (subject to Articles 8.8.2 and 12.6.7).

8.9 Single Hearing Before CAS:

Charges asserting Anti-Doping Rule Violations may be heard directly by CAS, with no requirement for a prior hearing before the Independent Tribunal, if the Player, the ITF, WADA and any other Anti-Doping Organisation that would have had a right to appeal a decision of the Independent Tribunal to CAS all consent.

9. Disqualification of Results

9.1 An Anti-Doping Rule Violation committed by a Player in connection with or arising out of an In-Competition test automatically leads to Disqualification of the results obtained by the Player in the Competition in question, with all resulting consequences, including forfeiture of any medals, titles, ranking points and Prize Money obtained by the Player in that Competition. In addition, further results obtained by the Player in the same or subsequent Events may be Disqualified, in accordance with Article 10.1 (same Event) and/or Article 10.8 (subsequent Events).

9.2 Disqualification of Results of Doubles Partner:

9.2.1 Where results obtained by a Player in a doubles Competition are Disqualified pursuant to Article 9.1 because of that Player's Anti-Doping Rule Violation in connection with or arising out of that doubles Competition, the result of the Player's doubles partner in that Competition shall also be Disqualified, with all resulting consequences, including forfeiture of all medals, titles, ranking points and Prize Money.

9.2.2 Where results obtained by a Player in a doubles Competition are Disqualified pursuant to Article 10.1 because of that Player's Anti-Doping Rule Violation in relation to another Competition at that Event, the result of the Player's doubles partner in that doubles Competition shall also be Disqualified, with all resulting consequences, including forfeiture of all medals, titles, ranking points and Prize Money, unless the doubles partner establishes at a hearing, on the balance of probabilities, (a) that he/she was not implicated in the first Player's Anti-Doping Rule Violation; and (b) that the result in the doubles Competition was not likely to have been affected by the first Player's Anti-Doping Rule Violation.
9.2.3 Where results obtained by a Player in doubles Competition(s) in an Event played subsequent to the Competition that produced the positive Sample are Disqualified pursuant to Article 10.8 because of that Player's Anti-Doping Rule Violation, the result of the Player's doubles partner(s) in such subsequent Competition(s) shall not be Disqualified unless the ITF establishes, to the comfortable satisfaction of the Independent Tribunal, that the doubles partner(s) was implicated in the first Player's Anti-Doping Rule Violation.

9.3 There will be no readjustment of medals, titles, ranking points or Prize Money for any Player who lost to a Player subsequently found to have committed an Anti-Doping Rule Violation, except where provision is made for such readjustment in the regulations of the relevant Competition.

10. **Further Sanctions for Individuals**

10.1 Disqualification of Results in the Event During or in Connection with which an Anti-Doping Rule Violation Occurs:

10.1.1 Subject to Article 10.1.2, where a Player is found to have committed an Anti-Doping Rule Violation during or in connection with a Competition in an Event where the Player also participated in other Competitions (for example, the Anti-Doping Rule Violation was committed during or in connection with the doubles Competition and the Player also participated in the singles Competition at that Event), then in addition to the consequences set out at Article 9 (in relation to the Disqualification of results obtained in the particular Competition during or in connection with which the Anti-Doping Rule Violation was committed), the Anti-Doping Rule Violation will also lead to Disqualification of all of the Player's individual results obtained in the other Competitions in the Event, with all resulting consequences, including forfeiture of all medals, titles, ranking points and Prize Money.

10.1.2 If the Player establishes that he/she bears No Fault or Negligence for the Anti-Doping Rule Violation, the Player's results obtained in the Competition(s) other than the Competition during or in connection with which the Anti-Doping Rule Violation occurred shall not be Disqualified unless the ITF establishes that the Player's results in the other Competition(s) were likely to have been affected by his/her Anti-Doping Rule Violation.

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

The period of Ineligibility imposed for an Anti-Doping Rule Violation under Article 2.1, 2.2 or 2.6 that is the Participant’s first anti-doping offence shall be as follows, subject to potential suspension pursuant to Article 10.6.
10.2.1 The period of Ineligibility shall be four years where:

(a) The Anti-Doping Rule Violation involves a Prohibited Substance that is not a Specified Substance, unless the Participant establishes that the Anti-Doping Rule Violation was not intentional.

(b) The Anti-Doping Rule Violation involves a Specified Substance and the Anti-Doping Organisation establishes that the Anti-Doping Rule Violation was intentional.

10.2.2 If Article 10.2.1 does not apply, the period of Ineligibility shall be two years, subject to potential reduction or suspension pursuant to Article 10.4, 10.5 or 10.6.

10.2.3 As used in Articles 10.2 and 10.3, the term "intentional" is meant to identify those Participants who cheat. The term, therefore, requires that the Participant engaged in conduct that he/she knew constituted an Anti-Doping Rule Violation or knew that there was a significant risk that the conduct might constitute or result in an Anti-Doping Rule Violation and manifestly disregarded that risk. An Anti-Doping Rule Violation resulting from an Adverse Analytical Finding for a substance that is only prohibited In-Competition (a) shall be rebuttably presumed to be not "intentional" if the substance is a Specified Substance and the Player can establish that it was Used Out-of-Competition; and (b) shall not be considered "intentional" if the Substance is not a Specified Substance and the Player can establish that it was Used Out-of-Competition in a context unrelated to sport performance.

10.3 Imposition of a Period of Ineligibility for Other Anti-Doping Rule Violations:

The period of Ineligibility imposed for Anti-Doping Rule Violations under provisions other than Articles 2.1, 2.2 and 2.6 shall be as follows, unless Article 10.5 or 10.6 is applicable:

10.3.1 For an Anti-Doping Rule Violation under Article 2.3 or Article 2.5 that is the Participant's first anti-doping offence, the period of Ineligibility imposed shall be four years unless, in a case of failing to submit to Sample collection, the Player can establish that the commission of the Anti-Doping Rule Violation was not intentional (as defined in Article 10.2.3), in which case the period of Ineligibility shall be two years.

10.3.2 For an Anti-Doping Rule Violation under Article 2.4 that is the Player's first anti-doping offence, the period of Ineligibility imposed shall be two years, subject to reduction down to a minimum of one year, depending on the Player's degree of Fault. The flexibility
between two years and one year of Ineligibility in this Article is not available to Players where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Player was trying to avoid being available for Testing.

10.3.3 For an Anti-Doping Rule Violation under Article 2.7 or Article 2.8 that is the Participant's first offence, the period of Ineligibility imposed shall be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a Minor shall be considered a particularly serious violation and, if committed by Player Support Personnel for violations other than for Specified Substances, shall result in lifetime Ineligibility for such Player Support Personnel. In addition, significant violations of Article 2.7 or 2.8 that may also violate non-sporting laws and regulations shall be reported to the competent administrative, professional or judicial authorities.

10.3.4 For an Anti-Doping Rule Violation under Article 2.9 that is the Participant's first offence, the period of Ineligibility imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violation.

10.3.5 For an Anti-Doping Rule Violation under Article 2.10 that is the first offence of the Participant, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the degree of Fault of the Participant and other circumstances of the case.

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

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

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

10.5.1 Reduction of Sanctions for Specified Substances or Contaminated Products for an Anti-Doping Rule Violation under Article 2.1, 2.2 or 2.6:

(a) Specified Substances.

Where the Anti-Doping Rule Violation involves a Specified Substance, and the Participant 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 years of Ineligibility, depending on the degree of Fault of the Participant.

(b) Contaminated Products.

In cases where the Participant can establish No Significant Fault or Negligence and that the detected Prohibited Substance came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the degree of Fault of the Participant.

10.5.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.5.1:

In an individual case where Article 10.5.1 is not applicable, if a Participant establishes that he/she bears No Significant Fault or Negligence, then (subject to further reduction or elimination as provided in Article 10.6) the otherwise applicable period of Ineligibility may be reduced based on the degree of Fault of the Participant, 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 years.

10.6 Elimination, Reduction, or Suspension of the Period of Ineligibility or other Consequences for Reasons Other than Fault:

10.6.1 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations:

(a) The ITF may, prior to a final appellate decision under Article 12 or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in any individual case in which it has results management authority where the Participant has provided Substantial Assistance to the ITF or other Anti-Doping Organisation, a criminal authority or a professional disciplinary body that results in (i) the ITF or other Anti-Doping Organisation discovering or bringing forward an Anti-Doping Rule Violation by another Person, or (ii) a criminal authority or disciplinary body discovering or bringing forward a criminal offence or the breach of professional rules committed by another Person and the information provided by the Participant providing Substantial Assistance is made available to the ITF. If the ITF’s decision to suspend a part of the period of Ineligibility and/or other Consequences is made after a final appellate decision under
Article 12 or the expiration of time to appeal, then WADA’s approval is required for such suspension. 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 Participant and the significance of the Substantial Assistance provided by the Participant to the effort to eliminate doping in sport. 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 years. If the Participant fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility was based, the ITF shall reinstate the original period of Ineligibility. If the ITF decides to reinstate a suspended period of Ineligibility, or decides not to reinstate a suspended period of Ineligibility, that decision may be appealed by any person entitled to appeal under Article 12.

(b) To further encourage Participants to provide Substantial Assistance to Anti-Doping Organisations, at the request of the ITF or at the request of the Participant who has (or has been asserted to have) committed an Anti-Doping Rule Violation, WADA may agree at any stage of the results management process, including after a final appellate decision under Article 12, to what it considers to be an appropriate suspension of the otherwise-applicable period of Ineligibility and other Consequences. In exceptional circumstances, WADA may agree to suspensions of the period of Ineligibility and other Consequences for Substantial Assistance greater than those otherwise provided in this Article, or even no period of Ineligibility, and/or no return of Prize Money or payment of fines or costs. WADA’s approval shall be subject to reinstatement of sanction, as otherwise provided in this Article. Notwithstanding Article 12, WADA’s decisions in the context of this Article may not be appealed by any other Anti-Doping Organisation.

(c) If the ITF suspends any part of an otherwise applicable sanction because of Substantial Assistance, then notice providing justification for the decision shall be provided to the other Anti-Doping Organisations with a right to appeal under Article 12. In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorise the ITF to enter into appropriate confidentiality agreements limiting or delaying the disclosure
of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

10.6.2 Reduction of Period of Ineligibility Based on Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence:

Where a Participant voluntarily admits the commission of an Anti-Doping Rule Violation before having received either (a) notification of a Sample collection that could establish the Anti-Doping Rule Violation (in the case of an Anti-Doping Rule Violation under Article 2.1), or (b) a Notice of Charge (in the case of any other Anti-Doping Rule Violation), and that admission is the only reliable evidence of the offence at the time of the admission, then the otherwise applicable period of Ineligibility may be reduced, but not by more than 50%.

10.6.3 Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Article 10.2.1 or Article 10.3.1:

A Participant potentially subject to a four-year sanction under Article 10.2.1 or 10.3.1 (for evading or refusing Sample Collection or Tampering with Sample Collection) may receive a reduction in the period of Ineligibility down to a minimum of two years, depending on the seriousness of the violation and the Participant's degree of Fault, by promptly admitting the asserted Anti-Doping Rule Violation after being confronted with it, upon the approval and at the discretion of WADA and the ITF.

10.6.4 Application of Multiple Grounds for Reduction of a Sanction:

Where a Participant establishes entitlement to reduction in sanction under more than one provision of Article 10.4, 10.5 or 10.6, before applying any reduction or suspension under Article 10.6 the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.2, 10.3, 10.4, and 10.5. If the Participant establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.6, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

10.7 Multiple Violations:

10.7.1 For an Anti-Doping Rule Violation that is the second anti-doping offence of the Participant, the period of Ineligibility shall be the greater of:

(a) six months;
(b) one-half of the period of Ineligibility imposed for the first anti-doping offence without taking into account any reduction under Article 10.6; or

c) twice the period of Ineligibility that would be applicable to the second Anti-Doping Rule Violation if it were a first Anti-Doping Rule Violation, without taking into account any reduction under Article 10.6.

The period of Ineligibility established above may then be further reduced by the application of Article 10.6.

10.7.2 An Anti-Doping Rule Violation that is the third anti-doping offence of the Participant will always result in a lifetime period of Ineligibility, unless it fulfils the conditions for elimination or reduction of the period of Ineligibility under Article 10.4 or 10.5, or involves a violation of Article 2.4, in which case the period of Ineligibility shall be from eight years to lifetime Ineligibility.

10.7.3 An anti-doping offence for which a Participant has established No Fault or Negligence shall not be considered a prior anti-doping offence for purposes of this Article.

10.7.4 Additional Rules for Certain Potential Multiple Offences:

(a) For purposes of imposing sanctions under Article 10.7, an Anti-Doping Rule Violation will only be considered a second Anti-Doping Rule Violation if the ITF can establish that the Participant committed the second Anti-Doping Rule Violation after the Participant received notice, or after the ITF made a reasonable attempt to give notice, of the first alleged Anti-Doping Rule Violation. If the ITF cannot establish this, the Anti-Doping Rule Violations shall be considered together as one single Anti-Doping Rule Violation for sanctioning purposes, and the sanction imposed shall be based on the Anti-Doping Rule Violation that carries the more severe sanction.

(b) If, after the imposition of a sanction for a first Anti-Doping Rule Violation, the ITF discovers a second Anti-Doping Rule Violation by the same Participant that occurred prior to notification of the first Anti-Doping Rule Violation, then an additional sanction shall be imposed based on the sanction that could have been imposed if the two Anti-Doping Rule Violations had been adjudicated at the same time. Results in all Competitions dating back to the earlier Anti-Doping Rule Violation will be subject to Disqualification in accordance with Article 10.8.
10.7.5 Multiple Anti-Doping Offences During a Ten-Year Period:

Any prior anti-doping offence shall only be taken into account for purposes of Article 10.7 if it took place within ten years of the Anti-Doping Rule Violation under consideration.

10.7.6 For the avoidance of doubt, where a Participant is found to have committed two or more separate Anti-Doping Rule Violations, the Ineligibility periods for the separate offences shall run sequentially, not concurrently.

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

In addition to the automatic Disqualification, pursuant to Article 9, of the results in the Competition that produced the Adverse Analytical Finding (if any), all other competitive results of the Player obtained from the date the Sample in question was collected (whether In-Competition or Out-of-Competition) or other Anti-Doping Rule Violation occurred through to the start of any Provisional Suspension or Ineligibility period shall be Disqualified (with all of the resulting consequences, including forfeiture of any medals, titles, ranking points and Prize Money), unless the Independent Tribunal determines that fairness requires otherwise.

10.9 Allocation of CAS Cost Awards and Forfeited Prize Money:

The priority for repayment of CAS cost awards and forfeited Prize Money shall be: first, payment of costs awarded by CAS; and second, reimbursement of the ITF’s expenses in relation to its results management in the case. For the avoidance of doubt, forfeited Prize Money will not be reallocated to other Players.

10.10 Commencement of Consequences:

Any Consequences imposed under this Programme shall come into force and effect on the date that the decision imposing the Consequences is issued, save that:

10.10.1 For purposes of forfeiture of ranking points, the decision shall come into effect at midnight on the Sunday nearest to the date that the decision is issued.

10.10.2 The ITF shall have absolute discretion, and in addition the Independent Tribunal shall have discretion where fairness requires, to establish an instalment plan for repayment of any Prize Money forfeited pursuant to Articles 9 and/or 10 of this Programme and/or for payment of any costs awarded further to Article 8.8.4. For the avoidance of doubt, the schedule of payments pursuant to such plan may extend beyond any period of Ineligibility imposed upon the

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Player, provided however that, in accordance with Article 10.12.3, default in payment under such plan shall automatically trigger a further period of Ineligibility until such default is cured.

10.10.3 The period of Ineligibility shall start on the date that the decision is issued, provided that:

(a) any period of Provisional Suspension served by the Participant (whether imposed in accordance with Article 8.3 or voluntarily accepted by the Participant in accordance with Article 8.3.5(a)) shall be credited against the total period of Ineligibility to be served. To get credit for any period of voluntary Provisional Suspension, however, the Participant must have given written notice at the beginning of such period to the ITF, in a form acceptable to the ITF (and the ITF shall provide a copy of that notice promptly to every other Person entitled to receive notice of a potential Anti-Doping Rule Violation by that Participant under Article 13.4) and must have respected the Provisional Suspension in full. 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 the Participant's status during such period. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Participant shall receive a credit for such period of Ineligibility served against any period of Ineligibility that may ultimately be imposed on appeal;

(b) where the Participant promptly (which for a Player means, in any event, before he/she competes again) admits the Anti-Doping Rule Violation after being confronted with it by the ITF, the period of Ineligibility subsequently imposed on him/her may be back-dated so that it is deemed to have commenced as far back as the date of last occurrence of the Anti-Doping Rule Violation (which, in the case of an Article 2.1 Anti-Doping Rule Violation, would be on the date of Sample collection). However, this discretion to back-date is subject to the following limit: the Participant must actually serve at least one-half of the period of Ineligibility, i.e., the commencement date of that period of Ineligibility cannot be back-dated such that he/she actually serves less than one-half of that period. This Article 10.10.3(b) shall not apply where the period of Ineligibility has already been reduced under Article 10.6.3; and

(c) where there have been substantial delays in the hearing process or other aspects of Doping Control not attributable to
the Participant, the period of Ineligibility may be deemed to have started at an earlier date, commencing as early as the date of last occurrence of the Anti-Doping Rule Violation (e.g., under Article 2.1, the date of Sample collection). All competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.

10.11 Status During Ineligibility:

10.11.1 Prohibition Against Participation During Ineligibility:

(a) No Participant who has been declared Ineligible may, during the period of Ineligibility, play, coach or otherwise participate in any capacity in (or, if the Person is a Player Support Personnel, assist any Player playing, coaching or otherwise participating in any capacity in):

(i) any Covered Event;

(ii) any other Event or Competition or activity (other than authorised anti-doping education or rehabilitation programmes) authorised, organised or sanctioned by the ITF, the ATP, the WTA, any National Association or member of a National Association, or any Signatory, Signatory's member organisation, or club or member organisation of that Signatory's member organisation;

(iii) any Event or Competition authorised or organised by any professional league or any international or national-level Event or Competition organisation; or

(iv) any elite or national-level sporting activity funded by a governmental agency.

(b) The only exceptions to Article 10.11.1(a) are as follows:

(i) A Participant who is subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate as a player in local sport events not sanctioned or otherwise under the jurisdiction of a Code Signatory or member of a Code Signatory, but only so long as the local sports events are not at a level that could otherwise qualify such Participant directly or indirectly to compete in (or accumulate points towards) a national championship or International Event, and does not involve the Participant working in any capacity with Minors; and
(ii) A Player may return to train as part of a team or (subject always to Article 10.11.1(b)(ii)) to use the facilities of a club or other member organisation of a Signatory's member organisation during the shorter of: (1) the last two months of the Player's period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.

10.11.2 Without prejudice to the generality of Article 10.11.1, a Participant shall not, during any period of Ineligibility, be given accreditation for, or otherwise granted access to, any Covered Event or any other Event or Competition or activity authorised, organised or sanctioned by the ITF, the ATP, the WTA, any National Association or member of a National Association, and any such accreditation previously issued shall be withdrawn.

10.11.3 Without prejudice to the automatic application of the period of Ineligibility to the events, competitions and other activities of all Signatories (as set out in Article 10.11(a)(ii) and Code Article 10.12.1), the ITF will also take all necessary steps to have the Ineligibility of the Participant recognised and enforced by other relevant organisations in accordance with Code Article 15 (Application and Recognition of Decisions).

10.11.4 Where an Event that will take place after the period of Ineligibility has an entry deadline that falls during the period of Ineligibility, the Player may submit an application for entry in the Event in accordance with that deadline, notwithstanding that at the time of such application he/she is Ineligible.

10.11.5 A Player subject to a period of Ineligibility shall remain subject to Testing and must provide whereabouts information for that purpose upon request. If a Participant commits an Anti-Doping Rule Violation during a period of Ineligibility (including but not limited to an Anti-Doping Rule Violation under Article 2.1), this shall be treated as a separate Anti-Doping Rule Violation under the Programme.

10.11.6 If a Participant who has been declared Ineligible violates the prohibition on participation during Ineligibility described in Article 10.11.1, 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 may be adjusted based on the degree of Fault of the Participant and other circumstances of the case. The determination of whether a Participant has violated the prohibition against participation while Ineligible, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organisation whose results management led to
the imposition of the original period of Ineligibility, and such decision shall be subject to appeal in accordance with Article 12. In any case, any results obtained by the Participant in such Event(s), with all resulting consequences, including forfeiture of any medals, titles, ranking points and Prize Money obtained in such Event(s), shall be automatically Disqualified.

10.11.7 A Player Support Person or other Person in his/her violation of the prohibition against participation during Ineligibility thereby commits an Anti-Doping Rule Violation under Article 2.9 In addition, for any Anti-Doping Rule Violation not involving an eliminated or reduced period of Ineligibility pursuant to Article 10.4 or 10.5, some or all sport-related financial support or other sport-related benefits received by such Participant will be withheld by the ITF or any National Association.

10.12 Conditions of Reinstatement:

10.12.1 As a condition of reinstatement, a Player who is subject to a period of Ineligibility must respect the conditions of Article 10.11.5, failing which the Player shall not be eligible for reinstatement until he/she has made him/herself available for Testing (by notifying the ITF in writing) for a period of time equal to the period of Ineligibility remaining as at the date he/she first stopped making him/herself available for Testing, except that in the event that a Player retires while subject to a period of Ineligibility, the conditions set out in Article 1.14.4 shall apply.

10.12.2 The ITF may also make reinstatement subject to the review and approval of a Player's medical condition by the Review Board in order to establish the Player's fitness to be reinstated.

10.12.3 Once the period of a Player's Ineligibility has expired, and the Player has fulfilled the foregoing conditions of reinstatement, then provided that (subject to Article 10.10.2) the Player has paid in full all amounts forfeited under the Programme, and has satisfied in full any award of costs made against the Player by the Independent Tribunal further to Article 8.8.4 and/or by the CAS following any appeal made pursuant to Article 12.2, the Player will become automatically re-eligible and no application by the Player for reinstatement will be necessary. If, however, further amounts become due after a Player's period of Ineligibility has expired (as a result of an instalment plan established pursuant to Article 10.10.2), then any failure by the Player to pay all outstanding amounts on or before their respective due dates shall render the Player automatically Ineligible to participate in further Covered Events until all amounts due are paid in full.
10.12.4 Even if no period of Ineligibility is imposed, a Player may not participate in a Covered Event while any Prize Money ordered or agreed to be forfeit under the Programme, and/or any award of costs against the Player, remains unpaid, unless an instalment plan has been established pursuant to Article 10.10.2 and the Player has made all payments due under that plan. If any instalment(s) become(s) overdue under that plan, the Player may not participate in any Covered Event until such overdue instalments are paid in full.

11. **Consequences for Teams**

The consequences for a team entered in a Competition of the commission of an Anti-Doping Rule Violation by a Player in his/her capacity as the member of that team shall be as set out in the rules relating to that Competition, in accordance with Code Article 11.

12. **Appeals**

12.1 Decisions Subject to Appeal:

Decisions made under this Programme may be appealed only as set out in this Article 12, in an International Standard, or as otherwise provided under this Programme. Such decisions shall remain in effect while under appeal unless CAS orders otherwise.

12.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Recognition of Decisions and Jurisdiction:

12.2.1 A decision that an Anti-Doping Rule Violation has been committed, a decision imposing (or not imposing) Consequences for an Anti-Doping Rule Violation (save as provided in Article 12.2.28.3.1(a)), a decision that no Anti-Doping Rule Violation has been committed, a decision that a case cannot go forward for procedural reasons (including, for example, because too much time has passed), a decision not to record an alleged Whereabouts Failure, a decision by WADA not to grant an exception to the six month notice requirement for a retired Player to return to Competition under Article 1.14.3, a decision by WADA assigning results management under Code Article 7.1, a decision by the ITF not to pursue an Adverse Analytical Finding or an Atypical Finding as an Anti-Doping Rule Violation, a decision by the ITF not to bring a case after an investigation under Article 6, a failure by the ITF to comply with Article 8.3, a decision that the ITF or the Independent Tribunal lacks jurisdiction to rule on an alleged Anti-Doping Rule Violation or its Consequences, a decision to suspend (or not suspend) a period of Ineligibility or to reinstate (or not reinstate) a suspended period of Ineligibility under Article 10.6.1, a decision under Article 10.11.6 in relation to participation while Ineligible, and a decision by the ITF
not to recognise another Anti-Doping Organisation's decision under Code Article 15, may each be appealed by any of the following parties exclusively to CAS:

(a) the Participant who is the subject of the decision being appealed;

(b) the ITF;

(c) the NADO(s) of the country of residence of the Participant or of a country where the Participant is a national or licence-holder;

(d) the International Olympic Committee, where the decision may have an effect in relation to the Olympic Games, including decisions affecting eligibility for the Olympic Games;

(e) the International Paralympic Committee, where the decision may have an effect in relation to the Paralympic Games, including decisions affecting eligibility for the Paralympic Games; and/or

(f) WADA.

12.2.2 The only Person who may appeal a decision to impose (or not to vacate) a Provisional Suspension is the Participant affected by the Provisional Suspension. In accordance with Article 8.3.3(c), the Participant may appeal that decision exclusively to CAS.

12.3 Appeals Relating to TUEs:

12.3.1 No TUE decision by the TUE Committee may be appealed by a Player and/or his/her NADO to CAS unless the Player has first asked WADA to review it, and WADA has either declined to review it or has reviewed it but not reversed it.

12.3.2 Any TUE decision by the TUE Committee that is not reviewed by WADA, or that is reviewed but not reversed by WADA, may be appealed by the Player and/or his/her NADO exclusively to CAS.

12.3.3 A decision by WADA to reverse a TUE decision may be appealed by the ITF, the Player and/or the Player's NADO exclusively to CAS.

12.3.4 A failure to take action 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 for purposes of the appeal rights provided in this Article 12.

12.4 Failure to Render a Timely Decision:
Where, in a particular case, the ITF fails to decide 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 ITF had rendered a decision finding that no Anti-Doping Rule Violation was committed. If CAS determines that an Anti-Doping Rule Violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA’s reasonable costs and legal fees in prosecuting the appeal shall be reimbursed to WADA by the ITF.

12.5 Time for Filing Appeals:

12.5.1 The deadline for filing an appeal to CAS shall be 21 days from the date of receipt of the decision in question by the appealing party. Where the appellant is a party other than the ITF, to be a valid filing under this Article 12.5.1 a copy of the appeal must be filed on the same day with the ITF.

12.5.2 Notwithstanding Article 12.5.1, the filing deadline for an appeal by WADA shall be the later of:

(a) 21 days after the last day on which any other party in the case could have appealed; and

(b) 21 days after WADA’s receipt of the complete file relating to the decision.

12.6 Appeal Procedure:

12.6.1 The CAS Code of Sports-related Arbitration, as modified or supplemented herein, shall apply to all appeals filed pursuant to this Article 12.

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

12.6.3 Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under this Programme 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 its answer.

12.6.4 In all appeals to CAS pursuant to this Article 12, the governing law shall be English law and the appeal shall be conducted in English, unless the parties agree otherwise.
12.6.5 The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.

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

12.6.7 The decision of CAS shall be final and binding on all parties, and no right of appeal shall lie from the CAS decision. Subject to Article 13.4, the CAS decision shall be Publicly Reported by the ITF within 20 days of receipt. However, this mandatory Public Reporting requirement shall not apply where the Participant who has been found to have committed an Anti-Doping Rule Violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

12.6.8 The ITF shall promptly provide the appeal decision to the Participant and to any other Anti-Doping Organisation that would have been entitled to appeal the decision under Article 12.2.1.

13. Confidentiality

13.1 Details of all Testing carried out under this Programme (i.e., date of test, name of Player tested, and whether the test was In-Competition or Out-of-Competition) shall be entered onto ADAMS, and made available via that database to WADA and other Anti-Doping Organisations that have jurisdiction to test Players, so that duplication of anti-doping efforts may be avoided.

13.2 All communications with a laboratory in relation to Testing carried out under this Programme must be conducted in such a way that the laboratory is not advised of the identity of the Players involved, save where required as part of the investigation of a potential case and/or the presentation of evidence to an Independent Tribunal.

13.3 The ITF shall use its reasonable endeavours to ensure that Persons under its control do not publicly identify Players or other Persons whose Samples have resulted in Adverse Analytical Findings or Atypical Findings, or Atypical Passport Findings or Adverse Passport Findings, or are alleged to have committed an Anti-Doping Rule Violation under this Programme, unless and until a Provisional Suspension has been imposed or accepted or an Independent Tribunal has determined that an Anti-Doping Rule Violation has been committed, and/or the Anti-Doping Rule Violation has been admitted. However, the ITF in its discretion may at any time disclose to other organisations such information as the ITF may consider necessary or appropriate to facilitate administration or enforcement of this Programme (including, without limitation, National Associations selecting teams for the Davis Cup or Fed Cup Events), provided that each organisation provides
assurance satisfactory to the ITF that the organisation will maintain all such information in confidence. The ITF will not comment publicly on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the Participant or his/her representatives.

13.4 Subject strictly to Article 13.3, (a) the ITF shall send copies of any notices sent to a Player as part of the management of an apparent Whereabouts Failure to the ATP or WTA (as applicable); and (b) the ITF shall send a copy of any Notice of Charge to both WADA and the NADO of the Participant, as well as to the ATP or WTA (as applicable), and (where the charge is based on an Adverse Analytical Finding from a sample collected at a Grand Slam event) to the Grand Slam Board, and shall thereafter keep each of them informed in relation to the status of the case under Article 8. WADA and the NADO of the Participant (and, as applicable, the ATP or WTA and/or Grand Slam Board) shall keep the contents of the Notice of Charge, and any further information supplied to them pursuant to this Article 13.4, as well as any information they obtain by attending a hearing in accordance with Article 8.5.2, strictly confidential unless and until a decision that an Anti-Doping Rule Violation has been committed is published pursuant to Article 8.8.5; provided that, if the decision exonerates the Participant, that confidentiality shall be strictly maintained unless and until the decision is overturned on appeal.

13.5 Subject strictly to Article 13.3, the ITF may release information about the Programme for public consumption, including (without limitation) the names of Players who have been tested and the frequency with which they have been tested; the numbers of tests conducted on Players within certain ranking groups or categories; and the identity of Events where Testing has been carried out.

13.6 Whereabouts information provided to the ITF by a Player pursuant to Article 4.5.2 shall be entered onto ADAMS on the basis that it shall be maintained in the strictest confidence at all times, it shall be used by WADA and other Anti-Doping Organisations only for Doping Control purposes, and it shall be destroyed when no longer relevant for such purposes.

13.7 All Players subject to this Programme shall be deemed to have agreed, for purposes of applicable data protection and other laws and for all other purposes, to have consented to the collection, processing, disclosure and use of information relating to them, including personal information relating to them, in accordance with the provisions of the International Standard for the Protection of Privacy and Personal Information and otherwise as required to implement this Programme.
14. **Application and Recognition of Decisions Made by Other Organisations**

14.1 The provisions of this Programme shall be without prejudice to any jurisdiction that the Code may give to any other Anti-Doping Organisation over a Player.

14.2 Subject to any right of appeal, the Testing, TUE decisions, Provisional Suspensions, and hearing results or other final adjudications of any Signatory to the Code that are consistent with the Code and are within the Signatory’s authority shall be applicable worldwide and shall be recognised and respected by the ITF, the ATP, the WTA, the Grand Slam Board and the National Associations automatically upon receipt of notice of same, without the need for any further formality. Each of the ITF, the ATP, the WTA, the Grand Slam Board, and the National Associations shall take all steps available to it to enforce and give effect to such decisions.

14.3 Subject to any right of appeal, measures taken by other bodies that have not accepted the Code shall also be recognised and respected by the ITF, the ATP, the WTA, the Grand Slam Board, and the National Associations if the ITF is satisfied that the rules of those bodies are otherwise consistent with the Code.

15. **Statute of Limitations**

No Anti-Doping Rule Violation proceeding may be commenced under this Programme against a Participant unless he/she has been notified of the Anti-Doping Rule Violation as provided in Article 8.1.1, or notification has been reasonably attempted, within 10 years from the date the violation is asserted to have occurred.

16. **Compliance**

Where a Player or Player Support Person refuses or fails without compelling justification to comply with any provision of this Programme, but such refusal or failure does not fall within any of the anti-doping rule violations defined in Article 2, the Player or Player Support Person shall not be deemed to have committed an Anti-Doping Rule Violation and he/she shall not be subject to any of the Consequences set out in Articles 9 and 10. However, disciplinary proceedings may be brought against him/her before the Independent Tribunal in accordance with Article 8, and if the Independent Tribunal finds that there has been such refusal or failure without compelling justification then it shall impose upon the Player or Player Support Person such sanctions as it sees fit (which may include, if it sees fit, a period during which the Player or Player Support Person shall not be eligible to participate in the sport).
APPENDICES

Appendix One  Definitions

Appendix Two  Tennis Testing Protocols

Appendix Three  The 2017 Prohibited List

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APPENDIX ONE

DEFINITIONS

ABP Documentation Package. As described in the ABP Guidelines.

ABP Guidelines. WADA’s Athlete Biological Passport Operating Guidelines and Compilation of Required Elements, as amended by WADA from time to time.

ABP Programme. The programme and methods of gathering and collating biological Markers on a longitudinal basis to facilitate indirect detection of the Use of Prohibited Substances and Prohibited Methods.

ABP Testing. The collection, transportation and analysis of Samples as part of the ABP Programme.

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

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

Adverse Analytical Finding. A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or any of its Metabolites or Markers (including elevated quantities of endogenous substances) 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, and as defined in Article 4.6.5.

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

A1.1
Anti-Doping Programme Administrator. A person appointed by the ITF to perform various functions on its behalf under the Programme. References to the Anti-Doping Programme Administrator shall be deemed to encompass any designee of the Anti-Doping Programme Administrator.

Anti-Doping Rule Violation. As defined in Article 2.

APA. See Anti-Doping Programme Administrator.

APMU. As defined in Article 4.6.1.


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, that there shall be no Anti-Doping Rule Violation based solely on an Attempt to commit an Anti-Doping Rule Violation if the Person renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

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

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

CAS. As defined in Article 1.3.5.

Code. As defined in Article 1.2.

Competition. Any stand-alone competition held as part of an Event, such as a singles competition or a doubles or mixed doubles competition.

Consequences. An Anti-Doping Rule Violation may result in one or more of the following: (a) Disqualification means the Player’s results in a particular Competition or Event are invalidated, with all resulting consequences, including forfeiture of any medals, ranking points and Prize Money; (b) Ineligibility means the Player or other Person is barred on account of an Anti-Doping Rule Violation for a specified period of time from participating in any Competition or other activity or funding, as provided in Article 10.11.1; (c) Provisional Suspension means the Player or other Person is temporarily barred from participating in any Competition or activity pending a decision on the charge(s) against him/her, as provided in Article 8.3.4; (d) Financial Consequences means a financial sanction imposed for an Anti-Doping Rule Violation or to recovers costs associated with an Anti-Doping Rule Violation; and (e) Public Disclosure or Public Reporting (or to Publicly Disclose or Publicly Report) means the dissemination or distribution of information to the general public.
or Persons beyond those Persons entitled to earlier notification under the provisions of this Programme.

**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.

**Covered Event(s).** As defined in Article 1.10.

**Demand:** As defined in Article 6.3.1.

**Disqualification.** See **Consequences.**

**Doping Control.** All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, Sample collection and handling, laboratory analysis, TUEs, results management and hearings.

**Effective Date.** As defined in Article 1.5.

**Event.** A series of individual Competitions conducted together under one organising, ruling body.

**Event Period.** As defined in Article 4.1.1.

**Event Venue.** As defined in Article 4.1.2.

**Expert Panel.** Suitably-qualified experts chosen by the ITF to evaluate Athlete Biological Passports in accordance with the ABP Guidelines. The Panel may include a standing group of appointed experts, and/or experts appointed *ad hoc* to assist in particular cases. Each member of the Expert Panel shall be independent of the ITF, which may provide reasonable compensation and reimbursement of expenses to such members. A member of the Review Board may also be a member of the Expert Panel, but he/she may not act as a Review Board member in relation to an Adverse Passport Finding to which he/she was a party in his/her capacity as a member of the Expert Panel.

**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 a Player or other Person's degree of Fault include, for example, the Player or other Person's experience, whether the Player or other Person is a Minor, special considerations such as impairment, the degree of risk that should have been perceived by the Player and the level of care and investigation exercised by the Player in relation to what should have been the perceived level of risk. In assessing the Player or other Person's degree of Fault, the circumstances considered must be specific and relevant to explain the Player or other Person's departure from the expected standard of behaviour. Thus, for example, the fact that a Player would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact that the Player only has a short time left in his or her career, or the timing of the sporting calendar,
would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.5.1 or 10.5.2.

**Filing Failure.** As defined in Article 2.4.

**In-Competition.** The period(s) so described in Article 4.3.2.

**In-Competition Dates.** As defined in Article 4.5.3.

**Independent Observer Programme.** A team of observers, under the supervision of WADA, who observe and provide guidance on the Doping Control process at certain Events and report on their observations.

**Independent Panel.** A panel of lawyers, medical and/or technical experts and/or other suitably qualified persons with experience in anti-doping, from whom a person designated as Chairman of the Independent Panel shall select one or more persons (which may include himself/herself) to sit as an Independent Tribunal to hear and determine particular matters arising under the Programme, in accordance with Article 8.1.2. Each person on the Independent Panel shall be independent of the parties to the matter (the ITF may provide reasonable compensation and reimbursement of expenses to such persons for the time they spend and the expenses they incur in sitting as a member of an Independent Tribunal under the Programme).

**Independent Tribunal.** As defined in Article 1.3.5, an independent and impartial tribunal of three persons (subject to Article 8.4.2(a)) appointed by the Chairman of the Independent Panel in accordance with Article 8.1.2 to hear and determine matters arising under the Programme.

**Ineligibility.** See Consequences.

**International Event.** An Event or Competition where the International Olympic Committee, the International Paralympic Committee, an international federation, a Major Event Organisation or another international sport organisation is the ruling body for the Event or appoints the technical officials for the Event. All Covered Events shall be deemed International Events for purposes of the Code and Article 5 of the International Standard for Therapeutic Use Exemptions.

**International-Level Athlete.** As defined in Article 1.11.

**International Registered Testing Pool.** As defined in Article 4.5.1.

**International Standard.** A standard adopted by WADA in support of the Code, as revised from time to time. The International Standards in force as of the Effective Date are set out in the appendices to the Programme. However, WADA’s Executive Committee may approve revisions to an International Standard at any time, and such revisions shall become effective in relation to the Programme on the date specified by WADA, without the need for any further action by the ITF. In the case of any difference between the International Standards as set out in the appendices to the Programme and the International Standards in effect and published on WADA’s website, the latter shall prevail.

International Standard for the Protection of Privacy and Personal Information. The International Standard of the same name adopted by WADA in support of the Code, the current version of which (as of the Effective Date) is set out at Appendix Six to the Programme.

International Standard for Testing and Investigations. The International Standard of the same name adopted by WADA in support of the Code, the current version of which (as of the Effective Date) is set out at Appendix Five to the Programme.

International Standard for Therapeutic Use Exemptions. The International Standard of the same name adopted by WADA in support of the Code, the current version of which (as of the Effective Date) is set out in Appendix Four to the Programme.

ITF. ITF Limited (t/a the International Tennis Federation) or its designee, which (in the context of the Programme) may be the APA.

ITF Anti-Doping Manager. An appointee of the ITF with supervisory responsibilities in relation to the Programme.

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

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

Metabolite. Any substance produced by a biotransformation process.

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

Missed Test. As defined in Article 2.4.

NADO. See National Anti-Doping Organisation.

National Anti-Doping Organisation. 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, the management of test results, and the conduct of hearings 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 Association. A national or regional entity that is a member of the ITF or is recognised by the ITF as the entity governing the sport of tennis in that nation or region.

National Olympic Committee. The organisation recognised 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.

**National Registered Testing Pool.** A pool of athletes established by a NADO in exercise of its powers under the International Standard for Testing and Investigations, triggering whereabouts obligations on the part of those athletes.

**No Fault or Negligence.** The Player or other Person establishing that he/she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he/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 Minor, for any violation of Article 2.1 the Player must also establish how the Prohibited Substance entered his/her system.

**No Significant Fault or Negligence.** The Player or other Person establishing that his/her 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 Minor, for any violation of Article 2.1 the Player must also establish how the Prohibited Substance entered his/her system.

**Notice of Charge.** The document described in Article 8.1.1.

**Out-of-Competition.** The period(s) described in Article 4.4.1.

**Participant.** Any Player or Player Support Person.

**Person.** A natural person or an organisation or other entity.

**Player.** As defined in Article 1.11.

**Player’s Nominated Address.** As defined in Article 1.13.

**Player Support Person.** As defined in Article 1.15.

**Possession.** Actual, physical possession, or 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 or intends to exercise control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists, constructive possession shall only be found if the Person knew about the presence of the Prohibited Substance/Method and intended to exercise control over it. Provided, however, that there shall be no Anti-Doping Rule Violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an Anti-Doping Rule Violation, the Person has taken concrete action demonstrating that the Person never intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organisation. 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.

**Prize Money.** All of the consideration provided by the organiser of a Competition as a reward for performance in the Competition, whether monetary (i.e. cash) or non-monetary (e.g. a trophy, vehicle or other prize). Where the reward is attributable to performance as part of a team, the rules of the Competition may provide for how much of the reward is to be allocated to a Player for purposes of forfeiture under the Programme. Such rules shall be without prejudice to the provisions of Article 9 with respect to doubles Prize Money. Any Prize Money forfeited shall be repaid without deducting tax paid by or on behalf of the Player, unless the Player shows by means of independent and verifiable evidence that such tax has been paid and is not recoverable by the Player. All Prize Money forfeited under the Programme shall be retained by the ITF to defray the costs of its anti-doping efforts.

**Programme.** As defined in Article 1.1.

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

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

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

**Provisional Suspension.** See Consequences.

**Public Disclosure or Public Reporting** (or to Publicly Disclose or Publicly Report). See Consequences.

**Review Board.** A standing panel appointed by the ITF, consisting of persons with medical, technical and/or legal experience in anti-doping, to perform the functions assigned to the Review Board in the Programme. Further persons may be co-opted onto the Review Board on a case-by-case basis, where there is a need for their specific expertise and for experience. Each member of the Review Board panel shall be independent of the ITF, which may provide reasonable compensation and reimbursement of expenses to such members.

**Sample.** Any biological material collected for the purposes of Doping Control. The terms “A Sample” and “B Sample” shall have the meanings ascribed to them in the International Standard for Testing and Investigations.

**Signatories.** Those entities signing the Code and agreeing to comply with the Code, as provided in Code Article 23.

**Specified Substances.** As defined in Article 3.4.

**Substantial Assistance.** For purposes of Article 10.6.1, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he/she possesses in relation to Anti-Doping Rule Violations; and (2)
fully cooperate with the investigation and adjudication of any case related to that information, including (for example) by presenting testimony at a hearing if requested to do so by the ITF or other Anti-Doping Organisation or the Independent Tribunal. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

**Tampering.** Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.


**Tennis Testing Protocols.** The supplementary Testing protocols set out at Appendix Two.

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

**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 a Player, Player Support Personnel or any other Person to any third party; provided, however, that this definition shall not include (a) the actions of bona fide medical personnel involving a Prohibited Substance used for genuine and legal therapeutic purposes or other acceptable justification; or (b) actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate that such Prohibited Substances were not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

**TUE.** As defined in Article 3.5.1.

**TUE Committee.** A panel appointed by the ITF and composed of at least three physicians with experience in the care and treatment of Players and a sound knowledge of clinical and exercise medicine. In all cases involved a Player with a disability, one of the physicians must have experience with the care and treatment of Players with disabilities.

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

**WADA.** The World Anti-Doping Agency.

**Whereabouts Failure.** A Filing Failure or a Missed Test.
APPENDIX TWO

TENNIS TESTING PROTOCOLS

The following protocols are designed to supplement the International Standard for Testing and Investigations as necessary to reflect the specificities of tennis. They are not intended to amend or contradict the International Standard for Testing and Investigations. In the event of any conflict between these protocols and the International Standard for Testing and Investigations, the latter shall prevail.

1. Collection of urine Samples

1.1 If a Sample collected from a Player does not have a Suitable Specific Gravity for Analysis (as defined in the International Standard for Testing and Investigations), the Doping Control Officer ("DCO") shall inform the Player that he/she is required to provide a further Sample or Samples, until a Sample that has a Suitable Specific Gravity for Analysis is provided. (See ISTI Annex G). To facilitate this, the Player should fully void his/her bladder when providing a Sample, and any further Sample should not be collected for at least one hour after the previous Sample was collected. In the meantime, the Player should avoid unnecessary hydration (i.e., liquid intake).

2. Collection of blood Samples

2.1 Prior to providing a blood Sample (see ISTI Annex E), the Player should sit down in a normal seated position (not lie down), with his/her feet on the floor, for at least ten minutes.

2.2 A blood Sample collected as part of ABP Testing shall not be collected within two hours of the Player training or competing. If the Player has trained or competed within two hours of the time that the Player is notified of his/her selection for such Sample collection, the DCO or a Chaperone shall observe the Player continuously (and the Player will cooperate to facilitate such continuous observation) until the two-hour period has elapsed, and then the Sample shall be collected.

3. Collection of urine Samples and/or blood Samples

3.1 In addition to the Player, the persons authorised to be present during the Sample collection session are:

a. The DCO and his/her assistant(s).

b. The persons identified at ISTI Article 6.3.3.

c. The ITF Anti-Doping Manager and/or his/her designee(s).

3.2 No photography or audio or video recording of the Sample collection session is permitted. Instead, the Doping Control Form shall be the definitive record
of the Sample collection session, and any comments regarding the Sample collection session shall be recorded on the Doping Control Form. A Player may not make his/her participation in a Sample collection session conditional upon being permitted to photograph or record the session. Where a Player or other Person insists on photographing or recording the session in violation of this provision, then (subject to Review Board approval in accordance with Article 7.6) a case may be brought against the Player or other Person under Article 16. Where the conduct of the Player or other Person results in the Sample collection session being discontinued, then (subject to Review Board approval in accordance with Article 7.6) a case may be brought against the Player and/or other Person (on its own or in the alternative) for an Anti-Doping Rule Violation under Article 2.3 and/or Article 2.5. For the avoidance of doubt, any conduct by a Player Support Person or other member of the Player's entourage in relation to a Sample collection session may in appropriate circumstances be imputed to the Player for these purposes.

3.3 Where a Player who has been notified that he/she has been selected for In-Competition Testing refuses or fails to provide a Sample, the DCO must make reasonable efforts to contact the Event Supervisor (in the case of an ATP or WTA event) or the Event Supervisor or Referee (in the case of a Grand Slam event) or the Event Referee (in the case of an ITF event) to confirm the Player's responsibilities under the Programme to comply with Sample collection procedures and the potential consequences of failing or refusing to provide a Sample.

4. **Storage of Samples and Sample collection documentation**

4.1 Storage of Samples prior to dispatch from collection site (ISTI Article 8.3.1):

a. The DCO is responsible for ensuring that all Samples are stored in a manner that protects their identity, integrity and security whilst at the collection site.

b. The DCO shall keep the Samples secured and under his/her control until they are passed to a third party (e.g., the laboratory, or a courier to take them to the laboratory). Samples must not be left unattended, unless they are locked away in a refrigerator or cupboard, for example. In the absence of a secure area where the Samples may be left, the DCO shall keep the Samples under his/her control. Access to Samples shall be restricted at all times to authorised personnel.

c. Where possible, Samples shall be stored in a cool environment. Warm conditions should be avoided.

4.2 Secure handling of Sample collection documentation (ISTI Article 8.3.3):

a. The DCO is responsible for ensuring that the Sample collection documentation for each Sample is securely handled after completion.
b. Those parts of the Sample collection documentation that identify the Player or could be used to identify the Player that provided a particular Sample shall be kept separately from the Samples themselves. Where a separate secure storage site is available at the collection site (lockable and/or accessible only by authorised personnel), the documentation may be stored there. Otherwise, it shall be kept by the DCO and taken away from the site overnight.
APPENDIX THREE

THE 2017 PROHIBITED LIST
WORLD ANTI-DOPING CODE
(Valid from 1 January 2017)

In accordance with Article 4.2.2 of the World Anti-Doping Code, all **Prohibited Substances** shall be considered as “**Specified Substances**” except Substances in classes S1, S2, S4.4, S4.5, S6.a, and **Prohibited Methods** M1, M2 and M3.

### SUBSTANCES AND METHODS PROHIBITED AT ALL TIMES
(IN- AND OUT-OF-COMPETITION)

### PROHIBITED SUBSTANCES

**S0. NON-APPROVED SUBSTANCES**

Any pharmacological substance which is not addressed by any of the subsequent sections of the *List* and with no current approval by any governmental regulatory health authority for human therapeutic use (e.g. drugs under pre-clinical or clinical development or discontinued, designer drugs, substances approved only for veterinary use) is prohibited at all times.

**S1. ANABOLIC AGENTS**

Anabolic agents are prohibited.

1. **Anabolic Androgenic Steroids (AAS)**

   a. **Exogenous** *AAS*, including:

   - **1-androstenediol** (5α-androst-1-ene-3β,17β-diol);
   - **1-androstenedione** (5α-androst-1-ene-3,17-dione);
   - **1-testosterone** (17β-hydroxy-5α-androst-1-en-3-one);
   - **4-hydroxytestosterone** (4,17β-dihydroxyandrosten-4-en-3-one);
   - **bolandiol** (estr-4-ene-3β,17β-diol);
   - **bolasterone**;
   - **calusterone**;
   - **clostebol**;
   - **danazol** ([1,2]oxazolo[4’,5’:2,3]pregna-4-en-20-yn-17α-ol);
   - **dehydrochloromethyltestosterone** (4-chloro-17β-hydroxy-17α-methylandrosta-1,4-dien-3-one);
   - **desoxymethyltestosterone** (17α-methyl-5α-androst-2-en-17β-ol);
   - **dronanolone**;
   - **ethylestrenol** (19-norpregna-4-en-17α-ol);
fluoxymesterone;
formebolone;
furazabol (17α-methyl[1,2,5]oxadiazolo[3',4':2,3]-5α-androstan-17β-ol);
gestrinone;
mestanolone;
mesterolone;
metandienone (17β-hydroxy-17α-methylandrosta-1,4-dien-3-one);
metenolone;
metandriol;
methasterone (17β-hydroxy-2α,17α-dimethyl-5α-androstan-3-one);
methandienone (17β-hydroxy-17α-methylestra-4,9-dien-3-one);
methyl-1-testosterone (17β-hydroxy-17α-methyl-5α-androst-1-en-3-one);
methynortestosterone (17β-hydroxy-17α-methylestr-4-en-3-one);
methyltestosterone;
micronolone (methyltrienolone, 17β-hydroxy-17α-methylestra-4,9,11-trien-3-one);
mibolerone;
norboleton;
norclostebol;
norethandrolone;
oxabolone;
oxandrolone;
oxmesterone;
oxymetholone;
prostanozol (17β-[(tetrahydropyran-2-yl)oxy]-1'H-pyrazolo[3,4:2,3]-5α-androstane);
quinnbolone;
stanozolol;
stenbolone;
tetrahydrogestrinone (17-hydroxy-18α-homo-19-nor-17α-pregna-4,9,11-trien-3-one);
trenbolone (17β-hydroxyestr-4,9,11-trien-3-one);
and other substances with a similar chemical structure or similar biological effect(s).

b. Endogenous ** AAS when administered exogenously:

19-norandrostenediol (estr-4-ene-3,17-diol);
19-norandrostenedione (estr-4-ene-3,17-dione);
androstenediol (androst-5-ene-3β,17β-diol);
androstenedione (androst-4-ene-3,17-dione);
boldenone;
boldione (androst-1,4-diene-3,17-dione);
nandrolone (19-nortestosterone);
dihydrotestosterone (17β-hydroxy-5α-androstan-3-one);
nandrolone (19-nortestosterone);
prasterone (dehydroepiandrosterone, DHEA, 3β-hydroxyandrost-5-en-17-one);
testosterone;
and their metabolites and isomers, including but not limited to:

3β-hydroxy-5α-androstan-17-one;
5α-androst-2-ene-17-one;
5α-androstane-3α,17α-diol;
5α-androstane-3α,17β-diol;
5α-androstane-3β,17α-diol;
5α-androstane-3β,17β-diol;
5β-androstane-3α,17β-diol;
7α-hydroxy-DHEA;
7β-hydroxy-DHEA;
4-androstenediol (androst-4-ene-3β,17β-diol);
5-androstenedione (androst-5-ene-3,17-dione);
7-keto-DHEA;
19-norandrosterone;
19-noretiocholanolone;
androst-4-ene-3α,17α-diol;
androst-4-ene-3α,17β-diol;
androst-4-ene-3β,17α-diol;
androst-5-ene-3α,17α-diol;
androst-5-ene-3α,17β-diol;
androst-5-ene-3β,17α-diol;
androsterone;
epi-dihydrotestosterone;
epitestosterone;
etiocholanolone.

2. Other Anabolic Agents

Including, but not limited to:

Clenbuterol, selective androgen receptor modulators (SARMs, e.g. andarine and ostarine), tibolone, zeranol, and zilpaterol.

For purposes of this section:
* “exogenous” refers to a substance which is not ordinarily produced by the body naturally.
** “endogenous” refers to a substance which is ordinarily produced by the body naturally.

S2. PEPTIDE HORMONES, GROWTH FACTORS, RELATED SUBSTANCES AND MIMETICS

The following substances, and other substances with similar chemical structure or similar biological effect(s), are prohibited:

1. Erythropoietin-Receptor agonists:
1.1 Erythropoiesis-Stimulating Agents (ESAs) including e.g.

darbepoietin (dEPO);
darboxy polyethylene glycol-epoetin beta (CERA);
transforming Growth Factor-β (TGF-β) inhibitors, e.g. sotatercept, luspatercept.

1.2 Non-erythropoietic EPO-Receptor agonists, e.g.
ARA-290;
asialo EPO;
carbamylated EPO.

2. Hypoxia-inducible factor (HIF) stabilizers, e.g. cobalt, molidustat and roxadustat (FC-4592); and HIF activators, e.g. argon and xenon;

3. Chorionic Gonadotrophin (CG) and Luteinizing Hormone (LH) and their releasing factors, e.g buserelin, gonadorelin and leuprolrelin, in males;

4. Corticotrophins and their releasing factors, e.g. corticorelin;

5. Growth Hormone (GH) and its releasing factors including:
Growth Hormone Releasing Hormone (GHRH) and its analogues, e.g. CJC-1295, sermorelin and tesamorelin;
Growth Hormone Secretagogues (GHS), e.g. ghrelin and ghrelin mimetics, e.g. anamorelin and ipamorelin;
GH-Releasing Peptides (GHRPs), e.g. alexamorelin, GHRP-6, hexarelin and pralmorelin (GHRP-2).

Additional prohibited growth factors:

Fibroblast Growth Factors (FGFs); Hepatocyte Growth Factor (HGF); Insulin-like Growth Factor-1 (IGF-1) and its analogues; Mechano Growth Factors (MGFs), Platelet-Derived Growth Factor (PDGF); Vascular-Endothelial Growth Factor (VEGF) and any other growth factor affecting muscle, tendon or ligament protein synthesis/degradation, vascularisation, energy utilization, regenerative capacity or fibre type switching.

S3. BETA-2 AGONISTS

All selective and non-selective beta-2 agonists, including all optical isomers, are prohibited.

Including, but not limited to:
Fenoterol; formoterol; higenamine; indacaterol; olodaterol; procaterol; reproterol; salbutamol; salmeterol; terbutaline; vilanterol.

Except:

- Inhaled salbutamol; maximum 1600 micrograms over 24 hours, not to exceed 800 micrograms every 12 hours;
- Inhaled formoterol; maximum delivered dose of 54 micrograms over 24 hours);
- Inhaled salmeterol; maximum 200 micrograms over 24 hours.

The presence in urine of salbutamol in excess of 1000 ng/mL or formoterol in excess of 40 ng/mL is presumed not to be an intended therapeutic use of the substance and will be considered as an Adverse Analytical Finding (AAF) unless the Athlete proves, through a controlled pharmacokinetic study, that the abnormal result was the consequence of the use of the therapeutic dose (by inhalation) up to the maximum dose indicated above.

S4. HORMONE AND METABOLIC MODULATORS

The following hormones and metabolic modulators are prohibited:

1. Aromatase inhibitors including, but not limited to:

   - 4-androstene-3,6,17 trione (6-oxo);
   - aminogluthethimide;
   - anastrozole;
   - androsta-1,4,6-triene-3,17-dione (androstatrienedione);
   - androsta-3,5-diene-7,17-dione (arimistane);
   - exemestane;
   - formestane;
   - letrozole;
   - testolactone.

2. Selective estrogen receptor modulators (SERMs) including, but not limited to:

   - raloxifene;
   - tamoxifen;
   - toremifene.

3. Other anti-estrogenic substances including, but not limited to:

   - clomiphene;
   - cyclofenil;
   - fulvestrant.
4. **Agents modifying myostatin function(s)** including, but not limited, to: myostatin inhibitors.

5. **Metabolic modulators:**
   5.1 **Activators of the AMP-activated protein kinase** (AMPK), e.g., AICAR; and **Peroxisome Proliferator Activated Receptor δ** (PPARδ) agonists, e.g. GW 1516;
   5.2 **Insulins** and insulin-mimetics;
   5.3 **Meldonium**;
   5.4 **Trimetazidine**.

**S5. DIURETICS AND MASKING AGENTS**

The following **diuretics** and **masking agents** are prohibited, as are other substances with a similar chemical structure or similar biological effect(s).

Including, but not limited to:

- **Desmopressin; probenecid; plasma expanders**, e.g. glycerol and intravenous administration of **albumin, dextran, hydroxyethyl starch** and mannitol.
- **Acetazolamide; amiloride; bumetanide; canrenone; chlortalidone; etacrynic acid; furosemide; indapamide; metolazone; spironolactone; thiazides**, e.g. bendroflumethiazide, chlorothiazide and hydrochlorothiazide; **triamterene** and vaptans, e.g. tolvaptan.

Except:

- **Drospirenone; pamabrom; and ophthalmic use of carbonic anhydrase inhibitors** (e.g. dorzolamide, brinzolamide).
- **Local administration of felypressin in dental anaesthesia.**

The detection in an **Athlete's Sample** at all times or **In-Competition**, as applicable, of any quantity of the following substances subject to threshold limits: **formoterol, salbutamol, catheine, ephedrine, methylephedrine and pseudoephedrine**, in conjunction with a diuretic or masking agent, will be considered as an **Adverse Analytical Finding** unless the **Athlete** has an approved **TUE** for that substance in addition to the one granted for the diuretic or masking agent.

**PROHIBITED METHODS**

**M1. MANIPULATION OF BLOOD AND BLOOD COMPONENTS**

The following are prohibited:
1. The Administration or reintroduction of any quantity of autologous, allogenic (homologous) or heterologous blood, or red blood cell products of any origin into the circulatory system.

2. Artificially enhancing the uptake, transport or delivery of oxygen. Including, but not limited to: Perfluorochemicals; efaproxiral (RSR13) and modified haemoglobin products, e.g. haemoglobin-based blood substitutes and microencapsulated haemoglobin products, excluding supplemental oxygen by inhalation.

3. Any form of intravascular manipulation of the blood or blood components by physical or chemical means.

**M2. CHEMICAL AND PHYSICAL MANIPULATION**

The following are prohibited:

1. Tampering, or Attempting to Tamper, to alter the integrity and validity of Samples collected during Doping Control. Including, but not limited to: Urine substitution and/or adulteration e.g. proteases.

2. Intravenous infusions and/or injections of more than 50 mL per 6 hour period except for those legitimately received in the course of hospital admissions, surgical procedures or clinical investigations.

**M3. GENE DOPING**

The following, with the potential to enhance sport performance, are prohibited:

1. The transfer of polymers of nucleic acids or nucleic acid analogues;

2. The use of normal or genetically modified cells.

**SUBSTANCES AND METHODS PROHIBITED IN-COMPETITION**

In addition to the categories S0 to S5 and M1 to M3 defined above, the following categories are prohibited In-Competition:

**PROHIBITED SUBSTANCES**

**S6. STIMULANTS**

All stimulants, including all optical isomers, e.g. d- and l- where relevant, are prohibited.
Stimulants include:

a: Non-Specified Stimulants:

Adrafinil;  
amfepramone;  
amfetamine;  
amfetaminil;  
amiphenazole;  
benfluorex;  
benzylpiperazine;  
bromantan;  
clobenzorex;  
cocaine;  
cropropamide;  
crotetamide;  
fencamine;  
fenetylline;  
fenfluramine;  
fenproporex;  
fonturacetam [4-phenylpiracetam (carphedon)];  
furfenorex;  
lisdexamfetamine;  
mefenorex;  
mephentermine;  
mesocarb;  
metamfetamine(d-);  
p-methylamphetamine;  
modafinil;  
norfenfluramine;  
phendimetrazine;  
phentermine;  
prenylamine;  
prolintane.

A stimulant not expressly listed in this section is a Specified Substance.

b: Specified Stimulants.

Including, but not limited to:

4-methylhexan-2-amine (methylhexaneamine);  
benzfetamine;  
cathine;  
cathinone and its analogues, e.g. mephedrone, methedrone, and α-pyrrolidinovalerophenone;  
dimethylamphetamine;
ephedrine***;
epinephrine**** (adrenaline);
etamivan;
etilamfetamine;
etilefrine;
famprofazone;
fenbutrazate;
fencamfamin;
heptaminol;
hydroxyamfetamine (parahydroxyamphetamine);
isometheptene;
levmetamfetamine;
meclofenoxate;
methylenedioxymethamphetamine;
methylephedrine***;
methylphenidate;
nikethamide;
norfenefrine;
octopamine;
oxilofrine (methylsynephrine);
pemoline;
pentetrazol;
phenthylamine and its derivatives;
phenmetrazine;
phenpromethamine;
propylhexedrine;
pseudoephedrine*****;
selegiline;
sibutramine;
strychnine;
tenamfetamine (methyleneoxyamphetamine),
tuaminoheptane;
and other substances with a similar chemical structure or similar biological effect(s).

Except:

- Clonidine
- Imidazole derivatives for topical/ophthalmic use and those stimulants included in the 2017 Monitoring Program*.

* Bupropion, caffeine, nicotine, phenylephrine, phenylpropanolamine, pipradrol, and synephrine: These substances are included in the 2017 Monitoring Program, and are not considered Prohibited Substances.

** Cathine: Prohibited when its concentration in urine is greater than 5 micrograms per milliliter.

*** Ephedrine and methylephedrine: Prohibited when the concentration of either in urine is greater than 10 micrograms per milliliter.
Epinephrine (adrenaline): Not prohibited in local administration, e.g. nasal, ophthalmologic, or co-administration with local anaesthetic agents.

Pseudoephedrine: Prohibited when its concentration in urine is greater than 150 micrograms per milliliter.

S7. NARCOTICS

Prohibited:

- Buprenorphine;
- dextromoramide;
- diamorphine (heroin);
- fentanyl and its derivatives;
- hydromorphone;
- methadone;
- morphine;
- nicomorphine;
- oxycodone;
- oxymorphone;
- pentazocine;
- pethidine.

S8. CANNABINOIDS

Prohibited:

- Natural, e.g. cannabis, hashish and marijuana, or synthetic Δ9-tetrahydrocannabinol (THC).

S9. GLUCOCORTICOIDS

All glucocorticoids are prohibited when administered by oral, intravenous, intramuscular or rectal routes.
APPENDIX FOUR

INTERNATIONAL STANDARDS FOR THERAPEUTIC USE EXEMPTIONS
(Valid from 1 January 2016)

The World Anti-Doping Code International Standard for Therapeutic Use Exemptions (ISTUE) is a mandatory International Standard developed as part of the World Anti-Doping Program.

The International Standard for Therapeutic Use Exemptions was first adopted in 2004 and came into effect 1 January 2005. Further revisions were made in 2009, 2010, 2011 and 2015. The enclosed ISTUE incorporates revisions approved by the WADA Executive Committee on 18 November 2015. It will come into effect on 1 January 2016.

PART ONE: INTRODUCTION, CODE PROVISIONS AND DEFINITIONS

1.0 INTRODUCTION AND SCOPE

The International Standard for Therapeutic Use Exemptions is a mandatory International Standard developed as part of the World Anti-Doping Program.

The purpose of the International Standard for Therapeutic Use Exemptions is to establish (a) the conditions that must be satisfied in order for a Therapeutic Use Exemption (or TUE) to be granted, permitting the presence of a Prohibited Substance in an Athlete’s Sample or the Athlete’s Use or Attempted Use, Possession and/or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method for therapeutic reasons; (b) the responsibilities imposed on Anti-Doping Organizations in making and communicating TUE decisions; (c) the process for an Athlete to apply for a TUE; (d) the process for an Athlete to get a TUE granted by one Anti-Doping Organization recognized by another Anti-Doping Organization; (e) the process for WADA to review TUE decisions; and (f) the strict confidentiality provisions that apply to the TUE process.

Terms used in this International Standard that are defined terms from the Code are written in italics. Terms that are defined in this International Standard are underlined.
2.0 CODE PROVISIONS

The following articles in the 2015 Code are directly relevant to the International Standard for Therapeutic Use Exemptions:

Code Article 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 An Athlete who is not an International-Level Athlete should apply to his or her National Anti-Doping Organization for a TUE. If the National Anti-Doping Organization denies the application, the Athlete may appeal exclusively to the national-level appeal body described in Articles 13.2.2 and 13.2.3.

4.4.3 An Athlete who is an International-Level Athlete should apply to his or her International Federation.

4.4.3.1 Where the Athlete already has a TUE granted by his or her 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 his or her National Anti-Doping Organization promptly, with reasons. The Athlete or the National Anti-Doping Organization shall have 21 days from such notification to refer the matter to WADA for review. If the matter is referred to WADA for review, the TUE granted by the National Anti-Doping Organization remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for international-level Competition) pending WADA’s decision. If the matter is not referred to WADA for review, the TUE becomes invalid for any purpose when the 21-day review deadline expires.

4.4.3.2 If the Athlete does not already have a TUE granted by his or her National Anti-Doping Organization for the substance or method in question, the Athlete must apply directly to his or her International Federation for a TUE as soon as the need arises. If the International Federation (or the National Anti-Doping Organization,
where it has agreed to consider the application on behalf of the International Federation) denies the Athlete’s application, it must notify the Athlete promptly, with reasons. If the International Federation grants the Athlete’s application, it must notify not only the Athlete but also his or her 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 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 21-day review deadline expires.

[Comment to Article 4.4.3: If the International Federation refuses to recognize a TUE granted by a National Anti-Doping Organization only because medical records or other information are missing that are needed to demonstrate satisfaction with the criteria in the International Standard for Therapeutic Use Exemptions, the matter should not be referred to WADA. Instead, the file should be completed and re-submitted to the International Federation.

If an International Federation chooses to test an Athlete who is not an International-Level Athlete, it must recognize a TUE granted to that Athlete by his or her National Anti-Doping Organization.]

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

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

4.4.4.2 Where the Athlete already has a TUE granted by his or her National Anti-Doping Organization or International Federation, if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, the Major Event Organization must recognize it. If the Major Event Organization decides the TUE does not meet those criteria and so refuses to recognize it, it must notify the Athlete promptly, explaining its reasons.
4.4.4.3 A decision by a Major Event Organization not to recognize or not to grant a TUE may be appealed by the Athlete exclusively to an independent body established or appointed by the Major Event Organization for that purpose. If the Athlete does not appeal (or the appeal is unsuccessful), he or she may not Use the substance or method in question in connection with the Event, but any TUE granted by his or her National Anti-Doping Organization or International Federation for that substance or method remains valid outside of that Event.

[Comment to Article 4.4.4.3: For example, the CAS Ad Hoc Division or a similar body may act as the independent appeal body for particular Events, or WADA may agree to perform that function. If neither CAS nor WADA are performing that function, WADA retains the right (but not the obligation) to review the TUE decisions made in connection with the Event at any time, in accordance with Article 4.4.6.]

4.4.5 If an Anti-Doping Organization chooses to collect a Sample from a Person who is not an International-Level or National-Level Athlete, and that Person is Using a Prohibited Substance or Prohibited Method for therapeutic reasons, the Anti-Doping Organization may permit him or her to apply for a retroactive TUE.

4.4.6 WADA must review an International Federation’s decision not to recognize a TUE granted by the National Anti-Doping Organization that is referred to it by the Athlete or the Athlete’s National Anti-Doping Organization. In addition, WADA must review an International Federation’s decision to grant a TUE that is referred to it by the Athlete’s National Anti-Doping Organization. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.

[Comment to Article 4.4.6: WADA shall be entitled to charge a fee to cover the costs of (a) any review it is required to conduct in accordance with Article 4.4.6; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.]

4.4.7 Any TUE decision by an International Federation (or by a National Anti-Doping Organization where it has agreed to consider the application on behalf of an International Federation) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Athlete and/or the Athlete’s National Anti-Doping Organization, exclusively to CAS.
[Comment to Article 4.4.7: 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 (having reviewed it) not to reverse the TUE decision. However, the time to appeal the TUE decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA 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 take action 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.

**Code Article 13.4 Appeals relating to TUEs**

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

**3.0 DEFINITIONS AND INTERPRETATION**

3.1 Defined terms from the 2015 Code that are used in the International Standard for Therapeutic Use Exemptions:

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

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

**Adverse Analytical Finding:** A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including
elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

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

**Athlete**: Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of “Athlete.” In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to: conduct limited Testing or no Testing at all; analyze Samples for less than the full menu of Prohibited Substances; require limited or no whereabouts information; or not require advance TUEs. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any Athlete over whom an Anti-Doping Organization has authority who competes below the international or national level, then the Consequences set forth in the Code (except Article 14.3.2) must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

[Comment: This definition makes it clear that all International- and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international- and national-level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations, respectively. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping program beyond International- or National-Level Athletes to competitors at lower levels of Competition or to individuals who engage in fitness activities but do not compete at all. Thus, a National Anti-Doping Organization could, for example, elect to test recreational-level competitors but not require advance TUEs. But an anti-doping rule violation involving an Adverse Analytical Finding or Tampering, results in all of the Consequences provided for in the Code (with the exception of Article 14.3.2). The decision on whether Consequences apply to recreational-level Athletes who engage in fitness activities but never compete is left to the National Anti-Doping Organization. In the same manner, a Major Event Organization holding an Event only for masters-level competitors could elect to test the competitors but not analyze Samples for the full menu of Prohibited Substances.
Competitors at all levels of Competition should receive the benefit of anti-doping information and education.

**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.

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

**In-Competition:** Unless provided otherwise in the rules of an International Federation or the ruling body of the *Event* in question, “In-Competition” means the period commencing twelve hours 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*.

[Comment: An International Federation or ruling body for an Event may establish an "In-Competition" period that is different than the Event Period.]

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

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

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

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

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

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

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

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

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

Signatories: Those entities signing the Code and agreeing to comply with the Code, as provided in Article 23.

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

TUE: Therapeutic Use Exemption, as described in Article 4.4.

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


3.2 Further defined term from the International Standard for the Protection of Privacy and Personal Information that is used in the International Standard for Therapeutic Use Exemptions:

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

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

3.3 Further defined terms specific to the International Standard for Therapeutic Use Exemptions:

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.
Therapeutic Use Exemption Committee (or "TUEC"): The panel established by an Anti-Doping Organization to consider applications for TUEs.

WADA TUEC: The panel established by WADA to review the TUE decisions of other Anti-Doping Organizations.

3.4 Interpretation:

3.4.1 Unless otherwise specified, references to articles are references to articles of the International Standard for Therapeutic Use Exemptions.

3.4.2 The comments annotating various provisions of the International Standard for Therapeutic Use Exemptions shall be used to interpret that International Standard.

3.4.3 The official text of the International Standard for Therapeutic Use Exemptions 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.
PART TWO: STANDARDS AND PROCESS FOR GRANTING TUES

4.0 Obtaining a TUE

4.1 An Athlete may be granted a TUE if (and only if) he/she can show, by a balance of probability, that each of the following conditions is met:

   a. The Prohibited Substance or Prohibited Method in question is needed to treat an acute or chronic medical condition, such that the Athlete would experience a significant impairment to health if the Prohibited Substance or Prohibited Method were to be withheld.

   b. The Therapeutic Use of the Prohibited Substance or Prohibited Method is highly unlikely to produce any additional enhancement of performance beyond what might be anticipated by a return to the Athlete’s normal state of health following the treatment of the acute or chronic medical condition.

   c. There is no reasonable Therapeutic alternative to the Use of the Prohibited Substance or Prohibited Method.

   d. The necessity for the Use of the Prohibited Substance or Prohibited Method is not a consequence, wholly or in part, of the prior Use (without a TUE) of a substance or method which was prohibited at the time of such Use.

[Comment to 4.1: When a TUEC is deciding whether or not to recognize a TUE granted by another Anti-Doping Organization (see Article 7, below), and when WADA is reviewing a decision to grant (or not to grant) a TUE (see Article 8, below), the issue will be the same as it is for a TUEC that is considering an application for a TUE under Article 6, below, i.e., has the Athlete demonstrated by a balance of probability that each of the conditions set out in Article 4.1 is met?

The WADA documents titled “Medical Information to Support the Decisions of TUECs”, posted on WADA’s website, should be used to assist in the application of these criteria in relation to particular medical conditions.]
4.2 Unless one of the exceptions set out in Article 4.3 applies, an Athlete who needs to Use a Prohibited Substance or Prohibited Method for Therapeutic reasons must obtain a TUE prior to Using or Possessing the substance or method in question.

4.3 An Athlete may only be granted retroactive approval for his/her Therapeutic Use of a Prohibited Substance or Prohibited Method (i.e., a retroactive TUE) if:

a. Emergency treatment or treatment of an acute medical condition was necessary; or

b. Due to other exceptional circumstances, there was insufficient time or opportunity for the Athlete to submit, or for the TUEC to consider, an application for the TUE prior to Sample collection; or

c. The applicable rules required the Athlete (see comment to Article 5.1) or permitted the Athlete (see Code Article 4.4.5) to apply for a retroactive TUE; or

[Comment to 4.3(c): Such Athletes are strongly advised to have a medical file prepared and ready to demonstrate their satisfaction of the TUE conditions set out at Article 4.1, in case an application for a retroactive TUE is necessary following Sample collection.]

d. It is agreed, by WADA and by the Anti-Doping Organization to whom the application for a retroactive TUE is or would be made, that fairness requires the grant of a retroactive TUE.

[Comment to 4.3(d): If WADA and/or the Anti-Doping Organization do not agree to the application of Article 4.3(d), that may not be challenged either as a defense to proceedings for an anti-doping rule violation, or by way of appeal, or otherwise.]

5.0 TUE RESPONSIBILITIES OF ANTI-DOPING ORGANIZATIONS

5.1 Code Article 4.4 specifies (a) which Anti-Doping Organizations have authority to make TUE decisions; (b) how those TUE decisions should be recognized and respected by other Anti-Doping Organizations; and (c) when TUE decisions may be reviewed and/or appealed.

[Comment to 5.1: See Annex 1 for a flow-chart summarizing the key provisions of Code Article 4.4.

Code Article 4.4.2 specifies the authority of a National Anti-Doping Organization to make TUE decisions in respect of Athletes who are not International-Level
Athletes. In case of dispute as to which National Anti-Doping Organization should deal with the TUE application of an Athlete who is not an International-Level Athlete, WADA will decide. WADA’s decision will be final and not subject to appeal.

Where national policy requirements and imperatives lead a National Anti-Doping Organization to prioritize certain sports over others in its test distribution planning (as contemplated by Article 4.4.1 of the International Standard for Testing and Investigations), the National Anti-Doping Organization may decline to consider advance applications for TUEs from Athletes in some or all of the non-priority sports, but in that case it must permit any such Athlete from whom a Sample is subsequently collected to apply for a retroactive TUE. The National Anti-Doping Organization should publicize any such policy on its website for the benefit of affected Athletes.

5.2 Each National Anti-Doping Organization, International Federation and Major Event Organization must establish a TUEC to consider whether applications for grant or recognition of TUEs meet the conditions set out in Article 4.1.

[Comment to 5.2: While a Major Event Organization may choose to recognize pre-existing TUEs automatically, there must be a mechanism for Athletes participating in the Event to obtain a new TUE if the need arises. It is up to each Major Event Organization whether it sets up its own TUEC for this purpose, or rather whether it outsources the task by agreement to a third party (such as Sport Accord). The aim in each case should be to ensure that Athletes competing in such Events have the ability to obtain TUEs quickly and efficiently before they compete.]

a. TUECs should include at least three physicians with experience in the care and treatment of Athletes and a sound knowledge of clinical, sports and exercise medicine. In cases involving Athletes with impairments, at least one TUEC member should possess general experience in the care and treatment of Athletes with impairments, or possess specific experience in relation to the Athlete’s particular impairment(s).

b. In order to ensure a level of independence of decisions, at least a majority of the members of a TUEC should have no political responsibility in the Anti-Doping Organization that appoints them. All members of the TUEC must sign a conflict of interest and confidentiality declaration. (A template declaration is available on WADA’s website).

5.3 Each National Anti-Doping Organization, International Federation and Major Event Organization must establish a clear process for applying to its TUEC
for a *TUE* that complies with the requirements of this *International Standard*. It must also publish details of that process by (at a minimum) posting the information in a conspicuous place on its website and sending the information to *WADA*. *WADA* may re-publish the same information on its own website.

**5.4** Each *National Anti-Doping Organization*, *International Federation* and *Major Event Organization* must promptly report (in English or French) all decisions of its *TUEC* granting or denying *TUEs*, and all decisions to recognize or refusing to recognize other *Anti-Doping Organizations*’ *TUE* decisions, through *ADAMS* or any other system approved by *WADA*. In respect of *TUEs* granted, the information reported shall include (in English or French):

a. not only the approved substance or method, but also the dosage(s), frequency and route of *Administration* permitted, the duration of the *TUE*, and any conditions imposed in connection with the *TUE*; and

b. the *TUE* application form and the relevant clinical information (translated into English or French) establishing that the Article 4.1 conditions have been satisfied in respect of such *TUE* (for access only by *WADA*, the *Athlete’s National Anti-Doping Organization* and *International Federation*, and the *Major Event Organization* organizing an *Event* in which the *Athlete* wishes to compete).

*[Comment to 5.4: The process of recognition of *TUEs* is greatly facilitated by use of *ADAMS*.]*

**5.5** When a *National Anti-Doping Organization* grants a *TUE* to an *Athlete*, it must warn him/her in writing (a) that that *TUE* is valid at national level only, and (b) that if the *Athlete* becomes an *International-Level Athlete* or competes in an *International Event*, that *TUE* will not be valid for those purposes unless it is recognized by the relevant *International Federation* or *Major Event Organization* in accordance with Article 7.1. Thereafter, the *National Anti-Doping Organization* should help the *Athlete* to determine when he/she needs to submit the *TUE* to an *International Federation* or *Major Event Organization* for recognition, and should guide and support the *Athlete* through the recognition process.

**5.6** Each *International Federation* and *Major Event Organization* must publish a notice (at a minimum, by posting it in a conspicuous place on its website and sending it to *WADA*) that sets out clearly (1) which *Athletes* coming under its jurisdiction are required to apply to it for a *TUE*, and when; (2) which *TUE* decisions of other *Anti-Doping Organizations* it will automatically recognize in lieu of such application, in accordance with Article 7.1(a); and (3) which *TUE* decisions of other *Anti-Doping Organizations* will have to be submitted to it for recognition, in accordance with Article 7.1(b). *WADA* may re-publish the notice on its own website.
5.7 Any TUE that an Athlete has obtained from a National Anti-Doping Organization shall not be valid if the Athlete becomes an International-Level Athlete or competes in an International Event unless and until the relevant International Federation recognizes that TUE in accordance with Article 7.0. Any TUE that an Athlete has obtained from an International Federation shall not be valid if the Athlete competes in an International Event organized by a Major Event Organization, unless and until the relevant Major Event Organization recognizes that TUE in accordance with Article 7.0. As a result, if the International Federation or Major Event Organization (as applicable) declines to recognize that TUE, then (subject to the Athlete’s rights of review and appeal) that TUE may not be relied upon to excuse the presence, Use, Possession or Administration of the Prohibited Substance or Prohibited Method mentioned in the TUE vis-à-vis that International Federation or Major Event Organization.

6.0 TUE APPLICATION PROCESS

6.1 An Athlete who needs a TUE should apply as soon as possible. For substances prohibited In-Competition only, the Athlete should apply for a TUE at least 30 days before his/her next Competition, unless it is an emergency or exceptional situation. The Athlete should apply to his/her National Anti-Doping Organization, International Federation and/or a Major Event Organization (as applicable), using the TUE application form provided. Anti-Doping Organizations shall make the application form they want Athletes to use available for download from their websites. That form must be based on the template set out in Annex 2. The template may be modified by Anti-Doping Organizations to include additional requests for information, but no sections or items may be removed.

6.2 The Athlete should submit the TUE application form to the relevant Anti-Doping Organization via ADAMS or as otherwise specified by the Anti-Doping Organization. The form must be accompanied by:

a. a statement by an appropriately qualified physician, attesting to the need for the Athlete to Use the Prohibited Substance or Prohibited Method in question for Therapeutic reasons; and

b. a comprehensive medical history, including documentation from the original diagnosing physician(s) (where possible) and the results of all examinations, laboratory investigations and imaging studies relevant to the application.

[Comment to 6.2(b): The information submitted in relation to the diagnosis, treatment and duration of validity should be guided by the WADA documents titled “Medical Information to Support the Decisions of TUECs”.]
6.3 The Athlete should keep a complete copy of the TUE application form and of all materials and information submitted in support of that application.

6.4 A TUE application will only be considered by the TUEC following the receipt of a properly completed application form, accompanied by all relevant documents. Incomplete applications will be returned to the Athlete for completion and re-submission.

6.5 The TUEC may request from the Athlete or his/her physician any additional information, examinations or imaging studies, or other information that it deems necessary in order to consider the Athlete’s application; and/or it may seek the assistance of such other medical or scientific experts as it deems appropriate.

6.6 Any costs incurred by the Athlete in making the TUE application and in supplementing it as required by the TUEC are the responsibility of the Athlete.

6.7 The TUEC shall decide whether or not to grant the application as soon as possible, and usually (i.e., unless exceptional circumstances apply) within no more than 21 days of receipt of a complete application. Where a TUE application is made a reasonable time prior to an Event, the TUEC must use its best endeavors to issue its decision before the start of the Event.

6.8 The TUEC’s decision must be communicated in writing to the Athlete and must be made available to WADA and to other Anti-Doping Organizations via ADAMS or any other system approved by WADA, in accordance with Article 5.4.

   a. A decision to grant a TUE must specify the dosage(s), frequency, route and duration of Administration of the Prohibited Substance or Prohibited Method in question that the TUEC is permitting, reflecting the clinical circumstances, as well as any conditions imposed in connection with the TUE.

   b. A decision to deny a TUE application must include an explanation of the reason(s) for the denial.

6.9 Each TUE will have a specified duration, as decided by the TUEC, at the end of which the TUE will expire automatically. If the Athlete needs to continue to Use the Prohibited Substance or Prohibited Method after the expiry date, he/she must submit an application for a new TUE well in advance of that expiry date, so that there is sufficient time for a decision to be made on the application before the expiry date.

[Comment to 6.9: The duration of validity should be guided by the WADA documents titled “Medical Information to Support the Decisions of TUECs”.]
6.10 A TUE will be withdrawn prior to expiry if the Athlete does not promptly comply with any requirements or conditions imposed by the Anti-Doping Organization granting the TUE. Alternatively a TUE may be reversed upon review by WADA or on appeal.

6.11 Where an Adverse Analytical Finding is issued shortly after a TUE for the Prohibited Substance in question has expired or has been withdrawn or reversed, the Anti-Doping Organization conducting the initial review of the Adverse Analytical Finding (Code Article 7.2) shall consider whether the finding is consistent with Use of the Prohibited Substance prior to the expiry, withdrawal or reversal of the TUE. If so, such Use (and any resulting presence of the Prohibited Substance in the Athlete’s Sample) is not an anti-doping rule violation.

6.12 In the event that, after his/her TUE is granted, the Athlete requires a materially different dosage, frequency, route or duration of Administration of the Prohibited Substance or Prohibited Method to that specified in the TUE, he/she must apply for a new TUE. If the presence, Use, Possession or Administration of the Prohibited Substance or Prohibited Method is not consistent with the terms of the TUE granted, the fact that the Athlete has the TUE will not prevent the finding of an anti-doping rule violation.

7.0 TUE RECOGNITION PROCESS

7.1 Code Article 4.4 requires Anti-Doping Organizations to recognize TUEs granted by other Anti-Doping Organizations that satisfy the Article 4.1 conditions. Therefore, if an Athlete who becomes subject to the TUE requirements of an International Federation or Major Event Organization already has a TUE, he/she should not submit an application for a new TUE to the International Federation or Major Event Organization. Instead:

a. The International Federation or Major Event Organization may publish notice that it will automatically recognize TUE decisions made pursuant to Code Article 4.4 (or certain categories of such decisions, e.g., those made by specified Anti-Doping Organizations, or those relating to particular Prohibited Substances), provided that such TUE decisions have been reported in accordance with Article 5.4 and therefore are available for review by WADA. If the Athlete’s TUE falls into a category of TUEs that are automatically recognized in this way at the time the TUE is granted, he/she does not need to take any further action.

[Comment to 7.1(a): To ease the burden on Athletes, automatic recognition of TUE decisions once they have been reported in accordance with Article 5.4 is strongly encouraged. If an International Federation or Major Event Organizer is
not willing to grant automatic recognition of all such decisions, it should grant automatic recognition of as many such decisions as possible, e.g., by publishing a list of Anti-Doping Organizations whose TUE decisions it will recognize automatically, and/or a list of those Prohibited Substances for which it will automatically recognize TUEs. Publication should be in the same manner as is set out in Article 5.3, i.e., the notice should be posted on the International Federation’s website and sent to WADA and to National Anti-Doping Organizations.

b. In the absence of such automatic recognition, the Athlete shall submit a request for recognition of the TUE to the International Federation or Major Event Organization in question, either via ADAMS or as otherwise specified by that International Federation or Major Event Organization. The request should be accompanied by a copy of the TUE and the original TUE application form and supporting materials referenced at Articles 6.1 and 6.2 (unless the Anti-Doping Organization that granted the TUE has already made the TUE and supporting materials available via ADAMS or other system approved by WADA, in accordance with Article 5.4).

7.2 Incomplete requests for recognition of a TUE will be returned to the Athlete for completion and re-submission. In addition, the TUEC may request from the Athlete or his/her physician any additional information, examinations or imaging studies, or other information that it deems necessary in order to consider the Athlete’s request for recognition of the TUE; and/or it may seek the assistance of such other medical or scientific experts as it deems appropriate.

7.3 Any costs incurred by the Athlete in making the request for recognition of the TUE and in supplementing it as required by the TUEC are the responsibility of the Athlete.

7.4 The TUEC shall decide whether or not to recognize the TUE as soon as possible, and usually (i.e., unless exceptional circumstances apply) within no more than 21 days of receipt of a complete request for recognition. Where the request is made a reasonable time prior to an Event, the TUEC must use its best endeavors to issue its decision before the start of the Event.

8.0 REVIEW OF TUE DECISIONS BY WADA

8.1 Code Article 4.4.6 provides that WADA, in certain cases, must review TUE decisions of International Federations, and that it may review any other TUE decisions, in each case to determine compliance with the Article 4.1 conditions. WADA shall establish a WADA TUEC that meets the requirements of Article 5.2 to carry out such reviews.
8.2 Each request for review must be submitted to WADA in writing, and must be accompanied by payment of the application fee established by WADA, as well as copies of all of the information specified in Article 6.2 (or, in the case of review of a TUE denial, all of the information that the Athlete submitted in connection with the original TUE application). The request must be copied to the party whose decision would be the subject of the review, and to the Athlete (if he/she is not requesting the review).

8.3 Where the request is for review of a TUE decision that WADA is not obliged to review, WADA shall advise the Athlete as soon as practicable following receipt of the request whether or not it will refer the TUE decision to the WADA TUEC for review. If WADA decides not to refer the TUE decision, it will return the application fee to the Athlete. Any decision by WADA not to refer the TUE decision to the WADA TUEC is final and may not be appealed. However, the TUE decision may still be appealable, as set out in Code Article 4.4.7.

8.4 Where the request is for review of a TUE decision of an International Federation that WADA is obliged to review, WADA may nevertheless refer the decision back to the International Federation (a) for clarification (for example, if the reasons are not clearly set out in the decision); and/or (b) for re-consideration by the International Federation (for example, if the TUE was only denied because medical tests or other information required to demonstrate satisfaction of the Article 4.1 conditions were missing).

8.5 Where a request for review is referred to the WADA TUEC, the WADA TUEC may seek additional information from the Anti-Doping Organization and/or the Athlete, including further studies as described in Article 6.5, and/or it may obtain the assistance of other medical or scientific experts as it deems appropriate.

8.6 The WADA TUEC shall reverse any grant of a TUE that does not comply with the Article 4.1 conditions. Where the TUE reversed was a prospective TUE (rather than a retroactive TUE), such reversal shall take effect upon the date specified by WADA (which shall not be earlier than the date of WADA’s notification to the Athlete). The reversal shall not apply retroactively and the Athlete’s results prior to such notification shall not be Disqualified. Where the TUE reversed was a retroactive TUE, however, the reversal shall also be retroactive.

8.7 The WADA TUEC shall reverse any denial of a TUE where the TUE application met the Article 4.1 conditions, i.e., it shall grant the TUE.

8.8 Where the WADA TUEC reviews a decision of an International Federation that has been referred to it pursuant to Code Article 4.4.3 (i.e., a mandatory review), it may require whichever Anti-Doping Organization “loses” the review (i.e., the Anti-Doping Organization whose view it does not uphold) (a) to reimburse the application fee to the party that referred the decision to WADA (if
applicable); and/or (b) to pay the costs incurred by WADA in respect of that review, to the extent they are not covered by the application fee.

8.9 Where the WADA TUEC reverses a TUE decision that WADA has decided in its discretion to review, WADA may require the Anti-Doping Organization that made the decision to pay the costs incurred by WADA in respect of that review.

8.10 WADA shall communicate the reasoned decision of the WADA TUEC promptly to the Athlete and to his/her National Anti-Doping Organization and International Federation (and, if applicable, the Major Event Organization).

9.0 CONFIDENTIALITY OF INFORMATION

9.1 The collection, storage, processing, disclosure and retention of Personal Information during the TUE process by Anti-Doping Organizations and WADA shall comply with the International Standard for the Protection of Privacy and Personal Information.

9.2 An Athlete applying for the grant of a TUE or for recognition of a TUE shall provide written consent:

a. for the transmission of all information pertaining to the application to members of all TUECs with authority under this International Standard to review the file and, as required, other independent medical or scientific experts, and to all necessary staff (including WADA staff) involved in the management, review or appeal of TUE applications;

b. for the Athlete’s physician(s) to release to the TUEC upon request any health information that the TUEC deems necessary in order to consider and determine the Athlete’s application; and

c. for the decision on the application to be made available to all Anti-Doping Organizations with Testing authority and/or results management authority over the Athlete.

[Comment to 9.2: Prior to collecting Personal Information or obtaining consent from an Athlete, the Anti-Doping Organization shall communicate to the Athlete the information set out in Article 7.1 of the International Standard for the Protection of Privacy and Personal Information.]

9.3 The TUE application shall be dealt with in accordance with the principles of strict medical confidentiality. The members of the TUEC, independent experts and the relevant staff of the Anti-Doping Organization shall conduct all of their activities relating to the process in strict confidence and shall sign appropriate
confidentiality agreements. In particular they shall keep the following information confidential:

a. All medical information and data provided by the Athlete and physician(s) involved in the Athlete’s care.

b. All details of the application, including the name of the physician(s) involved in the process.

9.4 Should the Athlete wish to revoke the right of the TUEC to obtain any health information on his/her behalf, the Athlete shall notify his/her medical practitioner in writing of such revocation; provided that, as a result of that revocation, the Athlete’s application for a TUE or for recognition of an existing TUE will be deemed withdrawn without approval/recognition having been granted.

9.5 Anti-Doping Organizations shall only use information submitted by an Athlete in connection with a TUE application to evaluate the application and in the context of potential anti-doping rule violation investigations and proceedings.
ANNEX 1: CODE ARTICLE 4.4 FLOW-CHART

1. TUE procedure if Athlete is not an International-Level Athlete when need for TUE arises

Athlete is not an International-Level Athlete → Apply for TUE → NADO TUEC

NATIONAL-LEVEL APPEAL BODY

Athlete may appeal → TUE denied → TUE granted

2. Athlete enters Event for which Major Event Organization (or "MEO") has its own TUE requirements

Does Athlete have a TUE already?

Yes → TUE recognized

No → Submit TUE for recognition → MEO TUEC

Is the TUE in a category of TUE decisions that are automatically recognized by MEO?

Yes → TUE recognized

No → TUE not recognized

TUE granted → No further action required

TUE not granted → Athlete may appeal non-recognition

Athlete may appeal non-grant → MEO APPEAL BODY
3. **TUE Procedure if Athlete is an International-Level Athlete** (and so subject to the International Federation's TUE requirements) when need for TUE arises

- **Does Athlete have a TUE already granted at national level?**
  - Yes
  - No

  **Is TUE in a category of TUE decisions that are automatically recognized by IF?**
  - Yes
  - No

  **Submit TUE for recognition**
  - **IF TUEC**
    - **TUE recognized**
    - **TUE not recognized**
    - **TUE granted**
    - **TUE not granted**

  **Apply for TUE**
  - **IF decision upheld**
  - **IF decision reversed**

  **WADA TUEC**
  - **Athlete and/or NADO may appeal**
  - **IF may appeal**

  **Athlete may appeal**
  - **CAS**

  **WADA may agree to Athlete request to review decision not to grant TUE**

- **No further action required**
- **Athlete and/or NADO may refer the non-recognition to WADA**
- **NADO may refer the grant to WADA**
ANNEX 2: TEMPLAT**E OF TUE APPLICATION FORM

Identification of Anti-Doping Organization
(Logo or Name of the ADO)

**Therapeutic** Use Exemptions (TUE) APPLICATION FORM

Please complete all sections in capital letters or typing. Athlete to complete sections 1, 5, 6 and 7; physician to complete sections 2, 3 and 4. Illegible or incomplete applications will be returned and will need to be re-submitted in legible and complete form.

1. **Athlete Information**

| Sur**name**: ___________________________ Given Names: ___________________________ |
| Female □  Male □ Date of Birth (d/m/y): ___________________________ |
| Address: ________________________________________________________________ |
| City: ___________________________ Country: ___________________________ Postcode: _______ |
| Tel.: ___________________________ E-mail: ____________________________________ |
| (with International code) |
| Sport: ___________________________ Discipline/Position: ___________________________ |
| International or National Sport Organization: ___________________________ |
| If you are an Athlete with an impairment, please indicate the impairment: ___________________________ |

2. **Medical information (continue on separate sheet if necessary)**

| Diagnosis: ________________________________________________________________ |
| If a permitted medication can be used to treat the medical condition, please provide clinical justification for the requested use of the prohibited medication ___________________________ |
| ___________________________ |
| ___________________________ |
| ___________________________ |
| ___________________________ |
Comment:

Evidence confirming the diagnosis shall be attached and forwarded with this application. The medical evidence must include a comprehensive medical history and the results of all relevant examinations, laboratory investigations and imaging studies. Copies of the original reports or letters should be included when possible. Evidence should be as objective as possible in the clinical circumstances. In the case of non-demonstrable conditions, independent supporting medical opinion will assist this application.

WADA maintains a series of guidelines to assist physicians in the preparation of complete and thorough TUE applications. These TUE Physician Guidelines can be accessed by entering the search term “Medical Information” on the WADA website: https://www.wada-ama.org. The guidelines address the diagnosis and treatment of a number of medical conditions commonly affecting athletes, and requiring treatment with prohibited substances.

3. Medication details

<table>
<thead>
<tr>
<th>Prohibited Substance(s): Generic name</th>
<th>Dose</th>
<th>Route of Administration</th>
<th>Frequency</th>
<th>Duration of Treatment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4. Medical practitioner’s declaration

I certify that the information at sections 2 and 3 above is accurate, and that the above-mentioned treatment is medically appropriate.

Name: ____________________________________________________________

Medical specialty: __________________________________________________

Address: __________________________________________________________

Tel.: __________________________ Fax: __________________________ E-mail: __________________________

Signature of Medical Practitioner: __________________ Date: ___________
5. **Retroactive applications**

<table>
<thead>
<tr>
<th>Is this a retroactive application?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Yes:</strong> □</td>
</tr>
<tr>
<td><strong>No:</strong> □</td>
</tr>
<tr>
<td>If yes, on what date was treatment started?</td>
</tr>
<tr>
<td>________________________________</td>
</tr>
</tbody>
</table>

**Please indicate reason:**

- Emergency treatment or treatment of an acute medical condition was necessary □
- Due to other exceptional circumstances, there was insufficient time or opportunity to submit an application prior to sample collection □
- Advance application not required under applicable rules □
- Other □

Please explain:

| ____________________________________________ |
| ____________________________________________ |
| ____________________________________________ |

6. **Previous applications**

<table>
<thead>
<tr>
<th>Have you submitted any previous TUE application(s)?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Yes □</strong></td>
</tr>
<tr>
<td>For which substance or method?</td>
</tr>
<tr>
<td>____________________________________________</td>
</tr>
<tr>
<td>To whom? _____________________________When? ________________________</td>
</tr>
<tr>
<td>Decision: Approved □ Not approved □</td>
</tr>
</tbody>
</table>
7. Athlete’s declaration

I, ______________________________, certify that the information set out at sections 1, 5 and 6 is accurate. I authorize the release of personal medical information to the Anti-Doping Organization (ADO) as well as to WADA authorized staff, to the WADA TUEC (Therapeutic Use Exemption Committee) and to other ADO TUECs and authorized staff that may have a right to this information under the World Anti-Doping Code (“Code”) and/or the International Standard for Therapeutic Use Exemptions.

I consent to my physician(s) releasing to the above persons any health information that they deem necessary in order to consider and determine my application.

I understand that my information will only be used for evaluating my TUE request and in the context of potential anti-doping rule violation investigations and procedures. I understand that if I ever wish to (1) obtain more information about the use of my health information; (2) exercise my right of access and correction; or (3) revoke the right of these organizations to obtain my health information, I must notify my medical practitioner and my ADO in writing of that fact. I understand and agree that it may be necessary for TUE-related information submitted prior to revoking my consent to be retained for the sole purpose of establishing a possible anti-doping rule violation, where this is required by the Code.

I consent to the decision on this application being made available to all ADOs, or other organizations, with Testing authority and/or results management authority over me.

I understand and accept that the recipients of my information and of the decision on this application may be located outside the country where I reside. In some of these countries data protection and privacy laws may not be equivalent to those in my country of residence.

I understand that if I believe that my Personal Information is not used in conformity with this consent and the International Standard for the Protection of Privacy and Personal Information, I can file a complaint to WADA or CAS.

Athlete’s signature: ______________________________ Date: ______________

Parent’s/Guardian’s signature: ______________ Date: ______________

(If the Athlete is a Minor or has an impairment preventing him/her signing this form, a parent or guardian shall sign on behalf of the Athlete)

Please submit the completed form to ............................................. by the following means (keeping a copy for your records):
..............................................................................

The International Standard for Testing (IST) was first adopted in 2003 and came into effect 1 January 2004. A revised IST was approved in 2008, and came into effect 1 January 2009; a further revised IST was approved in 2011 and came into effect 1 January 2012. The ISTI, renamed the International Standard for Testing and Investigations (ISTI), was approved at the World Conference on Doping in Sport in Johannesburg by the WADA Executive Committee on 15 November 2013. It came into effect on 1 January 2015. This version of the ISTI incorporates further revisions approved May 2016, and taking effect January 2017.

The official text of the International Standard for Testing and Investigations 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.

PART ONE: INTRODUCTION, CODE PROVISIONS AND DEFINITIONS

1.0 Introduction and scope

The International Standard for Testing and Investigations is a mandatory International Standard developed as part of the World Anti-Doping Program.

The first purpose of the International Standard for Testing and Investigations is to plan for intelligent and effective Testing, both In-Competition and Out-of-Competition, and to maintain the integrity and identity of the Samples collected from the point the Athlete is notified of the test to the point the Samples are delivered to the laboratory for analysis. To that end, the International Standard for Testing and Investigations (including its Annexes) establishes mandatory standards for test distribution planning (including collection and use of Athlete whereabouts information), notification of Athletes, preparing for and conducting
Sample collection, security/post-test administration of Samples and documentation, and transport of Samples to laboratories for analysis.

The second purpose of the International Standard for Testing and Investigations is to establish mandatory standards for the efficient and effective gathering, assessment and use of anti-doping intelligence and for the efficient and effective conduct of investigations into possible anti-doping rule violations.

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

Terms used in this International Standard that are defined terms from the Code are written in italics. Terms that are defined in this International Standard are underlined.

2.0 Code provisions

The following articles in the 2015 Code are directly relevant to the International Standard for Testing and Investigations:

Code Article 2 Anti-Doping Rule Violations

The following constitute anti-doping rule violations:

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

...

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

...

2.3 Evading, Refusing or Failing to Submit to Sample Collection.

Evading Sample collection, or without compelling justification refusing or failing to submit to Sample collection after notification as authorized in applicable anti-doping rules.

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

2.4 Whereabouts Failures.

Any combination of three missed tests and/or filing failures, as defined in the International Standard for Testing and Investigations, 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.

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, intentionally interfering or attempting to interfere with a Doping Control official, providing fraudulent information to an Anti-Doping Organization or intimidating or attempting to intimidate a potential witness.

[Comment to Article 2.5: For example, this Article would prohibit altering identification numbers on a Doping Control form during Testing, breaking the B bottle at the time of B Sample analysis, or altering a Sample by the addition of a foreign substance.

Offensive conduct towards a Doping Control official or other Person involved in Doping Control which does not otherwise constitute Tampering shall be addressed in the disciplinary rules of sport organizations.]

2.6 Possession of a Prohibited Substance or a Prohibited Method.

...

2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.

2.8 Administration or Attempted Administration 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.

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.12.1 by another Person.

2.10 Prohibited Association.

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

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

2.10.3 Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

Code Article 5 Testing and Investigations

5.1 Purpose of Testing and Investigations.

Testing and investigations shall only be undertaken for anti-doping purposes.

5.1.1 Testing shall be undertaken to obtain analytical evidence as to the Athlete’s compliance (or non-compliance) with the strict Code prohibition on the presence/Use of a Prohibited Substance or Prohibited Method.
5.1.2 Investigations shall be undertaken:

(a) in relation to Atypical Findings and Adverse Passport Findings, in accordance with Articles 7.4 and 7.5 respectively, gathering intelligence or evidence (including, in particular, analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Article 2.1 and/or Article 2.2; and

(b) in relation to other indications of potential anti-doping rule violations, in accordance with Articles 7.6 and 7.7, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Articles 2.2 to 2.10.

5.2 Scope of Testing.

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

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

5.2.2 Each International Federation shall have In-Competition and Out-of-Competition Testing authority over all Athletes who are subject to its rules, including those who participate in International Events or who participate in Events governed by the rules of that International Federation, or who are members or license-holders of that International Federation or its member National Federations, or their members.

5.2.3 Each Major Event Organization, including the International Olympic Committee and the International Paralympic Committee, shall have In-Competition Testing authority for its Events and Out-of-Competition Testing authority over all Athletes entered in one of its future Events or who have otherwise been made subject to the Testing authority of the Major Event Organization for a future Event.
5.2.4 WADA shall have *In-Competition and Out-of-Competition Testing* authority as set out in Article 20.

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.

[Comment to Article 5.2: Additional authority to conduct *Testing* may be conferred by means of bilateral or multilateral agreements among Signatories. *Unless the Athlete has identified a 60-minute Testing window during the following-described time period, or otherwise consented to *Testing* during that period, before *Testing* an Athlete between the hours of 11:00 p.m. and 6:00 a.m., 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 had sufficient suspicion for *Testing* during this time period shall not be a defense to an anti-doping rule violation based on such test or attempted test.*]

5.3 *Event Testing*.

5.3.1 Except as otherwise provided below, only a single organization should be responsible for initiating and directing *Testing* at *Event Venues* during an *Event Period*. At *International Events*, the collection of *Samples* shall be initiated and directed by 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 the Pan-American Sports Organization for the Pan American Games). At *National Events*, the collection of *Samples* shall be initiated and directed by the *National Anti-Doping Organization* of that country. 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.

[Comment to Article 5.3.1: Some ruling bodies for International Events may be doing their own Testing outside of the Event Venues during the Event Period and thus want to coordinate that Testing with National Anti-Doping Organization Testing.]

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

[Comment to Article 5.3.2: Before giving approval to a National Anti-Doping Organization to initiate and conduct Testing at 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” may, if it chooses, enter into agreements with other organizations to which it delegates responsibility for Sample collection or other aspects of the Doping Control process.]

5.4 Test Distribution Planning.

5.4.1 WADA, in consultation with International Federations and other Anti-Doping Organizations, will adopt a Technical Document
under the International Standard for Testing and Investigations that establishes by means of a risk assessment which Prohibited Substances and/or Prohibited Methods are most likely to be abused in particular sports and sport disciplines.

5.4.2 Starting with that risk assessment, each Anti-Doping Organization with Testing authority shall develop and implement an effective, intelligent and proportionate test distribution plan that prioritizes appropriately between disciplines, categories of Athletes, types of Testing, types of Samples collected, and types of Sample analysis, all in compliance with the requirements of the International Standard for Testing and Investigations. Each Anti-Doping Organization shall provide WADA upon request with a copy of its current test distribution plan.

5.4.3 Where reasonably feasible, Testing shall be coordinated through ADAMS or another system approved by WADA in order to maximize the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing.

5.5 Testing Requirements.

All Testing shall be conducted in conformity with the International Standard for Testing and Investigations.

5.6 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. The International Federations and National Anti-Doping Organizations shall coordinate the identification of such Athletes and the collection of their whereabouts information. Each International Federation and National Anti-Doping Organization shall make available through ADAMS or another system approved by WADA, a list which identifies those Athletes included in its Registered Testing Pool either by name or by clearly defined, specific criteria. 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 or
another system approved by WADA, to WADA and to other Anti-
Doping Organizations having authority to test the Athlete as
provided in Article 5.2. This information shall be maintained in strict
confidence at all times; shall be used exclusively for purposes of
planning, coordinating or conducting Doping Control, providing
information relevant to the Athlete Biological Passport or other
analytical results, to support an investigation into a potential anti-
doping rule violation, or to support proceedings alleging an anti-
doping rule violation; and shall be destroyed after it is no longer
relevant for these purposes in accordance with the International
Standard for the Protection of Privacy and Personal Information.

5.8 Investigations and Intelligence Gathering.

Anti-Doping Organizations shall ensure they are able to do each of
the following, as applicable and in accordance with the International
Standard for Testing and Investigations:

5.8.1 Obtain, assess and process anti-doping intelligence from all
available sources to inform the development of an effective,
intelligent and proportionate test distribution plan, to plan Target
Testing, and/or to form the basis of an investigation into a possible
anti-doping rule violation(s); and

5.8.2 Investigate Atypical Findings and Adverse Passport
Findings, in accordance with Articles 7.4 and 7.5 respectively; and

5.8.3 Investigate any other analytical or non-analytical
information or intelligence that indicates a possible anti-doping rule
violation(s), in accordance with Articles 7.6 and 7.7, in order either
to rule out the possible violation or to develop evidence that would
support the initiation of an anti-doping rule violation proceeding.

**Code Article 6 Analysis of Samples**

6.2 Purpose of Analysis of Samples.

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

[Comment to Article 6.2: For example, relevant profile information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Article 2.2, or both.]

6.4 Standards for Sample Analysis and Reporting.

Laboratories shall analyze Samples and report results in conformity with the International Standard for Laboratories. To ensure effective Testing, the Technical Document referenced at Article 5.4.1 will establish risk assessment-based Sample analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze Samples in conformity with those menus, except as follows:

6.4.1 Anti-Doping Organizations may request that laboratories analyze their Samples using more extensive menus than those described in the Technical Document.

6.4.2 Anti-Doping Organizations may request that laboratories analyze their Samples using less extensive menus than those described in the Technical Document only if they have satisfied WADA that, because of the particular circumstances of their country or sport, as set out in their test distribution plan, less extensive analysis would be appropriate.

6.4.3 As provided in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze Samples for Prohibited Substances or Prohibited Methods not included on the Sample analysis menu described in the Technical Document or specified by the Testing authority. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

[Comment to Article 6.4: The objective of this Article is to extend the principle of “intelligent Testing” to the Sample analysis menu so as to most effectively and efficiently detect doping. It is recognized that the resources available to fight]
doping are limited and that increasing the Sample analysis menu may, in some
sports and countries, reduce the number of Samples which can be analyzed.]}

6.5 Further Analysis of Samples.

Any Sample may be subject to further analysis by the Anti-Doping
Organization responsible for results management at any time before both
the A and B Sample analytical results (or A Sample result where B Sample
analysis has been waived or will not be performed) have been
communicated by the Anti-Doping Organization to the Athlete as the
asserted basis for an Article 2.1 anti-doping rule violation.

Samples may be stored and subjected to further analyses for the purpose of
Article 6.2 at any time exclusively at the direction of the Anti-Doping
Organization that initiated and directed Sample collection or WADA. (Any
Sample storage or further analysis initiated by WADA shall be at WADA’s
expense.) Further analysis of Samples shall conform with the requirements
of the International Standard for Laboratories and the International
Standard for Testing and Investigations.

Code Article 7 Results Management

7.1 Responsibility for Conducting Results Management.

Except as provided in Articles 7.1.1 and 7.1.2 below, results management
and hearings 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 an
asserted anti-doping rule violation and then diligently pursues that anti-
doping rule violation). …

7.1.2 Results management in relation to a potential Whereabouts
Failure (a filing failure or a missed test) shall be administered by the
International Federation or the National Anti-Doping Organization
with whom the Athlete in question files his or her whereabouts
information, as provided in the International Standard for Testing
and Investigations. The Anti-Doping Organization that determines a
filing failure or a missed test shall submit that information to WADA
through ADAMS or another system approved by WADA, where it
will be made available to other relevant Anti-Doping Organizations.
…
7.4 Review of Atypical Findings.

As provided in the International Standard for Laboratories, in some circumstances laboratories are directed to report the presence of Prohibited Substances, which may also be produced endogenously, as Atypical Findings subject to further investigation. Upon receipt of an Atypical Finding, the Anti-Doping Organization responsible for results management shall conduct a review to determine whether: (a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Atypical Finding. If that review does not reveal an applicable TUE or departure that caused the Atypical Finding, the Anti-Doping Organization shall conduct the required investigation. After the investigation is completed, the Athlete and other Anti-Doping Organizations identified in Article 14.1.2 shall be notified whether or not the Atypical Finding will be brought forward as an Adverse Analytical Finding. The Athlete shall be notified as provided in Article 7.3.

[Comment to Article 7.4: The “required investigation” described in this Article will depend on the situation. For example, if it has previously determined that an Athlete has a naturally elevated testosterone/epitestosterone ratio, confirmation that an Atypical Finding is consistent with that prior ratio is a sufficient investigation.]

... 

7.5 Review of Atypical Passport Findings and Adverse Passport Findings.

Review of Atypical Passport Findings and Adverse Passport Findings shall take place as provided in the International Standard for Testing and Investigations and International Standard for Laboratories. At such time as the Anti-Doping Organization is satisfied that an anti-doping rule violation has occurred, it shall promptly give the Athlete notice, in the manner set out in its rules, of the anti-doping rule violated, and the basis of the violation. Other Anti-Doping Organizations shall be notified as provided in Article 14.1.2.

7.6 Review of Whereabouts Failures.

Review of potential filing failures and missed tests shall take place as provided in the International Standard for Testing and Investigations.
such time as the International Federation or National Anti-Doping Organization (as applicable) is satisfied that an Article 2.4 anti-doping rule violation has occurred, it shall promptly give the Athlete notice, in the manner set out in its rules, that it is asserting a violation of Article 2.4 and the basis of that assertion. Other Anti-Doping Organizations shall be notified as provided in Article 14.1.2.

7.7 Review of Other Anti-Doping Rule Violations Not Covered by Articles 7.1-7.6.

The Anti-Doping Organization or other reviewing body established by such organization shall conduct any follow-up investigation into a possible anti-doping rule violation as may be required under applicable anti-doping policies and rules adopted pursuant to the Code or which the Anti-Doping Organization otherwise considers appropriate. At such time as the Anti-Doping Organization is satisfied that an anti-doping rule violation has occurred, it shall promptly give the Athlete or other Person notice, in the manner set out in its rules, of the anti-doping rule violated, and the basis of the violation. Other Anti-Doping Organizations shall be notified as provided in Article 14.1.2.

[Comment to Articles 7.1, 7.6 and 7.7: For example, an International Federation typically would notify the Athlete through the Athlete's National Federation.]

... 

**Code Article 10 Sanctions on Individuals**

10.3.2 For violations of Article 2.4, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete’s degree of Fault. The flexibility between two years and one year of Ineligibility in this Article is not available to Athletes where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Athlete was trying to avoid being available for Testing.

...
10.6 Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons Other than Fault.

10.6.1 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations.

10.6.1.1 An Anti-Doping Organization with results management responsibility for an anti-doping rule violation may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case where the Athlete or other Person has provided Substantial Assistance to an Anti-Doping Organization, criminal authority or professional disciplinary body which results in: (i) the Anti-Doping Organization discovering or bringing forward an anti-doping rule violation by another Person, or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to the Anti-Doping Organization with results management responsibility.

**Code Article 13 Appeals**

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

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

[Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and results management process, it is not feasible to establish a fixed time period for an Anti-Doping Organization to render a decision]
before 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. Nothing in this Article prohibits an International Federation from also having rules which authorize it to assume jurisdiction for matters in which the results management performed by one of its National Federations has been inappropriately delayed.]

**Code Article 14 Confidentiality and Reporting**

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

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

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

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

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

…

1.4 Status Reports.

Except with respect to investigations which have not resulted in 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.

…
**Code Article 20 Additional Roles and Responsibilities of Signatories**

20.1 Roles and Responsibilities of the International Olympic Committee.

…

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

…

20.2 Roles and Responsibilities of the International Paralympic Committee.

…

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

…

20.3 Roles and Responsibilities of International Federations.

…

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

20.3.10 To vigorously pursue all potential anti-doping rule violations within its jurisdiction 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 Minor or Athlete Support Person who has provided …
support to more than one *Athlete* found to have committed an anti-
doping rule violation. …

20.3.14 To cooperate fully with WADA in connection with investigations conducted by WADA pursuant to Article 20.7.10.

…

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

…

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. …

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

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

…

20.5.4 To encourage reciprocal *Testing* between *National Anti-Doping Organizations*. …

20.5.7 To vigorously pursue all potential anti-doping rule violations within its jurisdiction including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping and to ensure proper enforcement of *Consequences*. …

20.5.9 To conduct an automatic investigation of *Athlete Support Personnel* within its jurisdiction in the case of any anti-doping rule violation by a *Minor* 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.
20.5.10 To cooperate fully with WADA in connection with investigations conducted by WADA pursuant to Article 20.7.10. …

20.6 Roles and Responsibilities of Major Event Organizations.

…

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

20.7 Roles and Responsibilities of WADA.

…

20.7.7 To design and conduct an effective Independent Observer Program and other types of Event advisory programs.

20.7.8 To conduct, in exceptional circumstances and at the direction of the WADA Director General, Doping Controls 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.

[Comment to Article 20.7.8: WADA is not a Testing agency, but it reserves the right, in exceptional circumstances, to conduct its own tests where problems have been brought to the attention of the relevant Anti-Doping Organization and have not been satisfactorily addressed.]

20.7.9 To approve, in consultation with International Federations, National Anti-Doping Organizations, and Major Event Organizations, defined Testing and Sample analysis programs.

20.7.10 To initiate its own investigations of anti-doping rule violations and other activities that may facilitate doping.
Code Article 21 Additional Roles and Responsibilities of Athletes and other Persons

21.1 Roles and Responsibilities of Athletes.

…

21.1.2 To be available for Sample collection at all times.

[Comment to Article 21.1.2: With due regard to an Athlete’s human rights and privacy, legitimate anti-doping considerations sometimes require Sample collection late at night or early in the morning. For example, it is known that some Athletes Use low doses of EPO during these hours so that it will be undetectable in the morning.]

…

21.1.6 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

[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 stakeholder’s rules.]

21.2 Roles and Responsibilities of Athlete Support Personnel.

…

21.2.2 To cooperate with the Athlete Testing program.

…

21.2.5 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

[Comment to Article 21.2.5 Failure to cooperate is not an anti-doping rule violation under the Code, but it may be the basis for disciplinary action under a stakeholder’s rules.]
21.3 Roles and Responsibilities of Regional Anti-Doping Organizations.

... 21.3.4 To encourage reciprocal Testing between National Anti-Doping Organizations and Regional Anti-Doping Organizations.

...

**Code Article 23 Acceptance, Compliance and Modification**

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.

...

### 3.0 Definitions and interpretation

3.1 Defined terms from the 2015 *Code* that are used in the International Standard for Testing and Investigations:

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

**Adverse Analytical Finding:** A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

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

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

**Athlete:** Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of “Athlete.” In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to: conduct limited Testing or no Testing at all; analyze Samples for less than the full menu of Prohibited Substances; require limited or no whereabouts information; or not require advance TUEs. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any Athlete over whom an Anti-Doping Organization has authority who competes below the international or national level, then the Consequences set forth in the Code (except Article 14.3.2) must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

[Comment: This definition makes it clear that all International- and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international- and national-level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations, respectively. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping program beyond International- or National-Level Athletes to competitors at lower levels of Competition or to individuals who engage in fitness activities but do not compete at all. Thus, a National Anti-Doping Organization could, for example, elect to test recreational-level competitors but not require advance TUEs. But an anti-doping rule violation involving an Adverse Analytical Finding or Tampering, results in all of the Consequences provided for in the Code (with the exception of Article 14.3.2). The decision on whether Consequences apply to recreational-level Athletes who engage in fitness activities but never compete is left to the National Anti-Doping Organization. In the same manner, a Major Event Organization holding an Event only for masters-level competitors could elect to test the competitors but not analyze Samples for the full menu of Prohibited Substances. Competitors at all levels of Competition should receive the benefit of anti-doping information and education.]
**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.

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

**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.

**Doping Control:** All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, *Sample* collection and handling, laboratory analysis, *TUEs*, results management and hearings.

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

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

**In-Competition:** Unless provided otherwise in the rules of an International Federation or the ruling body of the *Event* in question, “**In-Competition**” means the period commencing twelve hours 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*.

[Comment: An International Federation or ruling body for an Event may establish an "In-Competition" period that is different than the Event Period.]

**Independent Observer Program:** A team of observers, under the supervision of WADA, who observe and provide guidance on the *Doping Control* process at certain *Events* and report on their observations.

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

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

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

**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, the management of test results, and the conduct of hearings at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country’s National Olympic Committee or its designee.

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

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

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

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

**Registered Testing Pool**: The pool of highest-priority Athletes established separately at the international level by International Federations and at the national
level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.6 and the International Standard for Testing and Investigations.

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

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

**Signatories:** Those entities signing the *Code* and agreeing to comply with the *Code*, as provided in Article 23.

**Substantial Assistance:** For purposes of Article 10.6.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case 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 which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

**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*.

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

**WADA:** The World Anti-Doping Agency.
3.2 Defined terms specific to the International Standard for Testing and Investigations:

**Athlete Biological Passport Documentation Package**: The material produced by the Laboratory and Athlete Passport Management Unit to support an Adverse Passport Finding such as, but not limited to, analytical data, Expert Panel comments, evidence of confounding factors as well as other relevant supporting information.

The Panel may include a pool of appointed Experts and any additional ad hoc Expert(s) who may be required upon request of any of the appointed Experts or by the Athlete Passport Management Unit of the Anti-Doping Organization.

**Blood Collection Officer (or BCO)**: An official who is qualified and has been authorized by the Sample Collection Authority to collect a blood Sample from an Athlete.

**Chain of Custody**: The sequence of individuals or organizations who have responsibility for the custody of a Sample from the provision of the Sample until the Sample has been delivered to the laboratory for analysis.

**Chaperone**: An official who is trained and authorized by the Sample Collection Authority to carry out specific duties including one or more of the following (at the election of the Sample Collection Authority): notification of the Athlete selected for Sample collection; accompanying and observing the Athlete until arrival at the Doping Control Station; accompanying and/or observing Athletes who are present in the Doping Control Station; and/or witnessing and verifying the provision of the Sample where the training qualifies him/her to do so.

**Code Article 2.4 Whereabouts Requirements**: The whereabouts requirements set out in Annex I of the International Standard for Testing and Investigations, which apply to Athletes who are included in the Registered Testing Pool of an International Federation or a National Anti-Doping Organization.

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

**Doping Control Station**: The location where the Sample Collection Session will be conducted.

**Expert Panel**: The Experts, with knowledge in the concerned field, chosen by the Anti-Doping Organization and/or Athlete Passport Management Unit, who are responsible for providing an evaluation of the Passport. For the Haematological
Module, **Experts** should have knowledge in one or more of the fields of clinical haematology (diagnosis of blood pathological conditions), sports medicine or exercise physiology. For the Steroidal Module, the **Experts** should have knowledge in **Laboratory** analysis, steroid doping and/or endocrinology.

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

**Filing Failure:** A failure by the **Athlete** (or by a third party to whom the **Athlete** has delegated the task) to make an accurate and complete **Whereabouts Filing** that enables the **Athlete** to be located for **Testing** at the times and locations set out in the **Whereabouts Filing** or to update that **Whereabouts Filing** where necessary to ensure that it remains accurate and complete, all in accordance with Article I.3 of the International Standard for Testing and Investigations.

**In-Competition Date:** As defined in Article I.3.3.

**Missed Test:** A failure by the **Athlete** to be available for **Testing** at the location and time specified in the 60-minute time slot identified in his/her **Whereabouts Filing** for the day in question, in accordance with Article I.4 of the International Standard for Testing and Investigations.

**No Advance Notice Testing:** *Sample* collection that takes place with no advance warning to the **Athlete** and where the **Athlete** is continuously chaperoned from the moment of notification through *Sample* provision.

**Passport:** A collation of all relevant data unique to an individual **Athlete** that may include longitudinal profiles of **Markers**, heterogeneous factors unique to that particular **Athlete** and other relevant information that may help in the evaluation of **Markers**.

**Passport Custodian:** The **Anti-Doping Organization** responsible for result management of that **Athlete’s Passport** and for sharing any relevant information associated to that **Athlete’s Passport** with other **Anti-Doping Organization(s)**.

**Random Selection:** Selection of **Athletes** for **Testing** which is not **Target Testing**.

**Results Management Authority:** The organization that is responsible, in accordance with **Code** Article 7.1, for the management of the results of **Testing** (or other evidence of a potential anti-doping rule violation) and hearings, whether (1) an **Anti-Doping Organization** (for example, the International Olympic Committee or other **Major Event Organization**, WADA, an International Federation, or a **National Anti-Doping Organization**); or (2) another organization acting pursuant to the authority of and in accordance with the rules of the **Anti-Doping**
Organization (for example, a National Federation that is a member of an International Federation). In respect of Whereabouts Failures, the Results Management Authority shall be as set out in Article I.5.1.

**Sample Collection Authority:** The organization that is responsible for the collection of Samples in compliance with the requirements of the International Standard for Testing and Investigations, whether (1) the Testing Authority itself; or (2) another organization (for example, a third party contractor) to whom the Testing Authority has delegated or sub-contracted such responsibility (provided that the Testing Authority always remains ultimately responsible under the Code for compliance with the requirements of the International Standard for Testing and Investigations relating to collection of Samples).

**Sample Collection Equipment:** Containers or apparatus used to collect or hold the Sample at any time during the Sample Collection Session. Sample Collection Equipment shall, as a minimum, consist of:

- For urine Sample collection:
  - Collection vessels for collecting the Sample as it leaves the Athlete’s body;
  - Suitable kit for storing partial Samples securely until the Athlete is able to provide more urine; and
  - Sealable and tamper-evident bottles and lids for storing and transporting the complete Sample securely.

- For blood Sample collection:
  - Needles for collecting the Sample;
  - Blood tubes with sealable and tamper-evident devices for storing and transporting the Sample securely.

**Sample Collection Personnel:** A collective term for qualified officials authorized by the Sample Collection Authority to carry out or assist with duties during the Sample Collection Session.

**Sample Collection Session:** All of the sequential activities that directly involve the Athlete from the point that initial contact is made until the Athlete leaves the Doping Control Station after having provided his/her Sample(s).
Suitable Specific Gravity for Analysis: Specific gravity measured at 1.005 or higher with a refractometer, or 1.010 or higher with lab sticks.

Suitable Volume of Urine for Analysis: A minimum of 90 mL, whether the laboratory will be analysing the Sample for all or only some Prohibited Substances or Prohibited Methods.

Team Activity/Activities: Sporting activities carried out by Athletes on a collective basis as part of a team (e.g., training, travelling, tactical sessions) or under the supervision of the team (e.g., treatment by a team doctor).

Test Distribution Plan: A document written by an Anti-Doping Organization that plans Testing on Athletes over whom it has Testing Authority, in accordance with the requirements of Article 4 of the International Standard for Testing and Investigations.

Testing Authority: The organization that has authorized a particular Sample collection, whether (1) an Anti-Doping Organization (for example, the International Olympic Committee or other Major Event Organization, WADA, an International Federation, or a National Anti-Doping Organization); or (2) another organization conducting Testing pursuant to the authority of and in accordance with the rules of the Anti-Doping Organization (for example, a National Federation that is a member of an International Federation).

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

Whereabouts Failure: A Filing Failure or a Missed Test.

Whereabouts Filing: Information provided by or on behalf of an Athlete in a Registered Testing Pool that sets out the Athlete’s whereabouts during the following quarter, in accordance with Article I.3 of the International Standard for Testing and Investigations.

3.3 Interpretation:

3.3.1 Unless otherwise specified, references below to Articles are references to Articles of the International Standard for Testing and Investigations.
3.3.2 The comments annotating various provisions of the International Standard for Testing and Investigations shall be used to interpret the *International Standard*.

3.3.3 The Annexes to the International Standard for Testing and Investigations have the same mandatory status as the rest of the International Standard for Testing and Investigations.

3.3.4 The official text of the International Standard for Testing and Investigations 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.
PART TWO: STANDARDS FOR TESTING

4.0 Planning effective Testing

4.1 Objective

4.1.1 Code Article 5.4 requires each Anti-Doping Organization with Testing Authority to plan and implement intelligent Testing that is proportionate to the risk of doping among Athletes under its jurisdiction, and that is effective to detect and to deter such practices. The objective of this Section 4.0 of the International Standard for Testing and Investigations is to set out the steps that are necessary to produce a Test Distribution Plan that satisfies this requirement. This includes establishing the overall pool of Athletes within the Anti-Doping Organization’s anti-doping program, and assessment of which Prohibited Substances and Prohibited Methods are most likely to be abused in the sport(s)/sports discipline(s) in question, followed by appropriate prioritization between sport(s) and/or sport disciplines, between categories of Athletes, between types of Testing, between types of Samples collected, and between types of Sample analysis.

4.1.2 The Anti-Doping Organization shall ensure that Athlete Support Personnel and any other Persons with a conflict of interest are not involved in Test Distribution Planning for their Athletes or in the process of selection of Athletes for Testing.

4.1.3 The Anti-Doping Organization shall document its Test Distribution Plan and shall file that Test Distribution Plan with WADA (a) when seeking WADA’s approval pursuant to Code Article 6.4.2 to analyze Samples using a less extensive menu than that set out in the Technical Document referenced at Code Article 5.4.1, in accordance with Article 4.7.1 of this International Standard; and (b) where requested by WADA, as part of the process of demonstrating the Anti-Doping Organization’s satisfaction of the requirements of Code Article 5.4.

4.1.4 The main activities are therefore risk assessment and prioritization, including information and intelligence gathering, monitoring and follow-up; developing a Test Distribution Plan based on that risk assessment and prioritization; filing and discussing that Test Distribution Plan with WADA (where applicable); monitoring, evaluating, reviewing, modifying and updating that Test Distribution Plan as necessary in light of changing circumstances; and implementing the Test Distribution Plan.
4.2  Risk assessment

4.2.1  As set out in Code Article 5.4, the starting point of the Test Distribution Plan must be a considered assessment, in good faith, of which Prohibited Substances and/or Prohibited Methods are most likely to be abused in the sport(s) and sport discipline(s) in question. This assessment should take into account (at a minimum) the following information:

a) The physical and other demands of the relevant sport(s) (and/or discipline(s) within the sport(s)), considering in particular the physiological requirements of the sport(s)/sport discipline(s);

b) The possible performance-enhancing effects that doping may elicit in such sport(s)/sport discipline(s);

c) The rewards available at the different levels of the sport(s)/sport discipline(s) and/or other potential incentives for doping;

d) The history of doping in the sport(s)/sport discipline(s);

[Comment to 4.2.1(d): Unless there has been a full and effective Testing program in a sport, encompassing both In- and Out-of-Competition Testing, a history of no or few Adverse Analytical Findings says little if anything about the risk of doping in that sport.]

e) Available research on doping trends (e.g., peer-reviewed articles);

f) Information received/intelligence developed on possible doping practices in the sport (e.g., Athlete testimony; information from criminal investigations; and/or other intelligence developed in accordance with WADA’s Guidelines for Coordinating Investigations and Sharing Anti-Doping Information and Evidence) in accordance with Section 11.0 of the International Standard for Testing and Investigations; and

g) The outcomes of previous test distribution planning cycles.

4.2.2  In developing its Test Distribution Plan, the Anti-Doping Organization shall be bound by the Technical Document referenced in Code Article 5.4.1 and 6.4. Additionally, the Anti-Doping Organization shall conduct its own risk assessment. It should take into account in good faith any risk assessment for the sport or discipline in question carried out by another Anti-Doping Organization with overlapping Testing Authority. However, an International Federation is not bound by a National Anti-Doping Organization’s assessment of the risks of
doping in a particular sport or discipline, and a National Anti-Doping Organization is not bound by an International Federation’s assessment of the risks of doping in a particular sport or discipline.

4.2.3 The Anti-Doping Organization shall also consider the potential doping patterns in its sport, nation or Event (as applicable). This shall include assessing matters such as:

   a) which Prohibited Substances and/or Prohibited Methods an Athlete would consider most likely to enhance performance in the relevant sport(s) or discipline(s);

   b) at what points in his/her career in the sport an Athlete would be most likely to consider obtaining such an illicit advantage; and

   c) given the structure of the season for the sport/discipline in question (including standard Competition schedules and training patterns), at what time(s) during the year an Athlete would be most likely to undertake doping practices.

4.2.4 All of the remaining steps to be taken in developing a Test Distribution Plan (as set out in the rest of this Section 4.0, below) are to be based on the risk assessment set out in this Article 4.2. The Anti-Doping Organization must be able to demonstrate to WADA’s satisfaction that it has made a proper assessment of the relevant risks and has adopted an appropriate Test Distribution Plan based on the results of that assessment.

4.2.5 Test Distribution Planning is intended to be an ongoing process, not a static one. The Anti-Doping Organization shall review the Test Distribution Plan regularly and shall adapt it as necessary to reflect new information gathered and intelligence developed by the Anti-Doping Organization, and to take into account Testing conducted by other Anti-Doping Organizations. However, any revision to the risk assessment set out in the Technical Document referenced in Code Article 5.4.1 would have to be agreed by WADA.

4.3 Establishing the overall pool of Athletes

4.3.1 Code Article 5.2 gives different Anti-Doping Organizations Testing Authority over potentially very large pools of sportsmen and women. However, in recognition of the finite resources of Anti-Doping Organizations, the Code definition of “Athlete” allows National Anti-Doping Organizations to limit the number of sportsmen and women who will be subject to their national anti-doping programs (in particular, Testing) to those who compete at the highest national
levels (i.e., National-Level Athletes, as defined by the National Anti-Doping Organization). It also allows International Federations to focus their anti-doping programs (including Testing) on those who compete regularly at the international level (i.e., International-Level Athletes, as defined by the International Federation).

[Comment to 4.3.1: Nothing prevents an International Federation from Testing an Athlete under its jurisdiction who is not an International-Level Athlete, if it sees fit, e.g., where he/she is competing in an International Event. Furthermore, as set out in the Code definition of "Athlete", a National Anti-Doping Organization may decide to extend its anti-doping program (including Testing) to sportsmen and women who compete below national level. However, the main focus of an International Federation's Test Distribution Plan should be International-Level Athletes, and the main focus of a National Anti-Doping Organization's Test Distribution Plan should be National-Level Athletes and above.]

4.3.2 Therefore, once the risk assessment described in Article 4.2 is completed, the next step is to establish the overall pool of Athletes who are in principle going to be subject to Testing by the Anti-Doping Organization in question, i.e. (for an International Federation) fixing an appropriate definition of International-Level Athlete, or (for a National Anti-Doping Organization) fixing an appropriate definition of National-Level Athlete:

a) An International Federation is free to determine the criteria it will use to classify Athletes as International-Level Athletes, e.g., by ranking, by participation in particular International Events, etc. It should make that determination in good faith, in accordance with its responsibility to protect the integrity of the sport at the international level (the showcase of the sport to the public), by fixing a definition that encompasses all those who compete regularly at international level and/or who compete at a standard at which world records may be set.

[Comment to 4.3.2(a): The Code requires each International Federation to publish in clear and concise form the criteria it uses to classify Athletes as International-Level Athletes, so that it is clear to everyone where the line is drawn and how particular Athletes are to be classified. For example, if the criteria include competing in certain International Events, then the International Federation must publish a list of those International Events.]

b) Similarly, a National Anti-Doping Organization is free to determine the criteria it will use to classify Athletes as National-Level Athletes. Again, it should make that determination in good faith, in accordance with its responsibility to protect the integrity of the sport at the

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national level (the source of national pride in different sports, and the stepping stone to international Competition, including representation of the nation in International Events or Competitions). Consequently, the definition should normally encompass all those who compete at the highest levels of national Competition in the sport in question (i.e., in national championships or other Events that determine or count towards determining who are the best in the country in the category/discipline in question, and/or who should be selected to represent the country in International Events or Competitions). It should also include those nationals of its country who generally or often compete at international level and/or in International Events or Competitions (rather than at national level) but who are not classified as International-Level Athletes by their International Federation.

4.4 Prioritizing between sports and/or disciplines

4.4.1 Next, the Anti-Doping Organization should consider whether there are any factors warranting allocating Testing resources to one sport or discipline or nation (as applicable) under its jurisdiction in priority to others. This means:

a) In the case of an International Federation, assessing the relative risks of doping as between the different disciplines and nations within its sport.

b) In the case of a National Anti-Doping Organization, assessing the relative risks of doping as between the different sports under its jurisdiction, as well as any national anti-doping policy imperatives that may lead it to prioritize certain sports over others.

[Comment to 4.4.1(b): National Anti-Doping Organizations will have varying national policy requirements and priorities. For example, one National Anti-Doping Organization may have legitimate reasons to prioritize (some or all) Olympic sports while another may have legitimate reasons, because of different characteristics of that sporting nation, to prioritize (for example) certain other ‘national’ sports. These policy imperatives are a relevant consideration in the National Anti-Doping Organization’s Test Distribution Planning, alongside its assessment of the relative risks of doping in the various sports played within its national jurisdiction. They may lead, for example, to a National Anti-Doping Organization deciding, in its Test Distribution Plan for a particular period, (1) to allocate Testing to some sports within its jurisdiction but not others; and (2) to prioritize certain sports over others due not to a greater risk of doping in those sports but to a greater national interest in ensuring the integrity of those sports.]
c) In the case of a Major Event Organization, assessing the relative risks of doping as between the different sports and/or disciplines involved in its Event.

4.4.2 Another factor relevant to the allocation of Testing resources within the Test Distribution Plan will be the number of Athletes involved at the relevant level in the sport(s) and/or discipline(s) and/or nation(s) in question. Where the risk of doping is assessed to be equal as between two different sports or disciplines or nations, more resources should be devoted to the sport or discipline or nation involving the larger number of Athletes.

4.5 Prioritizing between different Athletes

4.5.1 Once the overall pool of Athletes has been established (see Article 4.3), and the priority sports/disciplines/nations have been established (see Article 4.4), an intelligent Test Distribution Plan uses Target Testing to focus Testing resources where they are most needed within the overall pool of Athletes. Target Testing shall therefore be made a priority, i.e., a significant amount of the Testing undertaken as part of an Anti-Doping Organization’s Test Distribution Plan shall be Target Testing of Athletes within its overall pool.

[Comment to 4.5.1: Target Testing is a priority because random Testing, or even weighted random Testing, does not ensure that all of the appropriate Athletes will be tested enough. The World Anti-Doping Code does not impose any reasonable suspicion or probable cause requirement for Target Testing. However, Target Testing should not be used for any purpose other than legitimate Doping Control.]

4.5.2 Anti-Doping Organizations shall consider conducting Target Testing on the following categories of Athletes:

a) For International Federations, Athletes (especially from its priority disciplines or nations) who compete regularly at the highest level of international Competition (e.g., candidates for Olympic, Paralympic or World Championship medals), as determined by rankings or other suitable criteria.

b) For National Anti-Doping Organizations, the following Athletes from its priority sports:

(i) Athletes who are part of national teams in Olympic or Paralympic or other sports of high national priority (or who might be selected for such teams);
(ii) **Athletes** who train independently but perform at Olympic/Paralympic or World Championship level and may be selected for such events;

(iii) **Athletes** in receipt of public funding; and

(iv) high-level **Athletes** who are nationals of other countries but who are present (whether residing, training, competing or otherwise) within the National Anti-Doping Organization’s country.

c) For all **Anti-Doping Organizations** with relevant **Testing Authority**:

(i) **Athletes** serving a period of **Ineligibility** or a **Provisional Suspension**; and

(ii) **Athletes** who were high priority for **Testing** before they retired from the sport and who now wish to return from retirement to active participation in the sport.

4.5.3 Other factors relevant to determining who should be made the subject of **Target Testing** may vary considerably from sport to sport, depending on the specific characteristics of the particular sport. However, the relevant factors are likely to include some or all of the following **Athlete** behaviors/factors indicating possible doping/increased risk of doping:

a) prior anti-doping rule violations/test history, including any abnormal biological parameters (blood parameters, steroid profiles, etc);

b) sport performance history, including in particular sudden major improvements in performance, and/or sustained high performance without a commensurate **Testing** record;

c) repeated **Failure to Comply** with whereabouts requirements;

d) suspicious **whereabouts filing** patterns (e.g., last-minute updates of **Whereabouts Filings**);

e) moving to or training in a remote location;

f) withdrawal or absence from expected **Competition**;

g) association with a third party (such as a team-mate, coach or doctor) with a history of involvement in doping;

h) injury;
i) age/stage of career (e.g., move from junior to senior level, nearing end of contract, approaching retirement);

j) financial incentives for improved performance, such as prize money or sponsorship opportunities; and/or

k) reliable information from a third party, or intelligence developed by or shared with the Anti-Doping Organization in accordance with Section 11.0 of the International Standard for Testing and Investigations.

4.5.4 Testing which is not Target Testing shall be determined by Random Selection, which shall be conducted using a documented system for such selection. Random Selection may be either completely random (where no pre-determined criteria are considered, and Athletes are chosen arbitrarily from a list or pool of Athlete names), or weighted (where Athletes are ranked using pre-determined criteria in order to increase or decrease the chances of selection). Random Selection that is weighted shall be conducted according to defined criteria, and may take into account the factors listed in Article 4.5.3 (as applicable) in order to ensure that a greater percentage of ‘at risk’ Athletes is selected.

[Comment to 4.5.4: In addition to detecting doping, Testing by Random Selection can play an important deterrent role, as well as helping to protect the integrity of an Event.]

4.5.5 For the avoidance of doubt, notwithstanding the development of criteria for selection of Athletes for Testing, and in particular for Target Testing of Athletes, as well as the fact that as a general rule Testing should take place between 5 a.m. and 11 p.m. unless valid grounds exist for Testing overnight, the fundamental principle remains (as set out in Code Article 5.2) that an Athlete may be required to provide a Sample at any time and at any place by any Anti-Doping Organization with Testing Authority over him/her, whether or not the selection of the Athlete for Testing is in accordance with such criteria. Accordingly, an Athlete may not refuse to submit to Sample collection on the basis that such Testing is not provided for in the Anti-Doping Organization’s Test Distribution Plan and/or is not being conducted between 5 a.m. and 11 p.m., and/or that the Athlete does not meet the relevant selection criteria for Testing or otherwise should not have been selected for Testing.

4.6 Prioritizing between different types of Testing

4.6.1 Based on the risk assessment and prioritization process described in Articles 4.2 to 4.5, the Anti-Doping Organization must determine to what extent each of the following types of Testing is required in order to detect and deter
doping practices within the relevant sport(s), discipline(s) and/or nation(s) intelligently and effectively:

a) *In-Competition Testing* and *Out-of-Competition Testing*;

i) In sports and/or disciplines that are assessed as having a high risk of doping during *Out-of-Competition* periods, *Out-of-Competition Testing* shall be made a priority, and a significant portion of the available *Testing* shall be conducted *Out-of-Competition*. However, some material amount of *In-Competition Testing* shall still take place.

ii) In sports and/or disciplines that are assessed as having a low risk of doping during *Out-of-Competition* periods (i.e., where it can be clearly shown that doping while *Out-of-Competition* is unlikely to enhance performance or provide other illicit advantages), *In-Competition Testing* shall be made a priority, and a substantial portion of the available *Testing* shall be conducted *In-Competition*. However, some *Out-of-Competition Testing* shall still take place, proportionate to the risk of *Out-of-Competition* doping in such sport/discipline. Very exceptionally, i.e., in the small number of sports and/or disciplines where it is determined in good faith that there is no material risk of doping during *Out-of-Competition* periods, there may be no *Out-of-Competition Testing*.

b) *Testing* of urine;

c) *Testing* of blood; and

d) *Testing* involving longitudinal profiling, i.e., the *Athlete Biological Passport* program.

4.6.2 Save in exceptional and justifiable circumstances, all *Testing* shall be No Advance Notice *Testing*:

a) For *In-Competition Testing*, placeholder selection may be known in advance. However, random Athlete/placeholder selection shall not be revealed to the Athlete until notification.

b) All *Out-of-Competition Testing* shall be No Advance Notice *Testing* save in exceptional and justifiable circumstances.
4.6.3 In order to ensure that Testing is conducted on a No Advance Notice Testing basis, the Testing Authority (and the Sample Collection Authority, if different) shall ensure that Athlete selection decisions are only disclosed in advance of Testing to those who need to know in order for such Testing to be conducted.

4.7 Sample analysis

4.7.1 Anti-Doping Organizations shall ask laboratories to analyze the Samples they have collected in a manner that is tailored to the particular circumstances of the sport/discipline/country in question. In accordance with Code Article 6.4, the starting-point is that Anti-Doping Organizations shall have all Samples collected on their behalf analyzed in accordance with the Sample analysis menus specified in the Technical Document referenced at Code Article 5.4.1; but (a) they may always ask laboratories to analyze their Samples using more extensive menus than those described in the Technical Document; and (b) they may also ask laboratories to analyze some or all of their Samples using less extensive menus than those described in the Technical Document where they have satisfied WADA that, because of the particular circumstances of their sport or discipline or nation (as applicable), as set out in the Test Distribution Plan, less extensive analysis would be appropriate.

4.7.2 WADA will approve the analysis of Samples for less than the Sample analysis menu specified in the Technical Document where it is satisfied that such an approach will lead to the most intelligent, effective and efficient use of available Testing resources.

4.7.3 The Anti-Doping Organization shall incorporate into its Test Distribution Plan a strategy for retention of Samples and the documentation relating to the collection of such Samples so as to enable the further analysis of such Samples at a later date in accordance with Code Article 6.5. Such strategy shall comply with the requirements of the International Standard for Laboratories and the International Standard for the Protection of Privacy and Personal Information, and shall take into account the purposes of analysis of Samples set out in Code Article 6.2, as well as (without limitation) the following elements:

a) Laboratory recommendations;

b) The possible need for retroactive analysis in connection with the Athlete Biological Passport program;

c) New detection methods to be introduced in the near future relevant to the Athlete, sport and/or discipline; and/or
d) Samples collected from Athletes meeting some or all of the ‘high risk’
criteria set out at Article 4.5.

4.8 Collecting whereabouts information

4.8.1 Whereabouts information is not an end in itself, but rather simply a means
to an end, namely the efficient and effective conduct of No Advance Notice
Testing. Therefore, where an Anti-Doping Organization has determined that it
needs to conduct Testing (including Out-of-Competition Testing) on particular
Athletes, it must then consider how much information it needs about the
whereabouts of those Athletes in order to conduct that Testing effectively and with
no advance notice. The Anti-Doping Organization must collect all of the
whereabouts information that it needs to conduct the Testing identified in its Test
Distribution Plan effectively and efficiently. It must not collect more whereabouts
information than it needs for that purpose.

[Comment to 4.8.1: In accordance with Code Article 5.6, whereabouts information
collected by an Anti-Doping Organization may be used for 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, and/or to support proceedings alleging an
anti-doping rule violation. In addition, the collection of whereabouts information
can have a useful deterrent effect.]

4.8.2 One consideration is whether the whereabouts information has to be
provided by the Athlete, or alternatively whether it can be obtained from other
sources. For example, where Competition and/or training in a sport is organized
and carried out on a collective basis rather than on an individual basis, involving
Team Activities, an International Federation or National Anti-Doping
Organization may (in its absolute discretion) decide that it is sufficient to collect
whereabouts information from the Athlete’s team during such periods of Team
Activity, without requiring the Athlete to provide further information for those
periods. In such cases, however, in periods where there are no Team Activities
scheduled or where an Athlete is not participating in Team Activities, then the
Athlete may be required to provide more individualized whereabouts to enable No
Advance Notice Testing of the Athlete during these periods.

4.8.3 The Anti-Doping Organization may determine that it needs more
whereabouts information in respect of certain categories of Athletes than others. It
should consider adopting a ‘pyramid approach’, based on the risk assessment and
prioritizing exercises set out at Articles 4.2-4.5. According to this approach,
Athletes are put into different tiers, depending on the priority that is placed on
Testing those Athletes. The Anti-Doping Organization should determine, in the
case of each tier of Athletes, how much whereabouts information it needs in order to conduct the amount of Testing allocated to those Athletes in the Test Distribution Plan effectively and efficiently.

[Comment to 4.8.3: For example, the Anti-Doping Organization may identify in its Test Distribution Plan a pyramid of different tiers of Athletes, with (i) a tier at the bottom for those Athletes from whom little or no whereabouts information is required to find them for the Testing allocated to them in the Test Distribution Plan, (ii) further tiers above that (containing Athletes from whom more whereabouts information is required, because there is little information available from other sources to find them for Testing, including Out-of-Competition Testing), and (iii) a top tier of Athletes from whom the greatest amount of whereabouts information is required, because they are likely to be selected for the greatest amount of Testing (including Out-of-Competition Testing) and there is insufficient whereabouts information available for them from other sources to locate them for that Testing. The top tier of Athletes should contain high-profile Athletes (e.g., contenders for national and/or international honors), Athletes in an Athlete Biological Passport program, and Athletes at the highest risk of doping: see Article 4.5. In accordance with Article 4.8.4, this top tier of Athletes must be put into a Registered Testing Pool (so as to trigger the Code Article 2.4 Whereabouts Requirements) unless the Anti-Doping Organization is clearly able to obtain sufficient whereabouts information about such Athletes by other means.

This discretion is designed in particular to give Anti-Doping Organizations the flexibility to maintain pools of Athletes from whom some whereabouts information is obtained, which may not meet the Code Article 2.4 Whereabouts Requirements but which is nevertheless useful information that can be used to increase the effectiveness of the Anti-Doping Organization’s Testing program. For example, an International Federation or National Anti-Doping Organization may decide that it needs to conduct a certain amount of Out-of-Competition Testing on a particular category of Athletes in a sport where competition and/or training is organized and carried out on a team basis rather than an individual basis, but that it can conduct that Testing effectively and on a No Advance Notice Testing basis by using information that is made available to it about the movements of the Athletes as part of their team, participating in Team Activities. However, if that team information is not sufficient to conduct the Testing required of such Athletes effectively and on a No Advance Notice Testing basis, and instead to conduct that Testing it is necessary to require the Athletes to comply with the Code Article 2.4 Whereabouts Requirements, then the International Federation or National Anti-Doping Organization must put the Athletes into its Registered Testing Pool.
If an Athlete in the tier below the Registered Testing Pool fails to comply with the whereabouts requirements applicable to his/her tier of Athletes, the International Federation or National Anti-Doping Organization in question should consider moving the Athlete up into the Registered Testing Pool.]

4.8.4 Where an International Federation or a National Anti-Doping Organization plans to collect three or more Samples per year Out-of-Competition from particular Athletes, it shall put them into a Registered Testing Pool (so that they are required to comply with the Code Article 2.4 Whereabouts Requirements) unless it is clearly able to obtain sufficient whereabouts information to conduct No Advance Notice Testing efficiently and effectively by some other means.

[Comment to 4.8.4: Each International Federation and each National Anti-Doping Organization has discretion to determine, independently of the other, (a) how much Out-of-Competition Testing it needs to conduct in respect of the sport(s) under its jurisdiction; and (b) whether the Athletes on whom it decides to conduct that Testing need to comply with the Code Article 2.4 Whereabouts Requirements in order to conduct the planned Testing on them effectively and efficiently and on a No Advance Notice Testing basis, or alternatively whether sufficient whereabouts information is available by other means to conduct such Testing, so that subjecting the Athletes in question to the Code Article 2.4 Whereabouts Requirements is unnecessary. The Anti-Doping Organization must be able to demonstrate it has made a proper assessment of the relevant risks and of the necessary prioritization in accordance with Articles 4.2 to 4.5, and that it has adopted appropriate criteria based on the results of that assessment. In particular, an Anti-Doping Organization whose Test Distribution Plan includes Testing during Out-of-Competition periods must have a Registered Testing Pool of Athletes who are required to comply with the Code Article 2.4 Whereabouts Requirements unless it can demonstrate that it is able to find those Athletes for No Advance Notice Testing during all Out-of-Competition periods without requiring compliance with the Code Article 2.4 Whereabouts Requirements. In any event, however, there should not be more Athletes in a Registered Testing Pool than the International Federation or National Anti-Doping Organization in question plans (on its own or in agreed coordination with other Anti-Doping Organizations with Testing Authority over those Athletes) to test Out-of-Competition at least three times a year.]

4.8.5 Anti-Doping Organizations with Testing Authority over an Athlete in a Registered Testing Pool should conduct Out-of-Competition Testing on that Athlete using the whereabouts information provided by the Athlete in accordance with the Code Article 2.4 Whereabouts Requirements. Any such Athlete who fails three times in any 12-month period to provide the required information about
his/her whereabouts (a **Filing Failure**) and/or to be available for **Testing** at such whereabouts (a **Missed Test**) shall be liable for an anti-doping rule violation under **Code** Article 2.4.

4.8.6 Where ADAMS is used to collect whereabouts information from **Athletes** in the **Registered Testing Pool**, then the names of those **Athletes** will automatically be available to WADA and other relevant **Anti-Doping Organizations**, as required under **Code** Article 5.6. Otherwise, however, to comply with **Code** Article 5.6, each International Federation and each **National Anti-Doping Organization** must make the criteria that it uses to determine which **Athletes** should be in its **Registered Testing Pool**, and/or a list of the **Athletes** meeting those criteria and so included in its **Registered Testing Pool**, available in writing to WADA, the International Federation/National Anti-Doping Organization (as applicable), and other Anti-Doping Organizations who have **Testing Authority** over those **Athletes**.

  
  
  [Comment to 4.8.6: There is no requirement that a National Anti-Doping Organization must include in its Registered Testing Pool those Athletes under its jurisdiction who are included in their International Federation’s Registered Testing Pool, or vice versa. In no event, however, may an Athlete be required to file different sets of whereabouts information with different Anti-Doping Organizations. Instead, if an Athlete is in one tier for his/her International Federation and another tier for his/her National Anti-Doping Organization, he/she shall comply with whichever tier has the greater whereabouts requirements, and all Anti-Doping Organizations with **Testing Authority** over him/her may access that information in order to locate him/her for Testing.]

4.8.7 Each International Federation and each **National Anti-Doping Organization** shall regularly review and update as necessary its criteria for including **Athletes** in its **Registered Testing Pool**, to ensure that they remain fit for purpose, i.e., they are capturing all appropriate **Athletes**. It should take into account the **Competition calendar** for the relevant period. For example, it may be appropriate to change or increase the number of **Athletes** in the **Registered Testing Pool** in the lead-up to an Olympic or Paralympic Games or a World Championship.

4.8.8 In addition, each International Federation and **National Anti-Doping Organization** shall periodically (but no less than quarterly) review the list of **Athletes** in its **Registered Testing Pool** to ensure that each listed **Athlete** continues to meet the relevant criteria. **Athletes** who no longer meet the criteria should be removed from the **Registered Testing Pool** and **Athletes** who now meet the criteria should be added to the **Registered Testing Pool**. The **Anti-Doping Organization** must advise such **Athletes** of the change in their status, and make a new list of
Athletes in the Registered Testing Pool available in accordance with Article 4.8.6, without delay.

4.8.9 For periods when Athletes come under the Testing Authority of a Major Event Organization:

a) if they are in a Registered Testing Pool then the Major Event Organization may access their Whereabouts Filings for the relevant period in order to conduct Testing on them;

b) if they are not in a Registered Testing Pool then the Major Event Organization may adopt Event-specific rules requiring them to provide such information about their whereabouts for the relevant period as it deems necessary and proportionate in order to conduct Testing on them.

4.9 Co-ordinating with other Anti-Doping Organizations

4.9.1 Anti-Doping Organizations shall coordinate their Testing efforts with the efforts of other Anti-Doping Organizations with overlapping Testing Authority, in order to maximize the effectiveness of those combined efforts and to avoid unnecessarily repetitive Testing of particular Athletes. In particular:

a) Anti-Doping Organizations shall consult with other relevant Anti-Doping Organizations in order to coordinate Testing activities and to avoid duplication. Clear agreement on roles and responsibilities for Event Testing shall be agreed in advance in accordance with Code Article 5.3. Where such agreement is not possible, WADA will resolve the matter in accordance with the principles set out at Annex J – Event Testing.

b) Anti-Doping Organizations shall, without any unnecessary delay, share information on their completed Testing with other relevant Anti-Doping Organizations, via ADAMS or any other system approved by WADA.

4.9.2 Anti-Doping Organizations may contract other Anti-Doping Organizations or third parties to act as Sample Collection Authorities on their behalf. In the terms of the contract, the commissioning Anti-Doping Organization (which, for these purposes, is the Testing Authority) may specify how any discretion afforded to a Sample Collection Authority under the International Standard for Testing and Investigations is to be exercised by the Sample Collection Authority when collecting Samples on its behalf.
[Comment to 4.9.2: For example, the International Standard for Testing and Investigations confers discretion as to the criteria to be used to validate the identity of the Athlete (Article 5.3.4), as to the circumstances in which delayed reporting to the Doping Control Station may be permitted (Article 5.4.4), as to the criteria to be used to ensure that each Sample collected is stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station (Article 8.3.1), as to who may be present during the Sample Collection Session (Article 6.3.3), and as to the guidelines to be followed by the DCO in determining whether exceptional circumstances exist that mean a Sample Collection Session should be abandoned without collecting a Sample with a Suitable Specific Gravity for Analysis (Article G.4.6).]

4.9.3 Anti-Doping Organizations should consult and coordinate with each other, with WADA, and with law enforcement and other relevant authorities, in obtaining, developing and sharing information and intelligence that can be useful in informing Test Distribution Planning, in accordance with Section 11.0 of the International Standard for Testing and Investigations.

5.0 Notification of Athletes

5.1 Objective

The objective is to ensure that an Athlete who has been selected for Testing is properly notified of Sample collection as outlined in Article 5.4.1, that the rights of the Athlete are maintained, that there are no opportunities to manipulate the Sample to be provided, and that the notification is documented.

5.2 General

Notification of Athletes starts when the Sample Collection Authority initiates the notification of the selected Athlete and ends when the Athlete arrives at the Doping Control Station or when the Athlete’s possible Failure to Comply is brought to the Testing Authority’s attention. The main activities are:

a) Appointment of DCOs, Chaperones and other Sample Collection Personnel;

b) Locating the Athlete and confirming his/her identity;

c) Informing the Athlete that he/she has been selected to provide a Sample and of his/her rights and responsibilities;
d) For **No Advance Notice Testing**, continuously chaperoning the **Athlete** from the time of notification to the arrival at the designated **Doping Control Station**; and

e) Documenting the notification, or notification attempt.

### 5.3 Requirements prior to notification of Athletes

5.3.1 **Save in exceptional and justifiable circumstances, No Advance Notice Testing** shall be the method for **Sample collection**.

[Comment to 5.3.1: It is not justifiable for a National Federation or other body to insist that it be given advance notice of Testing of Athletes under its jurisdiction so that it can have a representative present at such Testing.]

5.3.2 The **Sample Collection Authority** shall appoint and authorise **Sample Collection Personnel** to conduct or assist with **Sample Collection Sessions** who have been trained for their assigned responsibilities, who do not have a conflict of interest in the outcome of the **Sample** collection, and who are not **Minors**.

5.3.3 **Sample Collection Personnel** shall have official documentation, provided by the **Sample Collection Authority**, evidencing their authority to collect a **Sample** from the **Athlete**, such as an authorisation letter from the **Testing Authority**. **DCOs** shall also carry complementary identification which includes their name and photograph (i.e., identification card from the **Sample Collection Authority**, driver’s licence, health card, passport or similar valid identification) and the expiry date of the identification.

5.3.4 The **Testing Authority** or otherwise the **Sample Collection Authority** shall establish criteria to validate the identity of an **Athlete** selected to provide a **Sample**. This ensures the selected **Athlete** is the **Athlete** who is notified. The method of identification of the **Athlete** shall be documented on the **Doping Control** form.

5.3.5 The **Sample Collection Authority**, **DCO** or **Chaperone**, as applicable, shall establish the location of the selected **Athlete** and plan the approach and timing of notification, taking into consideration the specific circumstances of the sport/Competition/training session/etc. and the situation in question.

5.3.6 The **Sample Collection Authority** shall establish a system for the detailed recording of **Athlete** notification attempt(s) and outcome(s).

5.3.7 The **Athlete** shall be the first person notified that he/she has been selected for **Sample** collection, except where prior contact with a third party is required as specified in Article 5.3.8.
5.3.8 The Sample Collection Authority/DCO/Chaperone, as applicable, shall consider whether a third party is required to be notified prior to notification of the Athlete, when the Athlete is a Minor (as provided for in Annex C – Modifications for Athletes who are Minors), or where required by an Athlete’s impairment (as provided for in Annex B - Modifications for Athletes with Impairments), or in situations where an interpreter is required and available for the notification.

[Comment to 5.3.8: In the case of In-Competition Testing, it is permissible to notify third parties that Testing of Minors or Athletes with impairments will be conducted, where required to help the Sample Collection Personnel to identify the Athlete(s) to be tested and to notify such Athlete(s) that he/she is required to provide a Sample. However, there is no requirement to notify any third party (e.g., a team doctor) of the Doping Control mission where such assistance is not needed. Any third party notification must be conducted in a secure and confidential manner so that there is no risk that the Athlete will receive any advance notice of his/her selection for Sample collection. Generally it should occur at the end of the Competition in which the Athlete is competing or as close as possible to the end.]

5.4 Requirements for notification of Athletes

5.4.1 When initial contact is made, the Sample Collection Authority, DCO or Chaperone, as applicable, shall ensure that the Athlete and/or a third party (if required in accordance with Article 5.3.8) is informed:

a) That the Athlete is required to undergo a Sample collection;

b) Of the authority under which the Sample collection is to be conducted;

c) Of the type of Sample collection and any conditions that need to be adhered to prior to the Sample collection;

d) Of the Athlete’s rights, including the right to:

i. Have a representative and, if available, an interpreter accompany him/her, in accordance with Article 6.3.3(a);

ii. Ask for additional information about the Sample collection process;

iii. Request a delay in reporting to the Doping Control Station for valid reasons; and

iv. Request modifications as provided for in Annex B – Modifications for Athletes with Impairments.
e) Of the Athlete’s responsibilities, including the requirement to:

i. Remain within direct observation of the DCO/Chaperone at all times from the point initial contact is made by the DCO/Chaperone until the completion of the Sample collection procedure;

ii. Produce identification in accordance with Article 5.3.4;

iii. Comply with Sample collection procedures (and the Athlete should be advised of the possible Consequences of Failure to Comply); and

iv. Report immediately for Sample collection, unless there are valid reasons for a delay, as determined in accordance with Article 5.4.4.

f) Of the location of the Doping Control Station;

g) That should the Athlete choose to consume food or fluids prior to providing a Sample, he/she does so at his/her own risk;

h) Not to hydrate excessively, since this may delay the production of a suitable Sample; and

i) That any urine Sample provided by the Athlete to the Sample Collection Personnel should be the first urine passed by the Athlete subsequent to notification, i.e., he/she should not pass urine in the shower or otherwise prior to providing a Sample to the Sample Collection Personnel.

5.4.2 When contact is made, the DCO/Chaperone shall:

a) From the time of such contact until the Athlete leaves the Doping Control Station at the end of his/her Sample Collection Session, keep the Athlete under observation at all times;

b) Identify themselves to the Athlete using the documentation referred to in Article 5.3.3; and

c) Confirm the Athlete’s identity as per the criteria established in Article 5.3.4. Confirmation of the Athlete’s identity by any other method, or failure to confirm the identity of the Athlete, shall be documented and reported to the Testing Authority. In cases where the Athlete’s identity cannot be confirmed as per the criteria established in Article 5.3.4, the
Testing Authority shall decide whether it is appropriate to follow up in accordance with Annex A – Investigating a Possible Failure to Comply.

5.4.3 The Chaperone/DCO shall have the Athlete sign an appropriate form to acknowledge and accept the notification. If the Athlete refuses to sign that he/she has been notified, or evades the notification, the Chaperone/DCO shall, if possible, inform the Athlete of the Consequences of refusing or failing to comply, and the Chaperone (if not the DCO) shall immediately report all relevant facts to the DCO. When possible the DCO shall continue to collect a Sample. The DCO shall document the facts in a detailed report and report the circumstances to the Testing Authority. The Testing Authority shall follow the steps prescribed in Annex A – Investigating a Possible Failure to Comply.

5.4.4 The DCO/Chaperone may at his/her discretion consider any reasonable third party request or any request by the Athlete for permission to delay reporting to the Doping Control Station following acknowledgment and acceptance of notification, and/or to leave the Doping Control Station temporarily after arrival, and may grant such permission if the Athlete can be continuously chaperoned and kept under direct observation during the delay. For example, delayed reporting to/temporary departure from the Doping Control Station may be permitted for the following activities:

a) For In-Competition Testing:

i) Participation in a presentation ceremony;

ii) Fulfillment of media commitments;

iii) Competing in further Competitions;

iv) Performing a warm down;

v) Obtaining necessary medical treatment;

vi) Locating a representative and/or interpreter;

vii) Obtaining photo identification; or

viii) Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the Testing Authority.

b) For Out-of-Competition Testing:
i) Locating a representative;

ii) Completing a training session;

iii) Receiving necessary medical treatment;

iv) Obtaining photo identification; or

v) Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the Testing Authority.

5.4.5 The DCO or other authorized Sample Collection Personnel shall document any reasons for delay in reporting to the Doping Control Station and/or reasons for leaving the Doping Control Station that may require further investigation by the Testing Authority. Any failure of the Athlete to remain under constant observation should also be recorded.

5.4.6 A DCO/Chaperone shall reject a request for delay from an Athlete if it will not be possible for the Athlete to be continuously observed during such delay.

5.4.7 If the Athlete delays reporting to the Doping Control Station other than in accordance with Article 5.4.4 but arrives prior to the DCO’s departure, the DCO shall decide whether to process a possible Failure to Comply. If at all possible the DCO shall proceed with collecting a Sample, and shall document the details of the Athlete’s delay in reporting to the Doping Control Station.

5.4.8 If Sample Collection Personnel observe any matter with potential to compromise the collection of the Sample, the circumstances shall be reported to and documented by the DCO. If deemed appropriate by the DCO, the DCO shall follow the requirements of Annex A – Investigating a Possible Failure to Comply, and/or consider if it is appropriate to collect an additional Sample from the Athlete.

6.0 Preparing for the Sample Collection Session

6.1 Objective

To prepare for the Sample Collection Session in a manner that ensures that the session can be conducted efficiently and effectively.
6.2 General

Preparing for the Sample Collection Session starts with the establishment of a system for obtaining relevant information for effective conduct of the session and ends when it is confirmed that the Sample Collection Equipment conforms to the specified criteria. The main activities are:

a) Establishing a system for collecting details regarding the Sample Collection Session;

b) Establishing criteria for who may be present during a Sample Collection Session;

c) Ensuring that the Doping Control Station meets the minimum criteria prescribed in Article 6.3.2; and

d) Ensuring that the Sample Collection Equipment meets the minimum criteria prescribed in Article 6.3.4.

6.3 Requirements for preparing for the Sample Collection Session

6.3.1 The Testing Authority or otherwise the Sample Collection Authority shall establish a system for obtaining all the information necessary to ensure that the Sample Collection Session can be conducted effectively, including identifying special requirements to meet the needs of Athletes with impairments (as provided in Annex B – Modifications for Athletes with Impairments) as well as the needs of Athletes who are Minors (as provided in Annex C – Modifications for Athletes who are Minors).

6.3.2 The DCO shall use a Doping Control Station which, at a minimum, ensures the Athlete's privacy and where possible is used solely as a Doping Control Station for the duration of the Sample Collection Session. The DCO shall record any significant deviations from these criteria.

6.3.3 The Sample Collection Authority shall establish criteria for who may be authorized to be present during the Sample Collection Session in addition to the Sample Collection Personnel. At a minimum, the criteria shall include:

a) An Athlete’s entitlement to be accompanied by a representative and/or interpreter during the Sample Collection Session, except when the Athlete is passing a urine Sample;

b) A Minor Athlete’s entitlement (as provided for in Annex C – Modifications for Athletes who are Minors), and the witnessing DCO/Chaperone’s entitlement to have a representative observe the
witnessing DCO/Chaperone when the Minor Athlete is passing a urine Sample, but without the representative directly observing the passing of the Sample unless requested to do so by the Minor Athlete;

c) The entitlement of an Athlete with an impairment to be accompanied by a representative as provided for in Annex B - Modifications for Athletes with Impairments;

d) A WADA observer where applicable under the Independent Observer Program. The WADA observer shall not directly observe the passing of a urine Sample.

6.3.4 The Sample Collection Authority shall only use Sample Collection Equipment systems which, at a minimum:

a) Have a unique numbering system incorporated into all bottles, containers, tubes or other items used to seal the Sample;

b) Have a sealing system that is tamper-evident;

c) Ensure the identity of the Athlete is not evident from the equipment itself; and

d) Ensure that all equipment is clean and sealed prior to use by the Athlete.

6.3.5 The Sample Collection Authority shall develop a system for recording the Chain of Custody of the Samples and Sample collection documentation which includes confirming that both the Samples and Sample collection documentation have arrived at their intended destinations.

[Comment to 6.3.5: Information as to how a Sample is stored prior to departure from the Doping Control Station may be recorded on (for example) a post-mission report. When the Sample is taken from the Doping Control Station, each transfer of custody of the Sample from one person to another, e.g. from the DCO to the courier, or from the DCO to the laboratory, should be documented, up until the Sample arrives at its intended destination.]

7.0 Conducting the Sample Collection Session

7.1 Objective

To conduct the Sample Collection Session in a manner that ensures the integrity, security and identity of the Sample and respects the privacy and dignity of the Athlete.
7.2 General

The Sample Collection Session starts with defining overall responsibility for the conduct of the Sample Collection Session and ends once the Sample has been collected and secured and the Sample collection documentation is complete. The main activities are:

a) Preparing for collecting the Sample;

b) Collecting and securing the Sample; and

c) Documenting the Sample collection.

7.3 Requirements prior to Sample collection

7.3.1 The Sample Collection Authority shall be responsible for the overall conduct of the Sample Collection Session, with specific responsibilities delegated to the DCO.

7.3.2 The DCO shall ensure that the Athlete has been informed of his/her rights and responsibilities as specified in Article 5.4.1.

7.3.3 The DCO shall provide the Athlete with the opportunity to hydrate. The Athlete should avoid excessive rehydration, having in mind the requirement to provide a Sample with a Suitable Specific Gravity for Analysis.

7.3.4 The Athlete shall only leave the Doping Control Station under continuous observation by the DCO or Chaperone and with the approval of the DCO. The DCO shall consider any reasonable request by the Athlete to leave the Doping Control Station, as specified in Articles 5.4.4, 5.4.5 and 5.4.6, until the Athlete is able to provide a Sample.

7.3.5 If the DCO gives approval for the Athlete to leave the Doping Control Station, the DCO shall agree with the Athlete on the following conditions of leave:

a) The purpose of the Athlete leaving the Doping Control Station;

b) The time of return (or return upon completion of an agreed activity);

c) That the Athlete must remain under continuous observation throughout;

d) That the Athlete shall not pass urine until he/she gets back to the Doping Control Station; and

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e) The DCO shall document the time of the Athlete’s departure and return.

7.4 Requirements for Sample collection

7.4.1 The DCO shall collect the Sample from the Athlete according to the following protocol(s) for the specific type of Sample collection:

a) Annex D: Collection of Urine Samples;

b) Annex E: Collection of Blood Samples.

c) Annex K: Collection, Storage and Transportation of Blood Samples for the ABP.

7.4.2 Any behavior by the Athlete and/or Persons associated with the Athlete or anomalies with potential to compromise the Sample collection shall be recorded in detail by the DCO. If appropriate, the Testing Authority shall institute Annex A – Investigating a Possible Failure to Comply.

7.4.3 If there are doubts as to the origin or authenticity of the Sample, the Athlete shall be asked to provide an additional Sample. If the Athlete refuses to provide an additional Sample, the DCO shall document in detail the circumstances around the refusal, and the Testing Authority shall institute Annex A – Investigating a Possible Failure to Comply.

7.4.4 The DCO shall provide the Athlete with the opportunity to document any concerns he/she may have about how the Sample Collection Session was conducted.

7.4.5 In conducting the Sample Collection Session, the following information shall be recorded as a minimum:

a) Date, time and type of notification (no advance notice or advance notice);

b) Arrival time at Doping Control Station;

c) Date and time of sealing of each Sample collected and data and time of completion of entire Sample collection process (i.e., the time when the Athlete signs the declaration at the bottom of the Doping Control form);

d) The name of the Athlete;
e) The date of birth of the Athlete;
f) The gender of the Athlete;
g) The Athlete’s home address, email address and telephone number;
h) The Athlete’s sport and discipline;
i) The name of the Athlete’s coach and doctor;
j) The Sample code number;
k) The type of the Sample (urine, blood, etc);
l) The type of test (In-Competition or Out-of-Competition);
m) The name and signature of the witnessing DCO/Chaperone;
n) The name and signature of the Blood Collection Officer (where applicable);
o) Partial Sample information, as per Article F.4.4;
p) Required laboratory information on the Sample (i.e., for a urine Sample, its volume and specific gravity measurement);
q) Medications and supplements taken within the previous seven days and (where the Sample collected is a blood Sample) blood transfusions within the previous three months, as declared by the Athlete;
r) Any irregularities in procedures;
s) Athlete comments or concerns regarding the conduct of the Sample Collection Session, as declared by the Athlete;
t) Athlete consent for the processing of Sample collection data;
u) Athlete consent or otherwise for the use of the Sample(s) for research purposes;
v) The name and signature of the Athlete’s representative (if applicable), as per Article 7.4.6;
w) The name and signature of the Athlete;
x) The name and signature of the DCO;
y) The name of the Testing Authority;
z) The name of the Sample Collection Authority; and

aa) The name of the Results Management Authority.

[Comment to 7.4.5: All of the aforementioned information need not be consolidated in a single Doping Control Form but rather may be collected through the Doping Control and/or other official documentation such as a separate Notification form and/or Supplementary report. In addition to this information, additional requirements for the collection of Blood Samples for the ABP can be found in Annex K of this Standard.]

7.4.6 At the conclusion of the Sample Collection Session the Athlete and DCO shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the Athlete’s Sample Collection Session, including any concerns expressed by the Athlete. The Athlete’s representative (if any) and the Athlete shall both sign the documentation if the Athlete is a Minor. Other persons present who had a formal role during the Athlete’s Sample Collection Session may sign the documentation as a witness of the proceedings.

7.4.7 The DCO shall provide the Athlete with a copy of the records of the Sample Collection Session that have been signed by the Athlete.

8.0 Security/Post-test administration

8.1 Objective

To ensure that all Samples collected at the Doping Control Station and Sample collection documentation are securely stored prior to their dispatch from the Doping Control Station.

8.2 General

Post-test administration begins when the Athlete has left the Doping Control Station after providing his/her Sample(s), and ends with preparation of all of the collected Samples and Sample collection documentation for transport.
8.3 Requirements for security/post-test administration

8.3.1 The Sample Collection Authority shall define criteria ensuring that each Sample collected is stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station. At a minimum, these criteria should include detailing and documenting the location where Samples are stored and who has custody of the Samples and/or is permitted access to the Samples. The DCO shall ensure that any Sample is stored in accordance with these criteria.

8.3.2 The Sample Collection Authority shall develop a system to ensure that the documentation for each Sample is completed and securely handled.

8.3.3 The Sample Collection Authority shall develop a system to ensure that, where required, instructions for the type of analysis to be conducted are provided to the laboratory that will be conducting the analysis. In addition, the Anti-Doping Organization shall provide the laboratory with information as required under Article 7.4.5 c), f), h), j), k), l), p), q), y), z) and aa) for result reporting and statistical purposes.

9.0 Transport of Samples and documentation

9.1 Objective

a) To ensure that Samples and related documentation arrive at the laboratory that will be conducting the analysis in proper condition to do the necessary analysis; and

b) To ensure the Sample Collection Session documentation is sent by the DCO to the Testing Authority in a secure and timely manner.

9.2 General

9.2.1 Transport starts when the Samples and related documentation leave the Doping Control Station and ends with the confirmed receipt of the Samples and Sample Collection Session documentation at their intended destinations.

9.2.2 The main activities are arranging for the secure transport of Samples and related documentation to the laboratory that will be conducting the analysis, and arranging for the secure transport of the Sample Collection Session documentation to the Testing Authority.
9.3 Requirements for transport and storage of Samples and documentation

9.3.1 The Sample Collection Authority shall authorize a transport system that ensures Samples and documentation are transported in a manner that protects their integrity, identity and security.

9.3.2 Samples shall always be transported to the laboratory that will be analyzing the Samples using the Sample Collection Authority’s authorized transport method, as soon as practicable after the completion of the Sample Collection Session. Samples shall be transported in a manner which minimizes the potential for Sample degradation due to factors such as time delays and extreme temperature variations.

[Comment to 9.3.2: Anti-Doping Organizations should discuss transportation requirements for particular missions (e.g., where the Sample has been collected in less than hygienic conditions, or where delays may occur in transporting the Samples to the laboratory) with the laboratory that will be analyzing the Samples, to establish what is necessary in the particular circumstances of such mission (e.g., refrigeration or freezing of the Samples).]

9.3.3 Documentation identifying the Athlete shall not be included with the Samples or documentation sent to the laboratory that will be analyzing the Samples.

9.3.4 The DCO shall send all relevant Sample Collection Session documentation to the Sample Collection Authority, using the Sample Collection Authority’s authorized transport method, as soon as practicable after the completion of the Sample Collection Session.

9.3.5 If the Samples with accompanying documentation or the Sample Collection Session documentation are not received at their respective intended destinations, or if a Sample’s integrity or identity may have been compromised during transport, the Sample Collection Authority shall check the Chain of Custody, and the Testing Authority shall consider whether the Samples should be voided.

9.3.6 Documentation related to a Sample Collection Session and/or an anti-doping rule violation shall be stored by the Testing Authority and/or the Sample Collection Authority for the period specified in the International Standard for the Protection of Privacy and Personal Information.

[Comment to 9.3: While the requirements for transport and storage of Samples and documentation herein apply equally to all Urine, Blood and Blood ABP]
Samples, additional requirements for the transportation of Blood Samples for the ABP can be found in Annex K of this Standard.

10.0 Ownership of Samples

10.1 Samples collected from an Athlete are owned by the Testing Authority for the Sample Collection Session in question.

10.2 The Testing Authority may transfer ownership of the Samples to the Results Management Authority or to another Anti-Doping Organization upon request.

<Comment to 10.0: MEOs in particular are encouraged to transfer custody of Samples to other ADOs which may have more extensive Sample retention and reanalysis strategies such as those with robust ABP programs.]
PART THREE: STANDARDS FOR INTELLIGENCE GATHERING AND INVESTIGATIONS

11.0 Gathering, assessment and use of intelligence

11.1 Objective

11.1.1 Code Article 5.8 requires Anti-Doping Organizations to obtain, assess and process anti-doping intelligence from all available sources, to be used to help deter and detect doping, by informing the development of an effective, intelligent and proportionate Test Distribution Plan and/or the planning of Target Testing, and/or by forming the basis of an investigation into a possible anti-doping rule violation(s). The objective of this Section 11.0 of the International Standard for Testing and Investigations is to establish standards for the efficient and effective gathering, assessment and processing of such intelligence for these purposes.

[Comment to 11.1.1: While Testing will always remain an integral part of the anti-doping effort, Testing alone is not always sufficient to detect and establish to the requisite standard all of the anti-doping rule violations identified in the Code. In particular, while Use of Prohibited Substances and Prohibited Methods may often be uncovered by analysis of Samples, the other Code anti-doping rule violations (and, often, Use) can usually only be effectively identified and pursued through the gathering and investigation of ‘non-analytical’ anti-doping intelligence and information. This means that Anti-Doping Organizations need to develop efficient and effective intelligence-gathering and investigation functions.]

11.2 Gathering of anti-doping intelligence

11.2.1 Anti-Doping Organizations shall do everything in their power to ensure that they are able to capture or receive anti-doping intelligence from all available sources, including Athletes and Athlete Support Personnel (including Substantial Assistance provided pursuant to Code Article 10.6.1) and members of the public (e.g., by means of a confidential telephone hotline), Sample Collection Personnel (whether via mission reports, incident reports, or otherwise), laboratories, pharmaceutical companies, National Federations, law enforcement, other regulatory and disciplinary bodies, and the media.

11.2.2 Anti-Doping Organizations shall have policies and procedures in place to ensure that anti-doping intelligence captured or received is handled securely and confidentially, that sources of intelligence are protected, that the risk of leaks or inadvertent disclosure is properly addressed, and that intelligence shared with them by law enforcement, other relevant authorities and/or other third parties, is processed, used and disclosed only for legitimate anti-doping purposes.
11.3 Assessment and analysis of anti-doping intelligence

11.3.1 Anti-Doping Organizations shall ensure that they are able to assess all anti-doping intelligence upon receipt for relevance, reliability and accuracy, taking into account the nature of the source and the circumstances in which the intelligence has been captured or received.

[Comment to 11.3.1: There are various models that may be used as the basis for the assessment and analysis of anti-doping intelligence. There are also powerful databases and case management systems that may be used to assist in the organization, processing, analysis and cross-referencing of such intelligence.]

11.3.2 All anti-doping intelligence captured or received by an Anti-Doping Organization should be collated and analyzed to establish patterns, trends and relationships that may assist the Anti-Doping Organization in developing an effective anti-doping strategy and/or in determining (where the intelligence relates to a particular case) whether there is reasonable cause to suspect that an anti-doping rule violation may have been committed, such that further investigation is warranted in accordance with Section 12.0 of the International Standard for Testing and Investigations.

11.4 Intelligence outcomes

11.4.1 Anti-doping intelligence shall be used to assist in developing, reviewing and revising the Test Distribution Plan and/or in determining when to conduct Target Testing, in each case in accordance with Section 4.0 of the International Standard for Testing and Investigations, and/or to create targeted intelligence files to be referred for investigation in accordance with Section 12.0 of the International Standard for Testing and Investigations.

11.4.2 Anti-Doping Organizations should also develop and implement policies and procedures for the sharing of intelligence (where appropriate, and subject to applicable law) with other Anti-Doping Organizations (e.g., if the intelligence relates to Athletes or other Persons under their jurisdiction) and/or law enforcement and/or other relevant regulatory or disciplinary authorities (e.g., if the intelligence suggests the possible commission of a crime or regulatory offence or breach of other rules of conduct).
12.0 Investigations

12.1 Objective

12.1.1 The objective of this Section 12.0 of the International Standard for Testing and Investigations is to establish standards for the efficient and effective conduct of investigations that Anti-Doping Organizations must conduct under the Code, including:

a) the investigation of Atypical Findings and Adverse Passport Findings, in accordance with Code Articles 7.4 and 7.5 respectively;

b) the investigation of any other analytical or non-analytical information or intelligence where there is reasonable cause to suspect that an anti-doping rule violation may have been committed, in accordance with Code Articles 7.6 and 7.7 respectively; and

c) where an anti-doping rule violation by an Athlete is established, the investigation into whether Athlete Support Personnel or other Persons may have been involved in that violation, in accordance with Code Article 20.

12.1.2 In each case, the purpose of the investigation is to achieve one of the following: either (a) to rule out the possible violation/involvement in a violation; or (b) to develop evidence that supports the initiation of an anti-doping rule violation proceeding in accordance with Code Article 8.

12.2 Investigating Atypical Findings and Adverse Passport Findings

12.2.1 Anti-Doping Organizations shall ensure that they are able to investigate confidentially and effectively Atypical Findings and Adverse Passport Findings arising out of Testing conducted on their behalf and/or for which they are the Results Management Authority, in accordance with the requirements of Code Articles 7.4 and 7.5 respectively, and of the International Standard for Laboratories.

12.2.2 The Anti-Doping Organization shall provide to WADA upon request (or shall procure that the Testing Authority, if different, provides to WADA upon request) further information regarding the circumstances of Adverse Analytical Findings, Atypical Findings, and other potential anti-doping rule violations, such as (without limitation):

a) the Competition level of the Athlete in question;

b) what whereabouts information (if any) the Athlete in question provides, and whether that information was used to locate him/her for
the Sample collection that led to the Adverse Analytical Finding or the Atypical Finding;

c) the timing of the Sample collection in question relative to the Athlete’s training and Competition schedules; and

d) other such profile information as determined by WADA.

12.3 Investigating other possible anti-doping rule violations

12.3.1 Anti-Doping Organizations shall ensure that they are able to investigate confidentially and effectively any other analytical or non-analytical information or intelligence that indicates there is reasonable cause to suspect that an anti-doping rule violation may have been committed, in accordance with Code Articles 7.6 and 7.7, respectively.

[Comment to 12.3.1: Where an attempt to collect a Sample from an Athlete produces information indicating a possible evasion of Sample collection and/or refusal or failure to submit to Sample collection after due notification, in violation of Code Article 2.3, or possible Tampering or Attempted Tampering with Doping Control, in violation of Code Article 2.5, the matter shall be investigated in accordance with Annex A – Investigating a Possible Failure to Comply.]

12.3.2 When there is reasonable cause to suspect that an anti-doping rule violation may have been committed, the Anti-Doping Organization shall notify WADA that it is starting an investigation into the matter in accordance with Code Article 7.6 or Code Article 7.7, as applicable. Thereafter the Anti-Doping Organization shall keep WADA updated on the status and findings of the investigation upon request.

12.3.3 The Anti-Doping Organization shall gather and record all relevant information and documentation as soon as possible, in order to develop that information and documentation into admissible and reliable evidence in relation to the possible anti-doping rule violation, and/or to identify further lines of enquiry that may lead to the discovery of such evidence. The Anti-Doping Organization shall ensure that investigations are conducted fairly, objectively and impartially at all times. The conduct of investigations, the evaluation of information and evidence identified in the course of that investigation, and the outcome of the investigation, shall be fully documented.

[Comment to 12.3.3: It is important that information is provided to and gathered by the investigating Anti-Doping Organization as quickly as possible and in as much detail as possible, because the longer the period between the incident and investigation, the greater the risk that certain evidence may no longer exist.
Investigations should not be conducted with a closed mind, pursuing only one outcome (e.g., institution of anti-doping rule violation proceedings against an Athlete or other Person). Rather, the investigator(s) should be open to and should consider all possible outcomes at each key stage of the investigation, and should seek to gather not only any available evidence indicating that there is a case to answer but also any available evidence indicating that there is no case to answer.

12.3.4 The Anti-Doping Organization should make use of all investigative resources reasonably available to it to conduct its investigation. This may include obtaining information and assistance from law enforcement and other relevant authorities, including other regulators. However, the Anti-Doping Organization should also make full use of all investigative resources at its own disposal, including the Athlete Biological Passport program, investigative powers conferred under applicable rules (e.g., the power to demand the production of relevant documents and information, and the power to interview both potential witnesses and the Athlete or other Person who is the subject of the investigation), and the power to suspend a period of Ineligibility imposed on an Athlete or other Person in return for the provision of Substantial Assistance in accordance with Code Article 10.6.1.

[Comment to 12.3.4: WADA’s document entitled ‘Coordinating Investigations and Sharing Anti-Doping Information and Evidence’ provides guidance on how to build efficient and effective relationships with law enforcement and other relevant authorities that will facilitate the sharing of anti-doping intelligence and information and the co-ordination of investigations.]

12.3.5 Athletes and Athlete Support Personnel are required under Code Article 21 to cooperate with investigations conducted by Anti-Doping Organizations. If they fail to do so, disciplinary action should be taken against them under applicable rules. If their conduct amounts to subversion of the investigation process (e.g., by providing false, misleading or incomplete information, and/or by destroying potential evidence), the Anti-Doping Organization should bring proceedings against them for violation of Code Article 2.5 (Tampering or Attempted Tampering).

12.4 Investigation outcomes

12.4.1 The Anti-Doping Organization shall come to a decision efficiently and without undue delay as to whether proceedings should be brought against the Athlete or other Person asserting commission of an anti-doping rule violation. As set out in Code Article 13.3, if an Anti-Doping Organization fails to make such decision within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if the Anti-Doping Organization had rendered a decision finding
that no anti-doping rule violation has been committed. As noted in the comment to Code Article 13.3, however, before taking such action WADA will consult with the Anti-Doping Organization and give it an opportunity to explain why it has not yet rendered a decision.

12.4.2 Where the Anti-Doping Organization concludes based on the results of its investigation that proceedings should be brought against the Athlete or other Person asserting commission of an anti-doping rule violation, it shall give notice of that decision in the manner set out in Code Articles 7.4 to 7.6 (as applicable) and shall bring the proceedings against the Athlete or other Person in question in accordance with Code Article 8.

12.4.3 Where the Anti-Doping Organization concludes, based on the results of its investigation, that proceedings should not be brought against the Athlete or other Person asserting commission of an anti-doping rule violation:

a) It shall notify WADA and the Athlete’s or other Person’s International Federation and National Anti-Doping Organization in writing of that decision, with reasons, in accordance with Code Article 14.1.4.

b) It shall provide such other information about the investigation as is reasonably required by WADA and/or the International Federation and/or National Anti-Doping Organization in order to determine whether to appeal against that decision.

c) In any event, it shall consider whether any of the intelligence obtained and/or lessons learned during the investigation should be used to inform the development of its Test Distribution Plan and/or to plan Target Testing, and/or should be shared with any other body in accordance with Article 11.4.2.
PART FOUR: ANNEXES

Annex A - Investigating a Possible Failure to Comply

A.1 Objective

To ensure that any matters occurring before, during or after a Sample Collection Session that may lead to a determination of a Failure to Comply are properly assessed, documented and acted upon.

A.2 Scope

Investigating a possible Failure to Comply begins when the Testing Authority or a DCO becomes aware of a possible Failure to Comply and ends when the Testing Authority takes appropriate follow-up action based on the outcome of its investigation.

A.3 Responsibility

A.3.1 The Testing Authority is responsible for ensuring that:

a) when the possible Failure to Comply comes to its attention, it notifies WADA, and instigates an investigation of the possible Failure to Comply based on all relevant information and documentation;

b) the Athlete or other party is informed of the possible Failure to Comply in writing and has the opportunity to respond;

c) the investigation is conducted without unnecessary delay and the evaluation process is documented; and

d) the final determination (i.e., whether or not to assert the commission of an anti-doping rule violation), with reasons, is made available without delay to WADA and other Anti-Doping Organizations in accordance with Code Articles 7.10 and 14.1.4.

A.3.2 The DCO is responsible for:

a) informing the Athlete or other party of the Consequences of a possible Failure to Comply;

b) completing the Athlete’s Sample Collection Session where possible; and
c) providing a detailed written report of any possible Failure to Comply.

A.3.3 Sample Collection Personnel are responsible for:

a) informing the Athlete or other party of the Consequences of a possible Failure to Comply; and

b) reporting to the DCO any possible Failure to Comply.

A.4 Requirements

A.4.1 Any potential Failure to Comply shall be reported by the DCO and/or followed up by the Testing Authority as soon as practicable.

A.4.2 If the Testing Authority determines that there has been a potential Failure to Comply, the Athlete or other party shall be promptly notified in writing:

a) of the possible Consequences; and

b) that the potential Failure to Comply will be investigated by the Testing Authority and appropriate follow-up action will be taken.

A.4.3 Any additional necessary information about the potential Failure to Comply shall be obtained from all relevant sources (including the Athlete or other party) as soon as possible and recorded.

A.4.4 The Testing Authority shall establish a system for ensuring that the outcomes of its investigation into the potential Failure to Comply are considered for results management action and, if applicable, for further planning and Target Testing.
Annex B - Modifications for Athletes with Impairments

B.1 Objective

To ensure that the particular needs of Athletes with impairments are considered in relation to the provision of a Sample, where possible, without compromising the integrity of the Sample Collection Session.

B.2 Scope

Determining whether modifications are necessary starts with identification of situations where Sample collection involves Athletes with impairments and ends with modifications to Sample collection procedures and equipment where necessary and where possible.

B.3 Responsibility

B.3.1 The Sample Collection Authority has responsibility for ensuring, when possible, that the DCO has any information and Sample Collection Equipment necessary to conduct a Sample Collection Session with an Athlete with an impairment.

B.3.2 The DCO has responsibility for Sample collection.

B.4 Requirements

B.4.1 All aspects of notification and Sample collection for Athletes with impairments shall be carried out in accordance with the standard notification and Sample collection procedures unless modifications are necessary due to the Athlete’s impairment.

[Comment to B.4.1: For example, it may be appropriate, in the case of an Athlete with an intellectual impairment, to obtain consent to Testing from his/her representative.]

B.4.2 In planning or arranging Sample collection, the Sample Collection Authority and DCO shall consider whether there will be any Sample collection for Athletes with impairments that may require modifications to the standard procedures for notification or Sample collection, including Sample Collection Equipment and facilities.

B.4.3 The Sample Collection Authority and DCO shall have the authority to make modifications as the situation requires when possible and as long as such modifications will not compromise the identity, security or integrity of the Sample. All such modifications must be documented.
B.4.4 An Athlete with an intellectual, physical or sensorial impairment may be assisted by the Athlete’s representative or Sample Collection Personnel during the Sample Collection Session where authorized by the Athlete and agreed to by the DCO.

B.4.5 The DCO may decide that alternative Sample Collection Equipment or facilities will be used when required to enable the Athlete to provide the Sample, as long as the Sample’s identity, security and integrity will not be affected.

B.4.6 Athletes who are using urine collection or drainage systems are required to eliminate existing urine from such systems before providing a urine Sample for analysis. Where possible, the existing urine collection or drainage system should be replaced with a new, unused catheter or drainage system prior to collection of the Sample. The catheter or drainage system is not a required part of Sample Collection Equipment to be provided by the Sample Collection Authority; instead it is the responsibility of the Athlete to have the necessary equipment available for this purpose.

B.4.7 The DCO will record modifications made to the standard Sample collection procedures for Athletes with impairments, including any applicable modifications specified in the above actions.
Annex C - Modifications for Athletes who are Minors

C.1 Objective

To ensure that the particular needs of Athletes who are Minors are met in relation to the provision of a Sample, where possible, without compromising the integrity of the Sample Collection Session.

C.2 Scope

Determining whether modifications are necessary starts with identification of situations where Sample collection involves Athletes who are Minors and ends with modifications to Sample collection procedures where necessary and where possible.

C.3 Responsibility

The Testing Authority has responsibility for ensuring, when possible, that the DCO has any information necessary to conduct a Sample Collection Session with an Athlete who is a Minor. This includes confirming wherever necessary that the organizer of the Event obtains the necessary parental consent for Testing any participating Athlete who is a Minor.

C.4 Requirements

C.4.1 All aspects of notification and Sample collection for Athletes who are Minors shall be carried out in accordance with the standard notification and Sample collection procedures unless modifications are necessary due to the Athlete being a Minor.

C.4.2 In planning or arranging Sample collection, the Sample Collection Authority and DCO shall consider whether there will be any Sample collection for Athletes who are Minors that may require modifications to the standard procedures for notification or Sample collection.

C.4.3 The DCO and the Sample Collection Authority shall have the authority to make modifications as the situation requires when possible and as long as such modifications will not compromise the identity, security or integrity of the Sample.

C.4.4 Athletes who are Minors should be notified in the presence of an adult, and may choose to be accompanied by a representative throughout the entire Sample Collection Session. The representative shall not witness the passing of a urine Sample unless requested to do so by the Minor. The objective is to ensure that the DCO is observing the Sample provision correctly. Even if the Minor declines a representative, the Sample Collection Authority, DCO or Chaperone, as
applicable, shall consider whether another third party ought to be present during notification of and/or collection of the Sample from the Athlete.

C.4.5 The DCO shall determine who (in addition to the Sample Collection Personnel) may be present during the collection of a Sample from an Athlete who is a Minor, namely a representative of the Minor to observe the Sample Collection Session (including observing the DCO when the Minor is passing the urine Sample, but not directly observing the passing of the urine Sample unless requested to do so by the Minor) and the DCO’s/Chaperone’s representative, to observe the DCO/Chaperone when a Minor is passing a urine Sample, but without the representative directly observing the passing of the Sample unless requested by the Minor to do so.

C.4.6 Should an Athlete who is a Minor decline to have a representative present during the Sample Collection Session, this should be clearly documented by the DCO. This does not invalidate the test, but must be recorded. If a Minor declines the presence of a representative, the representative of the DCO/Chaperone must be present.

C.4.7 The preferred venue for all Out-of-Competition Testing of a Minor is a location where the presence of an adult is most likely, e.g., a training venue.

C.4.8 The Sample Collection Authority shall consider the appropriate course of action when no adult is present at the Testing of an Athlete who is a Minor and shall accommodate the Athlete in locating a representative in order to proceed with Testing.
Annex D - Collection of Urine Samples

D.1 Objective

To collect an Athlete’s urine Sample in a manner that ensures:

a) consistency with relevant principles of internationally recognized standard precautions in healthcare settings so that the health and safety of the Athlete and Sample Collection Personnel are not compromised;

b) the Sample meets the Suitable Specific Gravity for Analysis and the Suitable Volume of Urine for Analysis. Failure of a Sample to meet these requirements in no way invalidates the suitability of the Sample for analysis. The determination of a Sample’s suitability for analysis is the decision of the relevant laboratory, in consultation with the Testing Authority for the Sample Collection Session in question;

c) the Sample has not been manipulated, substituted, contaminated or otherwise tampered with in any way;

d) the Sample is clearly and accurately identified; and

e) the Sample is securely sealed in a tamper-evident kit.

D.2 Scope

The collection of a urine Sample begins with ensuring the Athlete is informed of the Sample collection requirements and ends with discarding any residual urine remaining at the end of the Athlete’s Sample Collection Session.

D.3 Responsibility

D.3.1 The DCO has the responsibility for ensuring that each Sample is properly collected, identified and sealed.

D.3.2 The DCO/Chaperone has the responsibility for directly witnessing the passing of the urine Sample.

D.4 Requirements

D.4.1 The DCO shall ensure that the Athlete is informed of the requirements of the Sample Collection Session, including any modifications as provided for in Annex B – Modifications for Athletes with Impairments.
D.4.2  The DCO shall ensure that the Athlete is offered a choice of appropriate equipment for collecting the Sample. If the nature of an Athlete’s impairment requires that he/she must use additional or other equipment as provided for in Annex B – Modifications for Athletes with Impairments, the DCO shall inspect that equipment to ensure that it will not affect the identity or integrity of the Sample.

D.4.3  The DCO shall instruct the Athlete to select a collection vessel.

D.4.4  When the Athlete selects a collection vessel, and for selection of all other Sample Collection Equipment that directly holds the urine Sample, the DCO will instruct the Athlete to check that all seals on the selected equipment are intact and the equipment has not been tampered with. If the Athlete is not satisfied with the selected equipment, he/she may select another. If the Athlete is not satisfied with any of the equipment available for selection, this shall be recorded by the DCO. If the DCO does not agree with the Athlete that all of the equipment available for the selection is unsatisfactory, the DCO shall instruct the Athlete to proceed with the Sample Collection Session. If the DCO agrees with the Athlete that all of the equipment available for the selection is unsatisfactory, the DCO shall terminate the Sample Collection Session and this shall be recorded by the DCO.

D.4.5  The Athlete shall retain control of the collection vessel and any Sample provided until the Sample (or partial Sample) is sealed, unless assistance is required by reason of an Athlete’s impairment as provided for in Annex B – Modifications for Athletes with Impairments. Additional assistance may be provided in exceptional circumstances to any Athlete by the Athlete’s representative or Sample Collection Personnel during the Sample Collection Session where authorized by the Athlete and agreed to by the DCO.

D.4.6  The DCO/Chaperone who witnesses the passing of the Sample shall be of the same gender as the Athlete providing the Sample.

D.4.7  The DCO/Chaperone should, where practicable, ensure the Athlete thoroughly washes his/her hands prior to the provision of the Sample or wears suitable (e.g., latex) gloves during provision of the Sample.

D.4.8  The DCO/Chaperone and Athlete shall proceed to an area of privacy to collect a Sample.

D.4.9  The DCO/Chaperone shall ensure an unobstructed view of the Sample leaving the Athlete’s body and must continue to observe the Sample after provision until the Sample is securely sealed. In order to ensure a clear and unobstructed view of the passing of the Sample, the DCO/Chaperone shall instruct the Athlete to remove or adjust any clothing which restricts the DCO/Chaperone’s clear view.
of Sample provision. The DCO/Chaperone shall ensure that all urine passed by the Athlete at the time of provision of the Sample is collected in the collection vessel.

D.4.10 The DCO shall verify, in full view of the Athlete, that the Suitable Volume of Urine for Analysis has been provided.

D.4.11 Where the volume of urine provided by the Athlete is insufficient, the DCO shall follow the partial Sample collection procedure set out in Annex F – Urine Samples – Insufficient Volume.

D.4.12 Once the volume of urine provided by the Athlete is sufficient, the DCO shall instruct the Athlete to select a Sample collection kit containing A and B bottles in accordance with Article D.4.4.

D.4.13 Once a Sample collection kit has been selected, the DCO and the Athlete shall check that all code numbers match and that this code number is recorded accurately by the DCO on the Doping Control form. If the Athlete or DCO finds that the numbers are not the same, the DCO shall instruct the Athlete to choose another kit in accordance with Article D.4.4. The DCO shall record the matter.

D.4.14 The Athlete shall pour the minimum Suitable Volume of Urine for Analysis into the B bottle (to a minimum of 30 mL), and then pour the remainder of the urine into the A bottle (to a minimum of 60 mL). The Suitable Volume of Urine for Analysis shall be viewed as an absolute minimum. If more than the minimum Suitable Volume of Urine for Analysis has been provided, the DCO shall ensure that the Athlete fills the A bottle to capacity as per the recommendation of the equipment manufacturer. Should there still be urine remaining, the DCO shall ensure that the Athlete fills the B bottle to capacity as per the recommendation of the equipment manufacturer. The DCO shall instruct the Athlete to ensure that a small amount of urine is left in the collection vessel, explaining that this is to enable the DCO to test that residual urine in accordance with Article D.4.16.

D.4.15 The Athlete shall then seal the A and B bottles as directed by the DCO. The DCO shall check, in full view of the Athlete, that the bottles have been properly sealed.

D.4.16 The DCO shall test the residual urine in the collection vessel to determine if the Sample has a Suitable Specific Gravity for Analysis. If the DCO’s field reading indicates that the Sample does not have a Suitable Specific Gravity for Analysis, then the DCO shall follow Annex G (Urine Samples that do not meet the requirement for Suitable Specific Gravity for Analysis).
D.4.17 Urine should only be discarded when both the A and B bottles have been filled to capacity in accordance with Article D.4.14 and the residual urine has been tested in accordance with Article D.4.16.

D.4.18 The Athlete shall be given the option of witnessing the discarding of any residual urine that will not be sent for analysis.
Annex E - Collection of Blood Samples

E.1 Objective

To collect an Athlete’s blood Sample in a manner that ensures:

a) consistency with relevant principles of internationally recognized standard precautions in healthcare settings, and is collected by a suitably qualified person, so that the health and safety of the Athlete and Sample Collection Personnel are not compromised;

b) the Sample is of a quality and quantity that meets the relevant analytical guidelines;

c) the Sample has not been manipulated, substituted, contaminated or otherwise tampered with in any way;

d) the Sample is clearly and accurately identified; and

e) the Sample is securely sealed.

E.2 Scope

The collection of a blood Sample begins with ensuring the Athlete is informed of the Sample collection requirements and ends with properly storing the Sample prior to transport to the laboratory that will be analyzing the Sample.

E.3 Responsibility

E.3.1 The DCO has the responsibility for ensuring that:

a) Each Sample is properly collected, identified and sealed; and

b) All Samples have been properly stored and dispatched in accordance with the relevant analytical guidelines.

E.3.2 The Blood Collection Officer has the responsibility for collecting the blood Sample, answering related questions during the provision of the Sample, and proper disposal of used blood sampling equipment not required to complete the Sample Collection Session.
E.4 Requirements

E.4.1 Procedures involving blood shall be consistent with the local standards and regulatory requirements regarding precautions in healthcare settings where those standards and requirements exceed the requirements set out below.

E.4.2 Blood Sample Collection Equipment shall consist of (a) a single sample tube for Samples to be used in connection with an Athlete Biological Passport program; or (b) both an A and B sample tube for Samples not to be used in connection with an Athlete Biological Passport program; or (c) other equipment as otherwise specified by the relevant laboratory. Collection tubes shall be labelled with a unique Sample code number by the DCO/BCO if they are not pre-labelled. The types of equipment to be used and the volume of blood to be collected for particular analyses shall be as set out in WADA’s Blood Collection Guidelines.

E.4.3 The DCO shall ensure that the Athlete is properly notified of the requirements of the Sample collection, including any modifications as provided for in Annex B – Modifications for Athletes with Impairments.

E.4.4 The DCO/Chaperone and Athlete shall proceed to the area where the Sample will be provided.

E.4.5 The DCO/BCO shall ensure the Athlete is offered comfortable conditions and shall instruct the Athlete to remain in a normal seated position with feet on the floor for at least 10 minutes prior to providing a Sample.

E.4.6 The DCO shall instruct the Athlete to select the Sample collection kit(s) required for collecting the Sample and to check that the selected equipment has not been tampered with and the seals are intact. If the Athlete is not satisfied with a selected kit, he/she may select another. If the Athlete is not satisfied with any kits and no others are available, this shall be recorded by the DCO. If the DCO does not agree with the Athlete that all of the available kits are unsatisfactory, the DCO shall instruct the Athlete to proceed with the Sample Collection Session. If the DCO agrees with the Athlete that all available kits are unsatisfactory, the DCO shall terminate the Sample Collection Session and this shall be recorded by the DCO.

E.4.7 When a Sample collection kit has been selected, the DCO and the Athlete shall check that all code numbers match and that this code number is recorded accurately by the DCO on the Doping Control form. If the Athlete or DCO finds that the numbers are not the same, the DCO shall instruct the Athlete to choose another kit. The DCO shall record the matter.

E.4.8 The BCO shall clean the skin with a sterile disinfectant wipe or swab in a location unlikely to adversely affect the Athlete or his/her performance and, if
required, apply a tourniquet. The BCO shall take the blood Sample from a superficial vein into the tube. The tourniquet, if applied, shall be immediately removed after the venipuncture has been made.

E.4.9 The amount of blood removed shall be adequate to satisfy the relevant analytical requirements for the Sample analysis to be performed, as set out in WADA’s Blood Collection Guidelines.

E.4.10 If the amount of blood that can be removed from the Athlete at the first attempt is insufficient, the BCO shall repeat the procedure up to a maximum of three attempts in total. Should all three attempts fail to produce a sufficient amount of blood, then the BCO shall inform the DCO. The DCO shall terminate the Sample Collection Session and record this and the reasons for terminating the collection.

E.4.11 The BCO shall apply a dressing to the puncture site(s).

E.4.12 The BCO shall dispose of used blood sampling equipment not required to complete the Sample Collection Session in accordance with the required local standards for handling blood.

E.4.13 If the Sample requires further on-site processing, such as centrifugation or separation of serum (for example, in the case of a Sample intended for use in connection with the Athlete Biological Passport program, after the blood flow into the tube ceases, the BCO shall remove the tube from the holder and homogenize the blood in the tube manually by inverting the tube gently at least three times), the Athlete shall remain to observe the Sample until final sealing in secure, tamper-evident kit.

E.4.14 The Athlete shall seal his/her Sample into the Sample collection kit as directed by the DCO. In full view of the Athlete, the DCO shall check that the sealing is satisfactory. The Athlete and the BCO/DCO shall sign the Doping Control form.

E.4.16 The sealed Sample shall be stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station to the laboratory that will be analyzing the Sample.

E.4.17 Blood Samples shall be transported in accordance with Section 9.0. The transport procedure is the responsibility of the DCO. Blood Samples shall be transported in a device that maintains the integrity of Samples over time notwithstanding changes in external temperature. The transport device shall be transported by secure means using a method authorized by the Testing Authority.
[Comment to E.4: The requirements of this Annex apply to Blood Samples collected for the purposes of direct analysis as well as for the purposes of the ABP. Additional requirements applicable only to the ABP are contained in Annex K.]
Annex F - Urine Samples - Insufficient Volume

F.1 Objective

To ensure that where a Suitable Volume of Urine for Analysis is not provided, appropriate procedures are followed.

F.2 Scope

The procedure begins with informing the Athlete that the Sample that he/she has provided is not of Suitable Volume of Urine for Analysis and ends with the Athlete’s provision of a Sample of sufficient volume.

F.3 Responsibility

The DCO has the responsibility for declaring the Sample volume insufficient and for collecting the additional Sample(s) to obtain a combined Sample of sufficient volume.

F.4 Requirements

F.4.1 If the Sample collected is of insufficient volume, the DCO shall inform the Athlete that a further Sample shall be collected to meet the Suitable Volume of Urine for Analysis requirements.

F.4.2 The DCO shall instruct the Athlete to select partial Sample Collection Equipment in accordance with Article D.4.4.

F.4.3 The DCO shall then instruct the Athlete to open the relevant equipment, pour the insufficient Sample into the new container (unless the Sample Collection Authority’s procedures permit retention of the insufficient Sample in the original collection vessel) and seal it as directed by the DCO. The DCO shall check, in full view of the Athlete, that the container (or original collection vessel, if applicable) has been properly sealed.

F.4.4 The DCO and the Athlete shall check that the equipment code number and the volume and identity of the insufficient Sample are recorded accurately by the DCO on the Doping Control form. Either the Athlete or the DCO shall retain control of the sealed partial Sample.

F.4.5 While waiting to provide an additional Sample, the Athlete shall remain under continuous observation and be given the opportunity to hydrate.
F.4.6 When the Athlete is able to provide an additional Sample, the procedures for collection of the Sample shall be repeated as prescribed in Annex D – Collection of Urine Samples until a sufficient volume of urine will be provided by combining the initial and additional Sample(s).

F.4.7 When the DCO is satisfied that the requirements for Suitable Volume of Urine for Analysis have been met, the DCO and Athlete shall check the integrity of the seal(s) on the container(s) containing the previously provided partial Sample(s). Any irregularity with the integrity of the seal(s) will be recorded by the DCO and investigated according to Annex A – Investigating a Possible Failure to Comply.

F.4.8 The DCO shall then direct the Athlete to break the seal(s) and combine the Samples, ensuring that additional Samples are added in the order they were collected to the original partial Sample until, as a minimum, the requirement for Suitable Volume of Urine for Analysis is met.

F.4.9 The DCO and the Athlete shall then continue with Article D.4.12 or Article D.4.14 as appropriate.

F.4.10 The DCO shall check the residual urine in accordance with Article D.4.16 to ensure that it meets the requirement for Suitable Specific Gravity for Analysis.

F.4.11 Urine should only be discarded when both the A and B bottles have been filled to capacity in accordance with Article D.4.14 and the residual urine has been checked in accordance with Article F.4.10. The Suitable Volume of Urine for Analysis shall be viewed as an absolute minimum.
Annex G - Urine Samples that do not meet the requirement for Suitable Specific Gravity for Analysis

G.1 Objective

To ensure that when the urine Sample does not meet the requirement for Suitable Specific Gravity for Analysis, appropriate procedures are followed.

G.2 Scope

The procedure begins with the DCO informing the Athlete that a further Sample is required and ends with the collection of a Sample that meets the requirements for Suitable Specific Gravity for Analysis, or appropriate follow-up action by the Testing Authority if required.

G.3 Responsibility

The Sample Collection Authority is responsible for establishing procedures to ensure that a suitable Sample is collected. If the original Sample collected does not meet the requirement for Suitable Specific Gravity for Analysis, the DCO is responsible for collecting additional Samples until a suitable Sample is obtained.

G.4 Requirements

G.4.1 The DCO shall determine that the requirements for Suitable Specific Gravity for Analysis have not been met.

G.4.2 The DCO shall inform the Athlete that he/she is required to provide a further Sample.

G.4.3 While waiting to provide a further Sample, the Athlete shall remain under continuous observation.

G.4.4 The Athlete shall be advised not to hydrate excessively, since this may delay the production of a suitable Sample. In appropriate circumstances, excessive hydration may be pursued as a violation of Code Article 2.5 (Tampering or Attempted Tampering with any part of Doping Control).

G.4.5 When the Athlete is able to provide an additional Sample, the DCO shall repeat the procedures for Sample collection set out in Annex D – Collection of Urine Samples.

G.4.6 The DCO should continue to collect additional Samples until the requirement for Suitable Specific Gravity for Analysis is met, or until the DCO determines that there are exceptional circumstances which mean that for logistical
reasons it is impossible to continue with the **Sample Collection Session**. Such exceptional circumstances shall be documented accordingly by the **DCO**.

[Comment to G.4.6: *It is the responsibility of the Athlete to provide a Sample with a Suitable Specific Gravity for Analysis. Sample Collection Personnel shall advise the Athlete and Athlete Support Personnel as appropriate of this requirement at the time of Notification in order to discourage excessive hydration prior to the provision of the Athlete’s first sample. If his/her first Sample is too dilute, he/she shall be advised to not hydrate any further until a Sample with a Suitable Specific Gravity for Analysis is provided. The DCO should wait as long as necessary to collect such a Sample. The Testing Authority may specify procedures to be followed by the DCO in determining whether exceptional circumstances exist that make it impossible to continue with the Sample Collection Session.*]

G.4.7 The **DCO** shall record that the **Samples** collected belong to a single **Athlete** and the order in which the **Samples** were provided.

G.4.8 The **DCO** shall then continue with the **Sample Collection Session** in accordance with Article D.4.17.

G.4.9 If it is determined that none of the **Samples** collected from the **Athlete** meets the requirement for **Suitable Specific Gravity for Analysis** and the **DCO** determines that for logistical reasons it is impossible to continue with the **Sample Collection Session**, the **DCO** may end the **Sample Collection Session**.

G.4.10 The **DCO** shall send to the **Laboratory** for analysis all **Samples** which were collected, irrespective of whether or not they meet the requirement for **Suitable Specific Gravity for Analysis**.

G.4.11 When two **Samples** are collected from an **Athlete**, during the same **Sample Collection Session**, both **Samples** shall be analyzed by the **Laboratory**. In cases where three or more **Samples** are collected during the same **Sample Collection Session**, the **Laboratory** shall prioritize and analyze the first and last **Samples** collected. The **Laboratory**, in conjunction with the **Testing Authority**, may determine if the other **Samples** need to be analysed.
Annex H - *Sample Collection Personnel* Requirements

**H.1 Objective**

To ensure that *Sample Collection Personnel* have no conflict of interest and have adequate qualifications and experience to conduct *Sample Collection Sessions*.

**H.2 Scope**

*Sample Collection Personnel* requirements start with the development of the necessary competencies for *Sample Collection Personnel* and end with the provision of identifiable accreditation.

**H.3 Responsibility**

The *Sample Collection Authority* has the responsibility for all activities defined in this Annex H.

**H.4 Requirements - Qualifications and Training**

**H.4.1** The *Sample Collection Authority* shall:

a) determine the necessary competence and qualification requirements for the positions of DCO, Chaperone and BCO; and

b) develop duty statements for all *Sample Collection Personnel* that outline their respective responsibilities. As a minimum:

   i) *Sample Collection Personnel* shall not be *Minors*; and

   ii) BCOs shall have adequate qualifications and practical skills required to perform blood collection from a vein.

**H.4.2** The *Sample Collection Authority* shall ensure that *Sample Collection Personnel* that have an interest in the outcome of a *Sample Collection Session* are not appointed to that *Sample Collection Session*. *Sample Collection Personnel* are deemed to have such an interest if they are:

a) Involved in the administration of the sport for which *Testing* is being conducted; or

b) Related to, or involved in the personal affairs of, any *Athlete* who might provide a *Sample* at that session.
H.4.3 The **Sample Collection Authority** shall establish a system that ensures that **Sample Collection Personnel** are adequately trained to carry out their duties.

H.4.3.1 The training program for **BCOs** shall include, as a minimum, studies of all relevant requirements of the **Testing** process and familiarization with relevant standard precautions in healthcare settings.

H.4.3.2 The training program for **DCOs** shall include, as a minimum:

a) Comprehensive theoretical training in different types of **Testing** activities relevant to the **DCO** position;

b) Observation of all **Doping Control** activities that are the responsibility of the **DCO** as set out in this International Standard for Testing and Investigations, preferably on-site; and

c) The satisfactory performance of one complete **Sample Collection Session** on site under observation by a qualified **DCO** or similar. The requirement related to the actual passing of a urine **Sample** shall not be included in the on-site observations.

H.4.3.3 The training program for **Chaperones** shall include studies of all relevant requirements of the **Sample** collection process.

H.4.3.4 A **Sample Collection Authority** that collects **Samples** from **Athletes** who are of a different nationality to its **Sample Collection Personnel** (e.g., at an **International Event** or in an **Out-of-Competition** context) should establish additional systems to ensure that such **Sample Collection Personnel** are adequately trained to carry out their duties in respect of such **Athletes**.

H.4.4 The **Sample Collection Authority** shall maintain records of education, training, skills and experience of all **Sample Collection Personnel**.

H.5 **Requirements - Accreditation, re-accreditation and delegation**

H.5.1 The **Sample Collection Authority** shall establish a system for accrediting and re-accrediting **Sample Collection Personnel**.

H.5.2 The **Sample Collection Authority** shall ensure that **Sample Collection Personnel** have completed the training program and are familiar with the requirements of this International Standard for Testing and Investigations (including, where Article H.4.3.4 applies, in relation to the collection of **Samples** from **Athletes** who are of a different nationality to the **Sample Collection Personnel**) before granting accreditation.
H.5.3 Accreditation shall only be valid for a maximum of two years. *Sample Collection Personnel* shall be required to repeat a full training program if they have not participated in *Sample* collection activities within the year prior to re-accreditation.

H.5.4 Only *Sample Collection Personnel* who have an accreditation recognized by the *Sample Collection Authority* shall be authorized by the *Sample Collection Authority* to conduct *Sample* collection activities on behalf of the *Sample Collection Authority*.

H.5.5 DCOs may personally perform any activities involved in the *Sample Collection Session*, with the exception of blood collection unless particularly qualified, or they may direct a *Chaperone* to perform specified activities that fall within the scope of the *Chaperone’s* authorized duties.
Annex I – *Code Article 2.4 Whereabouts Requirements*

I.1 **Introduction**

I.1.1 An **Athlete** who is in a **Registered Testing Pool** is required:

a. to make quarterly **Whereabouts Filings** that provide accurate and complete information about the **Athlete’s** whereabouts during the forthcoming quarter, including identifying where he/she will be living, training and competing during that quarter, and to update those **Whereabouts Filings** where necessary, so that he/she can be located for **Testing** during that quarter at the times and locations specified in the relevant **Whereabouts Filing**, as specified in Article I.3. A failure to do so may be declared a **Filing Failure**; and

b. to specify in his/her **Whereabouts Filings**, for each day in the forthcoming quarter, one specific 60-minute time slot where he/she will be available at a specific location for **Testing**, as specified in Article I.4. This does not limit in any way the **Athlete’s Code Article 5.2** obligation to submit to **Testing** at any time and place upon request by an **Anti-Doping Organization** with **Testing Authority** over him/her. Nor does it limit his/her obligation to provide the information specified in Article I.3 as to his/her whereabouts outside that 60-minute time slot. However, if the **Athlete** is not available for **Testing** at such location during the 60-minute time slot specified for that day in his/her **Whereabouts Filing**, that failure may be declared a **Missed Test**.

*Comment to I.1.1(b): The purpose of the 60-minute time slot is to strike a balance between the need to locate the Athlete for Testing and the impracticality and unfairness of making Athletes potentially accountable for a Missed Test every time they depart from their previously-declared routine. Anti-Doping Organizations that implemented whereabouts systems in the period up to 2009 reflected that tension in different ways. Some demanded “24/7” whereabouts information, but did not declare a Missed Test if an Athlete was not where he/she had said he/she would be unless (a) he/she could still not report for Testing despite being given notice in the form of a phone call; or (b) the following day he/she was still not where he/she had said he/she would be. Others asked for details of the Athlete’s whereabouts for only one hour per day, but held the Athlete fully accountable during that period, which gave each side certainty but limited the Anti-Doping Organization’s ability to test the Athlete outside that hour. After extensive consultation with stakeholders with substantial whereabouts experience, the view was taken that the best way to maximize the chances of finding the Athlete at any time, while providing a reasonable and appropriate mitigation of “24/7” Missed Test liability, was to combine the best elements of each system, i.e., requiring disclosure of whereabouts information on a “24/7” basis, while limiting exposure to a Missed Test to a 60-minute time slot.*

I.1.2 Three **Whereabouts Failures** by an **Athlete** within any 12-month period amount to an anti-doping rule violation under *Code Article 2.4*. The **Whereabouts**
Failures may be any combination of Filing Failures and/or Missed Tests declared in accordance with Article I.5 and adding up to three in total.

[Comment to I.1.2: While a single Whereabouts Failure will not amount to an anti-doping rule violation under Code Article 2.4, depending on the facts it could amount to an anti-doping rule violation under Code Article 2.3 (Evading Sample Collection) and/or Code Article 2.5 (Tampering or Attempted Tampering with Doping Control).]

I.1.3 The 12-month period referred to in Code Article 2.4 starts to run on the date that an Athlete commits the first Whereabouts Failure being relied upon in support of the allegation of a violation of Code Article 2.4. If two more Whereabouts Failures occur during the ensuing 12-month period, then a Code Article 2.4 anti-doping rule violation is committed, irrespective of any Samples successfully collected from the Athlete during that 12-month period. However, if an Athlete who has committed one Whereabouts Failure does not go on to commit a further two Whereabouts Failures within 12 months of the first, at the end of that 12-month period the first Whereabouts Failure “expires” for purposes of Code Article 2.4, and a new 12-month period begins to run from the date of his/her next Whereabouts Failure.

[Comment to I.1.3: For purposes of determining whether a Whereabouts Failure has occurred within the 12-month period referred to in Code Article 2.4, (a) a Filing Failure will be deemed to have occurred on the first day of the quarter for which the Athlete fails to make a (sufficient) filing; and (b) a Missed Test will be deemed to have occurred on the date that the Sample collection was unsuccessfully attempted.]

I.1.4 To give Athletes the full benefit of the changes to the 2015 Code (reducing the relevant period under Code Article 2.4 from 18 months to 12 months), any Whereabouts Failure that occurred prior to 1 January 2015 will “expire” (for purposes of Code Article 2.4) 12 months after the date of its occurrence.

I.2 Entering and leaving a Registered Testing Pool

I.2.1 The International Federation or National Anti-Doping Organization (as applicable) must notify each Athlete designated for inclusion in its Registered Testing Pool of the following:

a. the fact that he/she has been included in its Registered Testing Pool with effect from a specified date in the future;

b. the whereabouts requirements with which he/she must therefore comply; and

c. the Consequences if he/she fails to comply with those whereabouts requirements.

[Comment to I.2.1: This notification may be made through the National Federation or National Olympic Committee where the International Federation/National Anti-Doping Organization considers it appropriate or expedient to do so. The notice
should also explain what the Athlete needs to do in order to comply with the Code Article 2.4 Whereabouts Requirements (or refer them to a website or other resource where they can find out that information). Athletes included in a Registered Testing Pool should be informed and educated so that they understand the whereabouts requirements that they must satisfy, how the whereabouts system works, the Consequences of Filing Failures and Missed Tests, and their right to contest Filing Failures and Missed Tests that have been asserted against them.

Anti-Doping Organizations should also be proactive in helping Athletes avoid Filing Failures. For example, many Anti-Doping Organizations systematically remind Athletes in their Registered Testing Pool of quarterly deadlines for Whereabouts Filings, and then follow up with those Athletes who have still not made the necessary filing as the deadline approaches. However, Athletes remain fully responsible for complying with the filing requirements, irrespective of whether or not the Anti-Doping Organization has provided them with such support.]

I.2.2 If the Athlete is included in the International Federation’s international Registered Testing Pool and in the National Anti-Doping Organization’s national Registered Testing Pool (or in the Registered Testing Pool of more than one National Anti-Doping Organization or more than one International Federation), then each of them shall notify the Athlete that he/she is in its pool. Prior to doing so, however, they must agree between themselves which of them the Athlete should provide his/her Whereabouts Filings to, and each notice sent to the Athlete should specify that he/she should provide his/her Whereabouts Filings to that Anti-Doping Organization only (and it will then share that information with the other, and with any other Anti-Doping Organizations having Testing jurisdiction over the Athlete). An Athlete must not be asked to provide Whereabouts Filings to more than one Anti-Doping Organization.

[Comment to I.2.2: If the respective Anti-Doping Organizations cannot agree between themselves which of them will take responsibility for collecting the Athlete’s whereabouts information, and for making it available to the other Anti-Doping Organizations with authority to test the Athlete, then they should each explain in writing to WADA how they believe the matter should be resolved, and WADA will decide based on the best interests of the Athlete. WADA’s decision will be final and may not be appealed.]

I.2.3 An International Federation or National Anti-Doping Organization that maintains a Registered Testing Pool shall establish a workable system for the collection, maintenance and sharing of Whereabouts Filings, preferably using an online system (capable of recording who enters information and when) or at least fax, email and/or SMS text messaging, to ensure that:

a. the information provided by the Athlete is stored safely and securely (in ADAMS or another system approved by WADA);

b. the information can be accessed by (i) authorized individuals acting on behalf of the International Federation or National Anti-Doping Organization (as applicable) on a need-to-know basis only; (ii) WADA;
and (iii) other Anti-Doping Organizations with Testing jurisdiction over the Athlete; and

c. the information is maintained in strict confidence at all times, is used exclusively for the purposes set out in Code Article 5.6, and is destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant.

I.2.4 An Athlete who has been included in a Registered Testing Pool shall continue to be subject to the Code Article 2.4 Whereabouts Requirements unless and until:

a. he/she has been given written notice by each Anti-Doping Organization that put him in its Registered Testing Pool that he/she is no longer designated for inclusion in its Registered Testing Pool; or

b. he/she retires from Competition in the sport in question in accordance with the applicable rules and gives written notice to that effect to each Anti-Doping Organization that put him/her in its Registered Testing Pool.

[Comment to I.2.4: The applicable rules may also require that notice of retirement be sent to the Athlete’s National Federation.

Where an Athlete retires from but then returns to sport, his/her period of non-availability for Out-of-Competition Testing shall be disregarded for purposes of calculating the 12-month period referred to in Code Article 2.4. As a result, Whereabouts Failures committed by the Athlete prior to retirement may be combined, for purposes of Code Article 2.4, with Whereabouts Failures committed by the Athlete after he/she again becomes available for Out-of-Competition Testing. For example, if an Athlete committed two Whereabouts Failures in the six months prior to his/her retirement, then if he/she commits another Whereabouts Failure in the first six months in which he/she is again available for Out-of-Competition Testing, that amounts to a Code Article 2.4 anti-doping rule violation.]

I.3 Whereabouts Filing Requirements

I.3.1 On a date specified by the Anti-Doping Organization collecting an Athlete’s Whereabouts Filings – which date shall be prior to the first day of each quarter (i.e., 1 January, 1 April, 1 July and 1 October, respectively) – an Athlete in a Registered Testing Pool must file a Whereabouts Filing that contains at least the following information:

a. a complete mailing address where correspondence may be sent to the Athlete for formal notice purposes. Any notice or other item mailed to that address will be deemed to have been received by the Athlete five working days after it was deposited in the mail;
[Comment to I.3.1(a): For these purposes, the Athlete should specify an address where he/she lives or otherwise knows that mail received there will be immediately brought to his/her attention. An Anti-Doping Organization is encouraged also to supplement this basic provision with other notice and/or “deemed notice” provisions in its rules (for example, permitting use of fax, email, SMS text or other methods of service of notice; permitting proof of actual receipt as a substitute for deemed receipt; permitting notice to be served on the Athlete’s National Federation if it is returned undelivered from the address supplied by the Athlete). The aim of such provisions should be to shorten the results management timelines.]

b. details of any impairment of the Athlete that may affect the procedure to be followed in conducting a Sample Collection Session;

c. specific confirmation of the Athlete’s consent to the sharing of his/her Whereabouts Filing with other Anti-Doping Organizations that have Testing Authority over him/her;

d. for each day during the following quarter, the full address of the place where the Athlete will be staying overnight (e.g., home, temporary lodgings, hotel, etc);

e. for each day during the following quarter, the name and address of each location where the Athlete will train, work or conduct any other regular activity (e.g. school), as well as the usual time-frames for such regular activities; and

[Comment to I.3.1(e): This requirement applies only to activities that are part of the Athlete’s regular routine. For example, if the Athlete’s regular routine includes training at the gym, the pool and the track, and regular physio sessions, then the Athlete should provide the name and address of the gym, track, pool and physio in his/her Whereabouts Filing, and then set out his/her usual routine, e.g., “Mondays: 9-11 gym, 13-17 gym; Tuesdays: 9-11 gym, 16-18 gym; Wednesdays: 9–11 track, 3-5 physio; Thursdays: 9-12 gym 16-18 track; Fridays: 9-11 pool 3-5 physio; Saturdays: 9-12 track, 13-15 pool; Sundays: 9-11 track, 13-15 pool”.

If the Athlete is not currently training, he/she should specify that in his/her Whereabouts Filing and detail any other routine that he/she will be following in the forthcoming quarter, e.g., his/her work routine, or school schedule, or rehab routine, or other routine, and identify the name and address of each location where that routine is conducted and the time-frame during which it is conducted.

In the case of a Team Sport or other sport where competing and/or training are carried out on a collective basis, the Athlete’s regular activities are likely to include most if not all Team Activities.]

f. the Athlete’s Competition schedule for the following quarter, including the name and address of each location where the Athlete is scheduled to compete during the quarter and the date(s) on which he/she is scheduled to compete at such location(s).
I.3.2 Subject to Article I.3.3, the **Whereabouts Filing** must also include, for each day during the following quarter, one specific 60-minute time slot between 5 a.m. and 11 p.m. each day where the **Athlete** will be available and accessible for **Testing** at a specific location.

**[Comment to I.3.2: The Athlete can choose which 60-minute time slot between 5 a.m. and 11 p.m. to use for this purpose, provided that during the time slot in question he/she is somewhere accessible by the DCO. It could be the Athlete’s place of residence, training or Competition, or it could be another location (e.g., work or school). An Athlete is entitled to specify a 60-minute time slot during which he/she will be at a hotel, apartment building, gated community or other location where access to the Athlete is obtained via a front desk, or doorman, or security guard. In addition, an Athlete may specify a time slot when he/she is taking part in a Team Activity. In either case, however, any failure to be accessible and available for Testing at the specified location during the specified time slot will be a Missed Test.]**

I.3.3 As the sole exception to Article I.3.2, if (but only if) there are dates in the relevant quarter in which the **Athlete** is scheduled to compete in an **Event** (excluding any **Events** organized by a **Major Event Organization**), and the **Anti-Doping Organization** that put the **Athlete** into the **Registered Testing Pool** is satisfied that enough information is available from other sources to find the **Athlete** for **Testing** on those dates, then the **Anti-Doping Organization** that put the **Athlete** into the **Registered Testing Pool** may waive the Article I.3.2 requirement to specify a 60-minute time-slot in respect of such dates ("**In-Competition Dates**"). If each of the International Federation and a **National Anti-Doping Organization** put the **Athlete** into its **Registered Testing Pool**, the International Federation's decision as to whether to waive that requirement in respect of **In-Competition Dates** will prevail. If the requirement to specify a 60-minute time slot has been waived in respect of **In-Competition Dates**, and the **Athlete** has specified in his/her **Whereabouts Filing** a series of dates on which he/she anticipates being **In-Competition** (and as a result has not specified a 60-minute time slot for those dates), if he/she is then knocked out of the **Competition** before the end of those dates, so that the remaining dates are no longer **In-Competition Dates**, he/she must update his/her **Whereabouts Filing** to provide all the necessary information for those dates, including the 60-minute time slot specified in Article I.3.2.

I.3.4 It is the **Athlete**’s responsibility to ensure that he/she provides all of the information required in a **Whereabouts Filing** accurately and in sufficient detail to enable any **Anti-Doping Organization** wishing to do so to locate the **Athlete** for **Testing** on any given day in the quarter at the times and locations specified by the **Athlete** in his/her **Whereabouts Filing** for that day, including but not limited to during the 60-minute time slot specified for that day in the **Whereabouts Filing**. More specifically, the **Athlete** must provide sufficient information to enable the **DCO** to find the location, to gain access to the location, and to find the **Athlete** at the location. A failure to do so may be pursued as a **Filing Failure** and/or (if the circumstances so warrant) as evasion of **Sample collection under Code Article 2.3**, and/or **Tampering** or **Attempted Tampering** with **Doping Control** under **Code Article**...
2.5. In any event, the Anti-Doping Organization shall consider Target Testing of the Athlete.

[Comment to I.3.4: For example, declarations such as “running in the Black Forest” are insufficient and are likely to result in a Filing Failure. Similarly, specifying a location that the DCO cannot access (e.g., a “restricted-access” building or area) is likely to result in a Filing Failure. The Anti-Doping Organization may be able to determine the insufficiency of the information from the Whereabouts Filing itself, or alternatively it may only discover the insufficiency of the information when it attempts to test the Athlete and is unable to locate him/her. In either case, the matter should be pursued as an apparent Filing Failure, and/or (where the circumstances warrant) as an evasion of Sample collection under Code Article 2.3, and/or as Tampering or Attempting to Tamper with Doping Control under Code Article 2.5.

Where an Athlete does not know precisely what his/her whereabouts will be at all times during the forthcoming quarter, he/she must provide his/her best information, based on where he/she expects to be at the relevant times, and then update that information as necessary in accordance with Article I.3.5.]}

I.3.5 Where a change in circumstances means that the information in a Whereabouts Filing is no longer accurate or complete as required by Article I.3.4, the Athlete must file an update so that the information on file is again accurate and complete. In particular, the Athlete must always update his/her Whereabouts Filing to reflect any change in any day in the quarter in question (a) in the time or location of the 60-minute time slot specified in Article I.3.2; and/or (b) in the place where he/she is staying overnight. The Athlete must file the update as soon as possible after the circumstances change, and in any event prior to the 60-minute time slot specified in his/her filing for the day in question. A failure to do so may be pursued as a Filing Failure and/or (if the circumstances so warrant) as evasion of Sample collection under Code Article 2.3, and/or Tampering or Attempting to Tamper with Doping Control under Code Article 2.5. In any event, the Anti-Doping Organization shall consider Target Testing of the Athlete.

[Comment to I.3.5: The Anti-Doping Organization collecting the Athlete’s Whereabouts Filings should provide appropriate mechanisms (e.g., phone, fax, Internet, email, SMS) to facilitate the filing of such updates.

It is the responsibility of each Anti-Doping Organization with Testing Authority over the Athlete to ensure that it checks for any updates filed by the Athlete prior to attempting to collect a Sample from the Athlete based on his/her Whereabouts Filing. For the avoidance of doubt, however, an Athlete who updates his/her 60-minute time slot for a particular day prior to the original 60-minute slot must still submit to Testing during the original 60-minute time slot, if he/she is located for Testing during that time slot.]

I.3.6 An Athlete may only be declared to have committed a Filing Failure where the Results Management Authority establishes each of the following:
a. that the Athlete was duly notified (i) that he/she had been designated for inclusion in a Registered Testing Pool; (ii) of the consequent requirement to make Whereabouts Filings; and (iii) of the Consequences of any Failure to Comply with that requirement;

b. that the Athlete failed to comply with that requirement by the applicable deadline;

[Comment to I.3.6(b): An Athlete fails to comply with the requirement to make Whereabouts Filings (i) where he/she does not make any such filing, or where he/she fails to update the filing as required by Article I.3.5; or (ii) where he/she makes the filing or update but does not include all of the required information in that filing or update (e.g. he/she does not include the place where he/she will be staying overnight for each day in the following quarter, or for each day covered by the update, or omits to declare a regular activity that he/she will be pursuing during the quarter, or during the period covered by the update); or (iii) where he/she includes information in the original filing or the update that is inaccurate (e.g., an address that does not exist) or insufficient to enable the Anti-Doping Organization to locate him/her for Testing (e.g., “running in the Black Forest”).]

c. (in the case of a second or third Filing Failure in the same quarter) that he/she was given notice, in accordance with Article I.5.2(d), of the previous Filing Failure, and (if that Filing Failure revealed deficiencies in the Whereabouts Filing that would lead to further Filing Failures if not rectified) was advised in the notice that in order to avoid a further Filing Failure he/she must file the required Whereabouts Filing (or update) by the deadline specified in the notice (which must be no less than 24 hours after receipt of the notice and no later than the end of the month in which the notice is received) and yet failed to rectify that Filing Failure by the deadline specified in the notice; and

[Comment to I.3.6(c): The requirement is to give the Athlete notice of the first Filing Failure in the quarter and an opportunity to avoid a subsequent one, before a subsequent Filing Failure may be pursued against him/her that quarter. But that is all that is required. In particular, it is not necessary to complete the results management process with respect to the first Filing Failure before pursuing a second Filing Failure against the Athlete.]

d. that the Athlete’s Failure to Comply was at least negligent. For these purposes, the Athlete will be presumed to have committed the failure negligently upon proof that he/she was notified of the requirements yet failed to comply with them. That presumption may only be rebutted by the Athlete establishing that no negligent behaviour on his/her part caused or contributed to the failure.

I.4 Availability for Testing

I.4.1 While Code Article 5.2 specifies that every Athlete must submit to Testing at any time and place upon request by an Anti-Doping Organization with Testing
jurisdiction over him/her, in addition an Athlete in a Registered Testing Pool must specifically be present and available for Testing on any given day during the 60-minute time slot specified for that day in his/her Whereabouts Filing, at the location that the Athlete has specified for that time slot in such filing. A Failure to Comply with this requirement shall be pursued as an apparent Missed Test. If the Athlete is tested during such a time slot, the Athlete must remain with the DCO until the Sample collection has been completed, even if this takes longer than the 60-minute time slot. A failure to do so shall be pursued as an apparent violation of Code Article 2.3 (refusal or failure to submit to Sample collection).

[Comment to I.4.1: For Testing to be effective in deterring and detecting cheating, it should be as unpredictable as possible. Therefore, the intent behind the 60-minute time slot is not to limit Testing to that period, or to create a 'default' period for Testing, but rather:

a. to make it very clear when an unsuccessful attempt to test an Athlete will count as a Missed Test;

b. to guarantee that the Athlete can be found, and a Sample can be collected, at least once per day (which should deter doping, or, as a minimum, make it far more difficult);

c. to increase the reliability of the rest of the whereabouts information provided by the Athlete, and so to assist the Anti-Doping Organization in locating the Athlete for Testing outside the 60-minute time slot. The 60-minute time slot “anchors” the Athlete to a certain location for a particular day. Combined with the information that the Athlete must provide as to where he/she is staying overnight, training, competing and conducting other ‘regular’ activities during that day, the Anti-Doping Organization should be able to locate the Athlete for Testing outside the 60-minute time slot; and

d. to generate useful anti-doping intelligence, e.g., if the Athlete regularly specifies time slots with large gaps between them, and/or changes his time slot and/or location at the last minute. Such intelligence can be relied upon as a basis for the Target Testing of such Athlete.]

I.4.2 To ensure fairness to the Athlete, where an unsuccessful attempt has been made to test an Athlete during one of the 60-minute time slots specified in his/her Whereabouts Filing, any subsequent unsuccessful attempt to test that Athlete (by the same or any other Anti-Doping Organization) during one of the 60-minute time slots specified in his/her Whereabouts Filing may only be counted as a Missed Test (or, if the unsuccessful attempt was because the information filed was insufficient to find the Athlete during the time slot, as a Filing Failure) against that Athlete if that subsequent attempt takes place after the Athlete has received notice, in accordance with Article I.5.2(d), of the original unsuccessful attempt.

[Comment to I.4.2: The requirement is to give the Athlete notice of one Missed Test before a subsequent Missed Test may be pursued against him/her. But that is all that
is required. In particular, it is not necessary to complete the results management process with respect to the first Missed Test before pursuing a second Missed Test against the Athlete.]

I.4.3 An Athlete may only be declared to have committed a Missed Test where the Results Management Authority can establish each of the following:

a. that when the Athlete was given notice that he/she had been designated for inclusion in a Registered Testing Pool, he/she was advised that he/she would be liable for a Missed Test if he/she was unavailable for Testing during the 60-minute time slot specified in his/her Whereabouts Filing at the location specified for that time slot;

b. that a DCO attempted to test the Athlete on a given day in the quarter, during the 60-minute time slot specified in the Athlete’s Whereabouts Filing for that day, by visiting the location specified for that time slot;

[I.4.3(b) Comment: If the Athlete is not available for Testing at the beginning of the 60-minute time slot, but becomes available for Testing later on in the 60-minute time slot, the DCO should collect the Sample and should not process the attempt as an unsuccessful attempt to test, but should include full details of the delay in availability of the Athlete in the mission report. Any pattern of behavior of this type should be investigated as a possible anti-doping rule violation of evading Sample collection under Code Article 2.3 or Code Article 2.5. It may also prompt Target Testing of the Athlete.

If an Athlete is not available for Testing during his/her specified 60-minute time slot at the location specified for that time slot for that day, he/she will be liable for a Missed Test even if he/she is located later that day and a Sample is successfully collected from him/her.]

c. that during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the Athlete, short of giving the Athlete any advance notice of the test;

[Comment to I.4.3(c): Once the DCO has arrived at the location specified for the 60-minute time slot, if the Athlete cannot be located immediately then the DCO should remain at that location for whatever time is left of the 60-minute time slot and during that remaining time he/she should do what is reasonable in the circumstances to try to locate the Athlete. See WADA’s Guidelines for Implementing an Effective Testing Program for guidance in determining what is reasonable in such circumstances.

Where an Athlete has not been located despite the DCO’s reasonable efforts, and there are only five minutes left within the 60-minute time slot, then as a last resort the DCO may (but does not have to) telephone the Athlete (assuming he/she has provided his/her telephone number in his/her Whereabouts Filing) to see if he/she is at the specified location. If the Athlete answers the DCO’s call and is available at
(or in the immediate vicinity of) the location for immediate testing (i.e., within the 60 minute time slot), then the DCO should wait for the Athlete and should collect the Sample from him/her as normal. However, the DCO should also make a careful note of all the circumstances, so that it can be decided if any further investigation should be conducted. In particular, the DCO should make a note of any facts suggesting that there could have been tampering or manipulation of the Athlete’s urine or blood in the time that elapsed between the phone call and the Sample collection. If the Athlete answers the DCO’s call and is not at the specified location or in the immediate vicinity, and so cannot make himself/herself available for testing within the 60-minute time slot, the DCO should file an Unsuccessful Attempt Report.

Because the making of a telephone call is discretionary rather than mandatory, and is left entirely to the absolute discretion of the Sample Collection Authority, proof that a telephone call was made is not a requisite element of a Missed Test, and the lack of a telephone call does not give the Athlete a defense to the assertion of a Missed Test.

d. that Article I.4.2 does not apply or (if it applies) was complied with; and

e. that the Athlete’s failure to be available for Testing at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the Athlete will be presumed to have been negligent upon proof of the matters set out at sub-Articles I.4.3(a) to (d). That presumption may only be rebutted by the Athlete establishing that no negligent behavior on his/her part caused or contributed to his/her failure (i) to be available for Testing at such location during such time slot, and (ii) to update his/her most recent Whereabouts Filing to give notice of a different location where he/she would instead be available for Testing during a specified 60-minute time slot on the relevant day.

I.5 Results Management

I.5.1 In accordance with Code Articles 7.1.2 and 7.6, the Results Management Authority in relation to potential Whereabouts Failures shall be the International Federation or the National Anti-Doping Organization with whom the Athlete in question files his/her whereabouts information.

[Comment to I.5.1: If an Anti-Doping Organization that receives an Athlete’s Whereabouts Filings (and so is his/her Results Management Authority for whereabouts purposes) removes the Athlete from its Registered Testing Pool after recording one or two Whereabouts Failures against him/her, then if the Athlete remains in (or is put in) another Anti-Doping Organization's Registered Testing Pool, and that other Anti-Doping Organization starts receiving his/her Whereabouts Filings, then that other Anti-Doping Organization becomes the Results Management Authority in respect of all Whereabouts Failures by that Athlete, including those recorded by the first Anti-Doping Organization. In that case, the first Anti-Doping Organization shall provide the second Anti-Doping Organization with full information about the Whereabouts Failure(s) recorded by the first Anti-Doping]
Organization in the relevant period, so that if the second Anti-Doping Organization records any further Whereabouts Failure(s) against that Athlete, it has all the information it needs to bring proceedings against him/her, in accordance with Article I.5.4, for violation of Code Article 2.4.

I.5.2 When a Whereabouts Failure appears to have occurred, results management shall proceed as follows:

a. If the apparent Whereabouts Failure has been uncovered by an attempt to test the Athlete, the Testing Authority shall obtain an Unsuccessful Attempt Report from the DCO. If the Testing Authority is different from the Results Management Authority, it shall provide the Unsuccessful Attempt Report to the Results Management Authority without delay, and thereafter it shall assist the Results Management Authority as necessary in obtaining information from the DCO in relation to the apparent Whereabouts Failure.

b. The Results Management Authority shall review the file (including any Unsuccessful Attempt Report filed by the DCO) to determine whether all of the Article I.3.6 requirements (in the case of a Filing Failure) or all of the Article I.4.3 requirements (in the case of a Missed Test) are met. It shall gather information as necessary from third parties (e.g., the DCO whose test attempt uncovered the Filing Failure or triggered the Missed Test) to assist it in this task.

[Comment to I.5.2(b): WADA’s Results Management, Hearings and Decisions Guidelines include guidance as to what explanations may or may not excuse an apparent Filing Failure or Missed Test.]

c. If the Results Management Authority concludes that any of the relevant requirements have not been met (so that no Whereabouts Failure should be declared), it shall so advise WADA, the International Federation or National Anti-Doping Organization (as applicable), and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with Code Article 13.

d. If the Results Management Authority concludes that all of the relevant requirements have been met, it shall notify the Athlete within 14 days of the date of the apparent Whereabouts Failure. The notice shall include sufficient details of the apparent Whereabouts Failure to enable the Athlete to respond meaningfully, and shall give the Athlete a reasonable deadline to respond, advising whether he/she admits the Whereabouts Failure and, if not, then why not. The notice should also advise the Athlete that three Whereabouts Failures in any 12-month period is a Code Article 2.4 anti-doping rule violation, and should note whether he/she has any other Whereabouts Failures recorded against him/her in the previous 12 months. In the case of a Filing Failure, the notice must also advise the Athlete that in order to avoid a further Filing...
Failure he/she must file the missing whereabouts information by the deadline specified in the notice (which must be no less than 24 hours after receipt of the notice and no later than the end of the month in which the notice is received).

e. If the Athlete does not respond within the specified deadline, the Results Management Authority shall record the notified Whereabouts Failure against him/her. If the Athlete does respond within the deadline, it shall consider whether his/her response changes its original decision that all of the requirements for recording a Whereabouts Failure have been met.

i. If so, it shall so advise WADA, the International Federation or National Anti-Doping Organization (as applicable), and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with Code Article 13.

ii. If not, it shall so advise the Athlete (with reasons) and specify a reasonable deadline by which he/she may request an administrative review of its decision. The Unsuccessful Attempt Report should be provided to the Athlete at this point if it has not been provided to him/her earlier in the process.

f. If the Athlete does not request an administrative review by the specified deadline, the Results Management Authority shall record the notified Whereabouts Failure against him/her. If the Athlete does request an administrative review before the deadline, it shall be carried out, based on the papers only, by one or more persons not previously involved in the assessment of the apparent Whereabouts Failure. The purpose of the administrative review shall be to determine anew whether or not all of the relevant requirements for recording a Whereabouts Failure are met.

g. If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, the Results Management Authority shall so advise WADA, the International Federation or National Anti-Doping Organization (as applicable), and the Anti-Doping Organization that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with Code Article 13. On the other hand, if the conclusion is that all of the requirements for recording a Whereabouts Failure are met, it shall notify the Athlete and shall record the notified Whereabouts Failure against him/her.

I.5.3 The Results Management Authority shall report a decision to record a Whereabouts Failure against an Athlete to WADA and all other relevant Anti-Doping Organizations, on a confidential basis, via ADAMS or other system approved by WADA.
[Comment to I.5.3: For the avoidance of doubt, the Results Management Authority is entitled to notify other relevant Anti-Doping Organizations (on a strictly confidential basis) of the apparent Whereabouts Failure at an earlier stage of the results management process, where it considers it appropriate (for test planning purposes or otherwise). In addition, an Anti-Doping Organization may publish a general statistical report of its activities that discloses in general terms the number of Whereabouts Failures that have been recorded in respect of Athletes under its jurisdiction during a particular period, provided that it does not publish any information that might reveal the identity of the Athletes involved. Prior to any proceedings under Code Article 2.4, an Anti-Doping Organization should not Publicly Disclose that a particular Athlete does (or does not) have any Whereabouts Failures recorded against him/her (or that a particular sport does, or does not, have Athletes with Whereabouts Failures recorded against them).]

I.5.4 Where three Whereabouts Failures are recorded against an Athlete within any 12-month period, the Results Management Authority shall bring proceedings against the Athlete alleging violation of Code Article 2.4. If the Results Management Authority fails to bring such proceedings against an Athlete within 30 days of WADA receiving notice of the recording of that Athlete’s third Whereabouts Failure in any 12-month period, then the Results Management Authority shall be deemed to have decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at Code Article 13.2.

I.5.5 An Athlete alleged to have committed a Code Article 2.4 anti-doping rule violation shall have the right to have such allegation determined at a full evidentiary hearing in accordance with Code Article 8. The hearing panel shall not be bound by any determination made during the results management process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden shall be on the Anti-Doping Organization bringing the proceedings to establish all of the requisite elements of each alleged Whereabouts Failure to the comfortable satisfaction of the hearing panel. If the hearing panel decides that one (or two) Whereabouts Failures(s) have been established to the required standard, but that the other alleged Whereabouts Failure(s) has/have not, then no Code Article 2.4 anti-doping rule violation shall be found to have occurred. However, if the Athlete then commits one (or two, as applicable) further Whereabouts Failure(s) within the relevant 12-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the hearing panel in the previous proceedings (in accordance with Code Article 3.2.3) and the Whereabouts Failure(s) subsequently committed by the Athlete.

[Comment to I.5.5: Nothing in Article I.5.5 is intended to prevent the Anti-Doping Organization challenging an argument raised on the Athlete’s behalf at the hearing on the basis that it could have been but was not raised at an earlier stage of the results management process.]

I.5.6 A finding that an Athlete has committed a Code Article 2.4 anti-doping rule violation has the following Consequences: (a) imposition of a period of Ineligibility
in accordance with Code Article 10.3.2 (first violation) or Code Article 10.7 (subsequent violation(s)); and (b) in accordance with Code Article 10.8, Disqualification (unless fairness requires otherwise) of all individual results obtained by the Athlete from the date of the Code Article 2.4 anti-doping rule violation through to the date of commencement of any Provisional Suspension or Ineligibility period, with all of the resulting Consequences, including forfeiture of any medals, points and prizes. For these purposes, the anti-doping rule violation shall be deemed to have occurred on the date of the third Whereabouts Failure found by the hearing panel to have occurred. The impact of any Code Article 2.4 anti-doping rule violation by an individual Athlete on the results of any team for which that Athlete has played during the relevant period shall be determined in accordance with Code Article 11.

I.6 Whereabouts Responsibilities

I.6.1 Notwithstanding any other provision of this Annex I:

a. an International Federation may propose, and a National Anti-Doping Organization may agree to, the delegation of some or all of the whereabouts responsibilities of the International Federation under this Annex I to the National Anti-Doping Organization;

b. an International Federation may delegate some or all of its whereabouts responsibilities under this Annex I to the Athlete’s National Federation; or

c. a National Anti-Doping Organization may delegate some or all of its whereabouts responsibilities under this Annex I to the Athlete’s National Federation or other appropriate Anti-Doping Organization with authority over the Athlete in question;

d. where no appropriate National Anti-Doping Organization exists, the National Olympic Committee shall assume the whereabouts responsibilities of the National Anti-Doping Organization set out in this Annex I; and

e. where WADA determines that the International Federation or National Anti-Doping Organization (as applicable) is not discharging some or all of its whereabouts responsibilities under this Annex I, WADA may delegate some or all of those responsibilities to any other appropriate Anti-Doping Organization.

I.6.2 A National Federation must use its best efforts to assist its International Federation and/or National Anti-Doping Organization (as applicable) in collecting Whereabouts Filings from Athletes who are subject to that National Federation’s authority, including (without limitation) making special provision in its rules for that purpose.

I.6.3 An Athlete may choose to delegate the task of making his/her Whereabouts Filings (and/or any updates thereto) to a third party, such as a coach, a manager or a National Federation, provided that the third party agrees to such delegation. The
Anti-Doping Organization collecting the Athlete’s Whereabouts Filings may require written notice of any agreed delegation to be filed with it, signed by both the Athlete in question and the third party delegate.

[Comment to I.6.3: For example, an Athlete participating in a Team Sport or other sport where competing and/or training is carried out on a collective basis, may delegate the task of making his/her Whereabouts Filings to the team, to be carried out by a coach, a manager or a National Federation. Indeed, for the sake of convenience and efficiency, an Athlete in such a sport may delegate the making of his/her Whereabouts Filings to his/her team not only in respect of periods of Team Activities but also in respect of periods where he/she is not with the team, provided the team agrees. In such circumstances, the Athlete will need to provide the information as to his/her individual whereabouts for the period in question to the team, to supplement the information it provides in relation to Team Activities.]

I.6.4 In all cases, however, including in the case of Athletes in Team Sports:

a. each Athlete in a Registered Testing Pool remains ultimately responsible at all times for making accurate and complete Whereabouts Filings, whether he/she makes each filing personally or delegates the task to a third party. It shall not be a defense to an allegation of a Filing Failure that the Athlete delegated such responsibility to a third party and that third party failed to comply with the applicable requirements; and

b. such Athlete remains personally responsible at all times for ensuring he/she is available for Testing at the whereabouts declared on his/her Whereabouts Filings. It shall not be a defense to an allegation of a Missed Test that the Athlete delegated responsibility for filing his/her whereabouts information for the relevant period to a third party and that third party failed to file the correct information or failed to update previously-filed information so as to ensure that the whereabouts information in the Whereabouts Filing for the day in question was current and accurate.

[Comment to I.6.4: For example, if an attempt to test an Athlete during a 60-minute time slot designated within a particular Team Activity period is unsuccessful due to a team official filing the wrong information in relation to the Team Activity, or failing to update previously-filed information where the details of the Team Activity have subsequently changed, the team may be liable for sanction under the applicable rules of the International Federation for such failure, but the Athlete himself/herself will still be liable for a Whereabouts Failure. This must be the case because if an Athlete is able to blame his/her team if he/she is not available for Testing at a location declared by his/her team, then he/she will be able to avoid accountability for his/her whereabouts for Testing. Of course the team has the same interest as the Athlete in ensuring the accuracy of the Whereabouts Filing and avoiding any Whereabouts Failures on the part of the Athlete.]
Annex J – Event Testing

J.1 As anticipated by Code Article 5.3.2., this Annex sets out the procedure to be followed by WADA in considering requests made by Anti-Doping Organizations for permission to conduct Testing at an Event where they have been unable to reach agreement on such Testing with the ruling body of the Event.

J.2 WADA’s aim in considering such requests is to encourage collaboration and coordination between different Anti-Doping Organizations to optimize the effectiveness of their respective Testing programs while ensuring that each Anti-Doping Organization’s responsibilities are properly managed to avoid creating operational disturbance and harassment for Athletes.

J.3 Any Anti-Doping Organization that is not responsible for initiating and directing Testing at an Event in accordance with Code Article 5.3.2, but which nevertheless desires to conduct Testing at such Event shall, prior to contacting WADA, request such permission from the ruling body of the Event in written form with full supporting reasons.

J.4 Such request shall be sent to the ruling body at least 35 days prior to the beginning of the Event (i.e., 35 days prior to the beginning of the In-Competition period as defined by the rules of the International Federation in charge of that sport).

J.5 If the ruling body refuses, or does not respond within 7 days from receipt of the request, the requesting Anti-Doping Organization may send to WADA (with a copy to the ruling body) a written request with full supporting reasons, a clear description of the situation, and all the relevant correspondence between the ruling body and the requesting Anti-Doping Organization. Such request must be received by WADA no later than 21 days prior to the beginning of the Event.

J.6 Upon receipt of such request, WADA will immediately ask the ruling body for its position on the request and the ground for its refusal. The ruling body shall send WADA an answer within 7 days of receipt of WADA’s request.

J.7 Upon receipt by WADA of the ruling body’s answer, or if no answer is provided by the ruling body within the 7 days, WADA will render a reasoned decision within the next 7 days. In making its decision, WADA will consider, amongst others, the following:

a) The Test Distribution Plan for the Event, including the number and type of tests planned for the Event;

b) The menu of Prohibited Substances for which the Samples collected will be analyzed;

c) The overall anti-doping program applied in the sport;
d) The logistical issues that would be created by allowing the requesting Anti-Doping Organization to test at the Event;

e) Any other grounds submitted by the requesting Anti-Doping Organization and/or the ruling body refusing such Testing; and

f) Any other available information that WADA considers relevant.

J.8 If WADA decides that permission for Testing at the Event should be granted, either as requested by the requesting Anti-Doping Organization or as proposed by WADA, WADA may give the ruling body the possibility of conducting such Testing, unless WADA judges that this is not realistic and/or appropriate in the circumstances.
Annex K - Collection, Storage and Transport of Blood ABP Samples

K.1 Objective

To collect an Athlete’s blood Sample, intended for use in connection with the measurement of individual Athlete blood variables within the framework of the Athlete Biological Passport program, in a manner appropriate for such use.

K.2 Requirements

K.2.1 If collection occurs after training or Competition, test planning shall consider the Athlete’s whereabouts information to ensure Testing does not occur within two hours of such activity. If the Athlete has trained or competed less than two hours before the time the Athlete has been notified of his/her selection, the DCO or other designated Sample Collection Personnel shall chaperone the Athlete until this two-hour period has elapsed.

If the Sample was collected within two hours of training or Competition, the nature, duration and intensity of the exertion shall be recorded by the DCO to make this information available to the APMU and subsequently to the Experts.

K.2.2 Although a single blood Sample is sufficient within the framework of the ABP, it is recommended to collect an additional “B” Sample for a possible subsequent analysis of Prohibited Substances and Methods in whole blood (e.g. detection of Homologous Blood Transfusion (HBT), and/or Erythropoieseis Stimulating Agents (ESAs).

For Out-of-Competition Testing, “A” and “B” urine Samples should be collected together with the blood Sample(s) in order to permit Analytical Testing for ESAs unless otherwise justified by a specific intelligent testing strategy.

[Comment: WADA’s Blood Sample Collection Guidelines reflect these protocols and include practical information on the integration of ABP Testing into “traditional” Testing activities. A table has been included within the Blood Sample Collection Guidelines that identifies which particular timelines for delivery are appropriate when combining particular test types (i.e. ABP + Growth Hormone (GH), ABP + HBT, etc.), and which types of Samples may be suited for simultaneous transport.]

K.2.3 The Sample shall be refrigerated from its collection until its analysis with the exception of when the Sample is analyzed at the collection site without delay. The storage procedure is the DCO’s responsibility.

The storage and transport device shall be capable of maintaining blood Samples at a cool temperature during storage. Whole blood Samples shall not be allowed to freeze at any time. In choosing the storage and transport device, the DCO shall take into account the time of storage, the number of Samples to be stored in the device and the prevailing environmental conditions (hot or cold temperatures). The storage device shall be:

a) Refrigerator.
b) Insulated cool box.
c) Isotherm bag.
d) Any other device that possesses the capabilities mentioned below.

K.2.4 A temperature data logger shall be used to record the temperature from the collection to the analysis of the Sample except when the Sample is analyzed at the collection site without delay. The temperature data logger shall be able to:
   
a) record the temperature in degrees Celsius at least once per minute;
b) record time in GMT;
c) report the temperature profile over time in text format with one line per measurement following the format “YYYY-MM-DD HH:MM T”;
d) have a unique ID of at least six characters.

K.2.5 Following notification to the Athlete that he/she has been selected for Doping Control, and following the DCO/BCO’s explanation of the Athlete’s rights and responsibilities in the Doping Control process, the DCO/BCO shall ask the Athlete to remain in a normal seated position with feet on the floor for at least 10 minutes prior to providing a blood Sample.

[Comment: the Athlete shall not stand up at any time during the 10 minutes prior to Sample collection. To have the Athlete seated during 10 minutes in a waiting room and then to call the Athlete into a blood collection room is not acceptable.]

K.2.6 In addition to a regular Doping Control form, the DCO/BCO shall use the ABP Supplementary Form if such a form is available. If an ABP-specific Doping Control form is unavailable, the DCO/BCO shall still use a regular Doping Control form but he/she shall collect and record the following additional information on a related form or supplementary report to be signed by the Athlete and the DCO/BCO:

a) Confirm that there was no training or Competition in the two hours prior to the blood test.

b) Did the Athlete train, compete or reside at an altitude greater than 1,500 meters within the prior two weeks? If so, or if in doubt, the name and location of the place where the Athlete had been and the duration of his/her stay shall be recorded. The estimated altitude shall be entered, if known.

c) Did the Athlete use any form of altitude simulation such as a hypoxic tent, mask, etc. during the prior two weeks? If so, as much information as possible on the type of device and the manner in which it was used (e.g. frequency, duration, intensity) should be recorded.

d) Did the Athlete receive any blood transfusion(s) during the prior three months? Was there any blood loss due to accident, pathology or donation in the prior three months? What was the estimated volume?

e) The DCO/BCO should record on the Doping Control form any extreme environmental conditions the Athlete was exposed to during the last two
hours prior to blood collection, including any sessions in any artificial heat environment, such as a sauna.

f) Was the Sample collected immediately following at least three consecutive days of an intensive endurance Competition, such as a stage race in cycling?

K.2.7 The DCO/BCO shall start the temperature data logger and place it in the storage device. It is important to start recording the temperature before Sample collection.

The storage device shall be located in Doping Control Station and shall be kept secured appropriately in accordance with the ISTI.

K.2.8 The DCO/BCO instructs the Athlete to select the Sample Collection Equipment in accordance with ISTI Article E.4.6. If Vacutainer®(s) are not pre-labelled, the DCO/BCO shall label them with a unique Sample code number prior to the blood being drawn and the Athlete shall check that the code numbers match.

K.3 The Sample Collection Procedure

The Sample collection procedure for the collection of blood for the purposes of the ABP is consistent with the procedure set out in ISTI Articles E.4, with the following additional elements:

a) The BCO ensures that the 10-minute (or more) seated period has elapsed prior to performing venipuncture and drawing blood; and

b) The BCO ensures that the vacuum tubes were filled appropriately; and

c) After the blood flow into the tube ceases, the BCO removes the tube from the holder and homogenizes the blood in the tube manually by inverting the tube gently at least three times.

K.3.1 The Athlete and the DCO/BCO sign the Doping Control and ABP supplementary form(s), when applicable.

The blood Sample is sealed and deposited in the storage device next to the temperature data logger.

K.4 Transportation Requirements

Blood Samples shall be transported in a device that maintains the integrity of Samples over time, due to changes in external temperature.

The transport procedure is the DCO’s responsibility. The transport device shall be transported by secure means using an ADO-authorized transport method.

K.4.1 The integrity of the Markers used in the haematological module of the ABP is guaranteed when the Blood Stability Score (BSS) remains below 85, where the BSS is computed as

\[
BSS = 3 \times T + CAT
\]
with CAT being the Collection to Analysis Time (in hours), and T the average Temperature (in degrees Celsius) measured by the data logger between Sample collection and analysis.

Within the framework of the BSS, the following table can be used by the DCO/BCO to estimate the maximal transport time to a Laboratory or WADA- Approved Laboratory for the ABP, called the Collection to Reception Time (CRT), for a given average temperature T:

<table>
<thead>
<tr>
<th>T [°C]</th>
<th>CRT [h]</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>35</td>
</tr>
<tr>
<td>12</td>
<td>41</td>
</tr>
<tr>
<td>10</td>
<td>46</td>
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<td>48</td>
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<td>6</td>
<td>55</td>
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<tr>
<td>5</td>
<td>58</td>
</tr>
<tr>
<td>4</td>
<td>60</td>
</tr>
</tbody>
</table>

The DCO/BCO shall apply a conservative approach and rapidly transport the Sample to a Laboratory or WADA- Approved Laboratory for the ABP located close to the Sample collection site.

K.4.2 The DCO, BCO or other Sample Collection Personnel shall report without delay into ADAMS:

a) The Doping Control form;

b) The ABP Supplementary form, and/or the additional information specific to the ABP collected on a related form or supplementary report;

c) In the Chain of Custody, the temperature data logger ID (without any time reference) and the time zone of the testing location in GMT.
Annex L – Results Management Requirements and Procedures for the Athlete Biological Passport

L.1 Administrative Management

The Anti-Doping Organization (ADO) referred to throughout this Annex on Results Management is the Passport Custodian. As a rule, all requirements and procedures described in this Annex apply to all modules of the Athlete Biological Passport (ABP) except where expressly stated, or implied by the context.

These processes shall be administered and managed by an Athlete Passport Management Unit (APMU) on behalf of, or within, the ADO. The APMU will initially review profiles to facilitate targeting recommendations for the ADO when appropriate, or refer to the Experts as required. Management and communication of the biological data, APMU reporting and Expert reviews shall be recorded in ADAMS and be shared by the Passport Custodian with other ADO(s) with Testing jurisdiction over the Athlete to coordinate further Passport Testing as appropriate. A key element for ABP management and communication is the APMU Report in ADAMS which provides an overview of the current status of the Athlete’s Passport including the latest targeting recommendations and a summary of the Expert reviews.

This Annex describes a step-by-step approach to the review of an Athlete’s Passport:

a) The review begins with the application of the Adaptive Model.

b) In case of an Atypical Passport Finding (ATPF) or when the APMU considers that a review is otherwise justified, an Expert conducts an initial review and returns an evaluation based on the information available at that time.

c) In case of a “Likely doping” initial review, the Passport is then subjected to a review by three Experts including the Expert who conducted the initial review.

d) In case of a “Likely doping” consensus of the three Experts, the process continues with the creation of an ABP Documentation Package.

e) An Adverse Passport Finding (APF) is reported by the APMU to the ADO if the Experts opinion is maintained after review of all information available at that stage, including the ABP Documentation Package.

f) The Athlete is notified of the Adverse Passport Finding (APF) and offered the opportunity to provide explanations.

g) If after review of the explanations provided by the Athlete, the Experts maintain their unanimous conclusion that it is highly likely that the Athlete used a Prohibited Substance or a Prohibited Method, an anti-doping rule violation (ADRV) is asserted against the Athlete by the ADO and disciplinary proceedings are initiated (Code Article 7.5).

[Comment: The ABP follows a similar logical structure to Results Management for analytical Testing, with both processes culminating in a possible ADRV based on,
respectively, Code Article 2.2 and Code Article 2.1. An ATPF is to the ABP what an Atypical Finding (ATF) is to analytical Testing; both require further investigation. Similarly, an APF is to the ABP what the Adverse Analytical Finding (AAF) is to analytical Testing; both require Results Management in accordance with Code Article 7.]

L.2 Initial Review Phase

L.2.1 Review by the Adaptive Model

The biological Markers of the ABP are automatically processed in ADAMS by the Adaptive Model. The Adaptive Model predicts for an individual an expected range within which a series of Marker values falls assuming a normal physiological condition. Outliers correspond to those values outside of the 99%-range, from a lower limit corresponding to the 0.5th percentile to an upper limit corresponding to the 99.5th percentile (1:100 chance or less that this result is due to normal physiological variation). A specificity of 99% is used to identify both haematological and steroidal ATPFs. In the case of sequence deviations (sequence ATPFs), the applied range is 99.9% (1:1000 chance or less that this is due to normal physiological variation).

An ATPF is a result generated by the Adaptive Model in ADAMS which identifies either a Marker(s) value(s) as being outside the Athlete’s intra-individual range or a longitudinal profile of Marker values (sequence deviations) as being outside expected ranges, assuming a normal physiological condition. An ATPF requires further attention and review.

The APMU may also submit a Passport to the Expert when there is no ATPF (see 2.2.3 below).

L.2.1.2 ATPF – Haematological Module

For the Haematological Module, an ATPF is generated when the haemoglobin concentration (HGB) and/or stimulation index OFF-score (OFFS) value of the last test falls outside the expected intra-individual ranges. Furthermore, the longitudinal profile composed of (up to) the last 20 valid HGB and/or OFFS values is also considered as an ATPF when deviating from the expected ranges, as determined by the Adaptive Model (sequence ATPF). An ATPF is only generated by the Adaptive Model based on values of the primary Markers HGB and OFFS or the sequence thereof.

L.2.1.3 ATPF – Steroidal Module

For the Steroidal Module, an ATPF is generated when at least one value of the ratios T/E, A/T, A/Etio, 5α-Adiol/5α-Adiol or 5α-Adiol/E falls outside the expected intra-individual ranges. In addition, the “longitudinal steroid profile” composed of (up to) the last 20 valid values of one of these five ratios is also considered as atypical when deviating from the expected ranges, as determined by the Adaptive Model (sequence ATPF).
In the case of a “longitudinal steroidal profile,” an ATPF caused by an atypically high T/E value will trigger an ATPF Confirmation Procedure Request notification through ADAMS as established in the TDEAAS. When the Adaptive Model determines an ATPF for any of the other ratios of the “steroid profile” (A/T, A/Etio, 5α-Adiol/5β-Adiol, 5α-Adiol/E), the APMU should advise the Testing Authority in the APMU Report, or via the Passport Custodian where appropriate, on whether the Sample should be subjected to a Confirmation Procedure.

Ratios coming from a Sample that showed signs of heavy microbial degradation, and ratios for which one or both of the concentrations were not measured accurately by the Laboratory as established in the TDEAAS, shall not be processed by the Adaptive Model. In the case where the Laboratory reports a factor that may otherwise cause an alteration in the steroid profile, such as the presence of ethanol glucuronide in the Sample, the APMU shall evaluate whether the steroid profile can still be processed by the Adaptive Model and the Sample be subjected to a Confirmation Procedure.

L.2.1.4 Departure from WADA ABP requirements

If there is a departure from WADA ABP requirements for Sample collection, transport and analysis, the biological result obtained from this Sample affected by the non-conformity shall not be considered in the Adaptive Model calculations (for example, reticulocytes are affected but not haemoglobin).

The part of the result which is not affected by the non-conformity can still be considered in the Adaptive Model calculations. In such case, the APMU shall provide the specific explanations supporting the inclusion of the results. In all cases, the Sample shall remain recorded in the Athlete’s Passport. The Experts may include all results in their review provided that their conclusions may be validly supported in the context of the non-conformity.

L.2.2 The Initial Expert Review

A Passport generating an ATPF, or for which a review is otherwise justified, shall be sent by the APMU to an Expert for anonymous review in ADAMS. This should take place no later than 7 working days following the generation of the ATPF in ADAMS. The review of the Passport shall be conducted anonymously (without reference to the specific Athlete by name) based on the profile and other basic information (e.g. competition schedules), which could be already available.

The Experts shall be external to the APMU and to the ADO, except in the case described in 2.2.2 for the Steroidal Module.

L.2.2.1 Review – Haematological Module

If the Haematological Module generates an ATPF or if such review is otherwise requested by the APMU, then the results/profile must be reviewed by an Expert designated by the APMU.
L.2.2.2 Review - Steroidal Module

If a result rendered by a Laboratory represents an ATPF caused by an atypically high T/E value, the Sample will undergo a Confirmation Procedure, including GC-C-IRMS analysis. If the result of the GC-C-IRMS Confirmation Procedure is negative or inconclusive then the APMU shall seek an Expert review. An APMU or Expert review is not required when the GC-C-IRMS Confirmation Procedure renders an Adverse Analytical Finding (AAF).

If the first and unique result in a Passport is identified as atypical by the Adaptive Model (with a negative or inconclusive IRMS result, if applicable), the APMU may recommend the collection of an additional Sample before initiating the initial Expert review.

If the result represents an ATPF for any of the ratios A/T, A/Etio, 5α-Adiol/5β-Adiol, 5α-Adiol/E, the APMU should evaluate the Passports and provide an APMU report in ADAMS.

When the APMU is associated to a Laboratory, it can replace the first external Expert and provide a review through the APMU Report in ADAMS.

L.2.2.3 Review in the absence of an ATPF

For both Modules, a Passport may also be sent for Expert review in the absence of an ATPF where the Passport includes other elements otherwise justifying a review. These elements may include, without limitation:

a) Data not considered in the Adaptive Model
b) Any abnormal levels and/or variations of Markers
c) Signs of hemodilution in the haematological Passport
d) Steroid levels in urine below the corresponding limit of quantification (LOQ) of the assay
e) Intelligence in relation to the Athlete concerned.

An Expert review initiated in the above-mentioned situations may result in the same consequences as an Expert review triggered by an ATPF.

L.2.3 Consequences of the Initial Review

Depending on the outcome of the initial review, the APMU will take the following action:

<table>
<thead>
<tr>
<th>Expert Evaluation</th>
<th>APMU Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normal: Likely physiological condition</td>
<td>Continue normal Testing pattern.</td>
</tr>
<tr>
<td>Passport suspicious: Further data is required.</td>
<td>Alert ADO to do Target Testing and provide recommendations.</td>
</tr>
</tbody>
</table>
**Likely doping:** Considering the information within the *Athlete’s Passport*, it is likely that the *Passport* is the result the *Use* of a *Prohibited Substance* or *Prohibited Method* and it is highly unlikely that it may be the result of a normal physiological or pathological condition.

**Likely medical condition:** Considering the information within the *Passport*, it is likely that the *Passport* is the result of a pathological condition.

Send to a panel of three *Experts* including the initial *Expert* as per section 3 of this Annex L.

Inform the *Athlete* via the *ADO* (or send to other *Experts*).

[Comment: The ABP is a tool to detect the possible *Use of Prohibited Substance(s) or Prohibited Method(s)* and it is not intended as a health check or for medical monitoring. It is important that the ADO educates the *Athletes* to ensure that they undergo regular health monitoring and not rely on the ABP for this purpose. Nevertheless, the ADO should inform the *Athlete* in case the *Passport* indicates a likely pathology as determined by the *Experts*.]

### L.3 Review by Three Experts

In the event that the evaluation by the appointed *Expert* in the initial review supports the proposition that the profile, pending other explanation to be provided at a later stage, is likely to be the result the *Use* of a *Prohibited Substance* or *Prohibited Method* and highly unlikely to be the result of a normal physiological or a pathological condition, the *Passport* shall then be sent for review by the *APMU* to a group of three *Experts*, referred to as the *Expert Panel*, composed of the *Expert* appointed in the initial review and two other *Experts*. This should take place no later than 7 working days after the reporting of the initial review.

For the review of a *Haematological Passport*, the *Expert Panel* should have knowledge in the fields of clinical haematology, sport medicine and/or exercise physiology.

For the review of the *Steroidal Passport*, the *Expert Panel* should be composed of individuals with knowledge in the fields of Laboratory steroid analysis, steroid doping and metabolism and/or clinical endocrinology. In the case of the Steroidal Module, where the first *Expert* may be from the *APMU*, the two other *Experts* must be external to the *APMU*.

The review by the three *Experts* must follow the same logic as presented in section 2.2 of this Annex. The three *Experts* shall each provide their reports in *ADAMS*. This should take place no later than 7 working days after reception of the request.

The *APMU* is responsible for liaising with the *Experts* and for advising the *ADO* of the subsequent *Expert* assessment. If more information is required to review the file, the *Experts* can request further details, such as those related to medical issues,
competition schedule and/or Sample(s) analysis details. Such requests are directed via the APMU to the ADO.

A unanimous opinion among the three Experts is necessary in order to proceed further towards declaring an APF, which means that all three Experts come to the conclusion that considering the available information contained within the Passport at this stage, it is likely that a Prohibited Substance or Prohibited Method had been used, and highly unlikely that the biological profile is the result of any other cause. The conclusion of the Experts must be reached with the three Experts assessing the Athlete’s Passport with the same data (i.e three Expert opinions cannot be accumulated over time, as data is added to a profile).

In the case when two Experts evaluate the Passport as “Likely doping” and the third Expert as “Suspicious” but asking for more information, the APMU can confer with the Expert Panel before they finalize their opinion. The group can also seek advice from an appropriate outside Expert, although this must be done with strict confidentiality.

To reach a conclusion in the absence of an ATPF, the Expert Panel shall come to the unanimous opinion that it is highly likely that the Passport is the result of the Use of a Prohibited Substance or Method and that there is no reasonably conceivable hypothesis under which the Passport might be the result of a physiological condition and highly unlikely that it is the result of pathological condition.

If no unanimity can be reached among the three Experts, the APMU should follow up on requests for additional information or expertise, or recommend the ADO to pursue additional Testing and/or gather intelligence on the Athlete (refer to Information Gathering and Intelligence Sharing Guidelines).

L.4 Compilation of the ABP Documentation Package and Joint Expert Evaluation

If the evaluation by the Expert Panel supports the proposition that the Athlete has likely used a Prohibited Substance or Prohibited Method, and that the result is highly unlikely due to any another cause, the APMU shall declare a “Likely doping” evaluation in the APMU Report in ADAMS and proceed with the compilation of the ABP Documentation Package. The APMU may confer with the Expert Panel to determine the scope of such compilation, including the recommended elements and the number of tests that need to be included.

[Comment: It is only mandatory to have a full Laboratory Documentation Package for those tests that are deemed essential by the APMU and Expert Panel. The other tests, for example those that confirm the baseline levels of a Marker, only require a Certificate of Analysis. A template of the Certificate is available to Laboratories and WADA-Approved Laboratories for the ABP upon request to WADA.]

The following key information needs to be included in both Haematological and Steroidal Modules of the ABP Documentation Package:

a) Age of the Athlete.
b) Gender of the Athlete.

c) Sport and discipline.

d) Type of test (in competition or out of competition).

e) Date of test.

f) Sample code number.

g) Internal Laboratory (or WADA-Approved Laboratory for the ABP) Sample number.

h) Biological data and results obtained by the Adaptive Model.

i) Competition information.

j) Chain of Custody documentation.

k) Information from the Doping Control forms for each Sample collected during the period, as determined by the APMU and Expert Panel.

For the Haematological Module, the following additional information is required:

l) Information on possible exposure of the Athlete to altitude, or altitude simulating devices, for the period defined by the Expert Panel.

m) Temperature profile during the transportation of the blood Sample and the Blood Stability Score (BSS).

n) Laboratory (or WADA-Approved Laboratory for the ABP) documentation, including blood results, scattergrams, and internal and external quality controls.

o) Information on whether the Athlete received a blood transfusion and/or suffered significant blood loss in the prior three months.

For the Steroidal Module, this additional information is required:

p) pH of the urine Sample.

q) Specific gravity of the urine Sample.

r) Laboratory documentation, including screening and confirmed (when applicable) values of steroid concentrations and ratios.

s) GC-C-IRMS results, when applicable.

t) Indication of ethanol consumption: urinary concentrations of ethanol and/or ethanol Metabolites.

u) Indication of bacterial activities, including 5α-androstanedione/A and/or 5β-androstanedione/Etio ratio.

v) Indication of medications taken (declared or detected) that may influence the “steroid profile”, such as human chorionic gonadotropin (hCG), ketoconazole, and 5α-reductase inhibitors.

The ABP Documentation Package shall be sent by the APMU to the Expert Panel, which will review it and provide a joint evaluation to be signed by all three Experts.
and included in the ABP Documentation Package. If necessary, the Expert Panel may request complementary information from the APMU.

At this stage, the identity of the Athlete is not mentioned but it is accepted that specific information provided may allow to identify the Athlete. This shall not affect the validity of the process.

L.5 Issuing an Adverse Passport Finding (APF)

If the Expert Panel confirms their previous position, considering the information within the Passport at this stage, that it is likely that a Prohibited Substance or Prohibited Method had been used, and highly unlikely that it is the result of any other cause, the APMU will issue an Adverse Passport Finding (APF).

The APF represents the end result of the Expert review of the longitudinal profile of Markers and other Passport information.

After reviewing the ABP Documentation Package, the ADO shall:

a) Notify the Athlete of the APF and inform WADA that the ADO is considering the assertion of an anti-doping rule violation (ADRV) against the Athlete.

b) Provide the Athlete and WADA the ABP Documentation Package.

c) Invite the Athlete to provide his/her own explanation, in a timely manner, of the data provided to the ADO.

L.6 Review of Explanation from Athlete

Upon receipt of any explanation and supporting information from the Athlete which should be received within the specified deadline, the APMU shall forward it to the Expert Panel for review with any additional information that the Expert Panel considers necessary to render its opinion in coordination with both the ADO and the APMU. At this stage, the review is no longer anonymous. The Expert Panel shall reassess or reassert the case and reach one of the following conclusions:

a. Unanimous opinion of the Experts that based on the information in the Passport, it is likely that the Athlete used a Prohibited Substance or Prohibited Method, and that it is highly unlikely to find the Passport abnormal assuming any other cause; or

b. Based on the available information, the Experts are unable to reach the unanimous opinion set forth above and, in such a case, the Expert Panel may or may not recommend further investigation or Testing.

L.7 Disciplinary Proceeding

If the Expert Panel expresses the opinion set forth in section 6.a., then the ADO shall be informed by the APMU and proceed to Results Management (Code Article 7.5).
L.8 Passport Re-setting

In the event the Athlete has been found to have committed an ADRV based on the Passport, the Athlete’s Passport shall be reset at the start of the relevant period of suspension and a new Biological Passport ID shall be assigned in ADAMS. This maintains the Athlete’s anonymity for potential APMU and Expert Panel reviews conducted in the future.

When an Athlete is found to have committed an ADRV on any basis other than the ABP, the Haematological and/or Steroidal Passport will remain in effect, except in those cases where the Prohibited Substance or Prohibited Method resulted in an alteration of the haematological or steroidal Markers, respectively (e.g. for AAF reported for anabolic androgenic steroids, hCG, masking agents or diuretics, which may affect the Markers of the “steroid profile,” or for the Use of Erythropoiesis-Stimulating Agents or blood transfusions, which would alter the haematological Markers). In such instances, the Athlete’s profile(s) would be reset from the time of the beginning of the sanction.
APPENDIX SIX

INTERNATIONAL STANDARD FOR THE PROTECTION OF PRIVACY AND PERSONAL INFORMATION
(Valid from 1 January 2015)

The World Anti-Doping Code International Standard for the Protection of Privacy and Personal Information (ISPPPI) is a mandatory International Standard developed as part of the World Anti-Doping Program.

The International Standard for Protection of Privacy and Personal Information was first adopted 9 May 2009 and came into effect 1 June 2009. The enclosed ISPPPI incorporates revisions to the ISPPPI and was approved at the World Conference on Doping in Sport in Johannesburg by the WADA Executive Committee on 15 November 2013. It will come into effect on 1 January 2015.

The official text of the International Standard for the Protection of Privacy and Personal Information 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.

PART ONE: INTRODUCTION, CODE PROVISIONS AND DEFINITIONS

1.0 INTRODUCTION AND SCOPE

The purpose of the International Standard for the Protection of Privacy and Personal Information is to ensure that Anti-Doping Organizations apply appropriate, sufficient and effective privacy protections to the Personal Information they Process when conducting anti-doping programs, in recognition of the fact that Personal Information gathered in the anti-doping context can impinge upon and implicate the privacy rights of Persons involved in and associated with organized sport.

The Code, in particular, requires Athletes and Athlete Support Personnel to furnish a significant amount of Personal Information to Anti-Doping Organizations. As a result, it is essential that Anti-Doping Organizations appropriately protect the Personal Information that they Process both to meet legal standards and to ensure the continued confidence and trust of those involved in organized sport.

The Code recognizes and affirms the importance of ensuring that the privacy rights of Persons subject to anti-doping programs based on the Code are fully respected. In support of this commitment, this International Standard provides mandatory rules and standards relating to the protection of Personal Information by Anti-Doping Organizations.
Consistent with other International Standards that have been developed and implemented to date, this International Standard sets forth a minimum, common set of rules to which Anti-Doping Organizations must conform when collecting and handling Personal Information pursuant to the Code. In some cases, Anti-Doping Organizations may be required by applicable laws to apply rules or standards that exceed those set forth in this Standard. For purposes of this International Standard, definitions appearing in the Code shall be italicized, and additional definitions created for purposes of this International Standard shall be underlined.

2.0 CODE PROVISIONS

The following articles of the Code are directly relevant to this International Standard for the Protection of Privacy and Personal Information:

➢ Code 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 or other Persons are as follows:

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

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

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

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

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

14.1.3 Content of an Anti-Doping Rule Violation Notice.

Notification shall include: the Athlete’s 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 Testing and Investigations, or for anti-doping rule violations other than Article 2.1, the rule violated and the basis of the asserted violation.

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

14.1.5 Confidentiality.

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

[Comment to Article 14.1.5: Each Anti-Doping Organization shall provide, in its own anti-doping rules, procedures for the protection of confidential information and for investigating and disciplining improper disclosure of confidential information by any employee or agent of the Anti-Doping Organization.]

14.2 Notice of Anti-Doping Rule Violation Decisions and Request for Files.

14.2.1 Anti-doping rule violation decisions rendered pursuant to Article 7.10, 8.4, 10.4, 10.5, 10.6, 10.12.3 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 a short English or French summary of the decision and the supporting reasons.

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

14.3 Public Disclosure.

14.3.1 The identity of any Athlete or other Person who is asserted by an Anti-Doping Organization to have committed an anti-doping rule violation, may be Publicly Disclosed by the Anti-Doping Organization with results management responsibility only after notice has been provided to the Athlete or other Person in accordance with Article 7.3, 7.4, 7.5, 7.6 or 7.7, and to the applicable Anti-Doping Organizations in accordance with Article 14.1.2.

14.3.2 No later than twenty days after it has been determined in a final appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been
waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, the Anti-Doping Organization responsible for results management must Publicly Report 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 and the Consequences imposed. The same Anti-Doping Organization must also Publicly Report within twenty days the results of final appeal decisions concerning anti-doping rule violations, including the information described above.

14.3.3 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 decision may be Publicly Disclosed only 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.

14.3.4 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 month or the duration of any period of Ineligibility.

14.3.5 No Anti-Doping Organization or WADA-accredited laboratory, or official of either, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to the Athlete, other Person or their representatives.

14.3.6 The mandatory Public Reporting 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. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

14.4 Statistical Reporting.

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

14.5 Doping Control Information Clearinghouse.
WADA shall act as a central clearinghouse for Doping Control Testing data and results, including, in particular, Athlete Biological Passport data for International-Level Athletes and National-Level Athletes and whereabouts information for Athletes including those in Registered Testing Pools. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in Testing by various Anti-Doping Organizations, each Anti-Doping Organization shall report all In-Competition and Out-of-Competition tests on such Athletes to the WADA clearinghouse, using ADAMS or another system approved by WADA, as soon as possible after such tests have been conducted. This information will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete’s National Anti-Doping Organization and International Federation, and any other Anti-Doping Organizations with Testing authority over the Athlete.

To enable it to serve as a clearinghouse for Doping Control Testing data and results management decisions, WADA has developed a database management tool, ADAMS, that reflects data privacy principles. In particular, WADA has developed ADAMS to be consistent with data privacy statutes and norms applicable to WADA and other organizations using ADAMS. Private information regarding an Athlete, Athlete Support Personnel, or others involved in anti-doping activities shall be maintained by WADA, which is supervised by Canadian privacy authorities, in strict confidence and in accordance with the International Standard for the Protection of Privacy and Personal Information.

14.6 Data Privacy.

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

[Comment to Article 14.6: Note that Article 22.2 provides that “Each government will put in place legislation, regulation, policies or administrative practices for cooperation and sharing of information with Anti-Doping Organizations and sharing of data among Anti-Doping Organizations as provided in the Code.”]

3.0 TERMS AND DEFINITIONS

3.1 Selected Defined Terms from the Code

Anti-Doping Organization: A Signatory that is responsible for adopting rules for initiating, implementing or enforcing any part of the Doping Control process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other Major Event Organizations that conduct Testing at their Events, WADA, International Federations, and National Anti-Doping Organizations.
**Athlete:** Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of “Athlete.” In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to: conduct limited Testing or no Testing at all; analyze Samples for less than the full menu of Prohibited Substances; require limited or no whereabouts information; or not require advance TUEs. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any Athlete over whom an Anti-Doping Organization has authority who competes below the international or national level, then the Consequences set forth in the Code (except Article 14.3.2) must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

[Comment: This definition makes it clear that all International- and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international- and national-level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations, respectively. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping program beyond International- or National-Level Athletes to competitors at lower levels of Competition or to individuals who engage in fitness activities but do not compete at all. Thus, a National Anti-Doping Organization could, for example, elect to test recreational-level competitors but not require advance TUEs. But an anti-doping rule violation involving an Adverse Analytical Finding or Tampering results in all of the Consequences provided for in the Code (with the exception of Article 14.3.2). The decision on whether Consequences apply to recreational-level Athletes who engage in fitness activities but never compete is left to the National Anti-Doping Organization. In the same manner, a Major Event Organization holding an Event only for masters-level competitors could elect to test the competitors but not analyze Samples for the full menu of Prohibited Substances. Competitors at all levels of Competition should receive the benefit of anti-doping information and education.]

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

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

### 3.2 Defined Terms from the International Standard on Privacy and Personal Information

**Anti-Doping Activities:** Activities specified by the Code and the International Standards to be carried out by Anti-Doping Organizations, and their Third-Party Agents, for the purpose of establishing whether anti-doping rule violations took
place, including collecting whereabouts information; conducting Testing; performing results management; determining whether an Athlete’s Use of a Prohibited Substance or Prohibited Method is strictly limited to legitimate and documented therapeutic purposes; educating Participants on their rights and responsibilities; conducting investigations into anti-doping rule violations; and initiating legal proceedings against those who are alleged to have committed such a violation.

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

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

**Processing** (and its cognates, Process and Processed): Collecting, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of Personal Information.

**Security Breach:** Any unauthorized and/or unlawful Processing of, including access to, Personal Information whether in electronic or hard-copy or other form, or interference with an information system, that compromises the privacy, security, confidentiality or integrity of Personal Information.

**Sensitive Personal Information:** Personal Information relating to a Participant’s racial or ethnic origin, commission of offences (criminal or otherwise), health (including information derived from analyzing an Athlete’s Samples or Specimens) and genetic information.

**Third Party:** Any natural Person or legal entity other than the natural Person to whom the relevant Personal Information relates, Anti-Doping Organizations and Third-Party Agents.

**Third-Party Agent:** Any natural or legal Person, public authority, agency or body, including without limitation subcontractors and their subcontractors, that Processes Personal Information for or on behalf of an Anti-Doping Organization.
4.0 **Processing Personal Information** in Accordance with *International Standard* and Applicable Law

4.1 This *International Standard* sets forth a minimum set of requirements applicable to the **Processing** of **Personal Information** by *Anti-Doping Organizations* and their **Third-Party Agents** in the context of their **Anti-Doping Activities**. All *Anti-Doping Organizations* must comply with this Standard, even when its requirements exceed those arising under the *Anti-Doping Organization’s* applicable data protection and/or privacy laws, reflecting the vital need to protect the privacy of **Participants** and other **Persons** involved in and associated with anti-doping in sport.

[4.1 Comment: *Anti-Doping Organizations*, along with any **Third-Party Agents** that **Process** **Personal Information** for or on behalf of *Anti-Doping Organizations*, minimally must comply with the requirements set forth in this *International Standard*, provided that such compliance does not breach other applicable laws. In cases where compliance with the requirements of this *International Standard* may cause an *Anti-Doping Organization* to breach other applicable laws, those laws shall prevail. This result will not lead to a determination of non-compliance with the *World Anti-Doping Code*.]

4.2 *Anti-Doping Organizations* may be subject to data protection and privacy laws and regulations that impose requirements that exceed those arising under this *International Standard*. In such circumstances, *Anti-Doping Organizations* must ensure that their **Processing** of **Personal Information** complies with all such data protection and privacy laws and regulations.

[4.2 Comment: *Anti-Doping Organizations* in certain countries may be subject to laws and regulations that govern their **Processing** of **Personal Information** relating to natural Persons in addition to **Participants**, such as their own employees or staff employed by other *Anti-Doping Organizations*, or impose additional restrictions going beyond this *International Standard*. In all such cases, *Anti-Doping Organizations* are expected to comply with applicable data protection laws and regulations.]

5.0 **Processing Relevant and Proportionate Personal Information**

5.1 *Anti-Doping Organizations* shall only **Process** **Personal Information** where relevant, in order to conduct **Anti-Doping Activities** under the *Code* and *International Standards*, or where otherwise required by applicable law, regulation or compulsory legal process, provided such **Processing** does not conflict with applicable privacy and data protection laws.

5.2 *Anti-Doping Organizations* shall not **Process** **Personal Information** that is irrelevant or unnecessary in the context of their **Anti-Doping Activities** as identified in Article 5.1.
5.2 Comment: Anti-Doping Organizations shall examine the different contexts in which they Process Personal Information to ensure that the Processing of the Personal Information in any given case is required in order to satisfy one of the purposes identified in Article 5.1. Where Anti-Doping Organizations cannot satisfy themselves that the Processing is necessary, they shall refrain from Processing the Personal Information.

5.3 In particular, except as otherwise required by the Code or expressly required by law:

a. Anti-Doping Organizations Processing Personal Information (which may involve Processing Sensitive Personal Information relating to Athletes and Processing non-Sensitive Personal Information relating to Participants and potentially other Persons) in order to determine whether an Athlete’s Use of a Prohibited Substance or Prohibited Method is strictly limited to legitimate and documented therapeutic purposes, shall Process only the Personal Information appropriate and relevant for making this determination as required by the International Standard for Therapeutic Use Exemptions.

b. Anti-Doping Organizations Processing Personal Information relating to Participants and other Persons in order to perform Testing, shall Process only the Personal Information (including whereabouts information and Therapeutic Use Exemptions) appropriate and relevant for conducting Testing (e.g., test distribution planning, Sample collection, Sample handling, Sample transport to the laboratory or associated matters) in accordance with the Code and/or the International Standard for Testing and Investigations.

c. Anti-Doping Organizations Processing Personal Information relating to Participants and other Persons in order to engage in investigation and results management (including associated disciplinary hearings, appeals and adjudications) shall Process only the Personal Information, including but not limited to whereabouts information, Therapeutic Use Exemptions, and test results, appropriate and relevant for investigating and establishing one or more anti-doping rule violations.

d. Anti-Doping Organizations may Process Personal Information relating to Participants and other Persons for other specified purposes, provided that those purposes relate exclusively to the fight against doping and are found to be relevant to that fight following an appropriately documented assessment performed by the Anti-Doping Organization.

5.3.d. Comment: In certain contexts, it may be appropriate or necessary for Anti-Doping Organizations to Process Personal Information for additional purposes, besides those identified in Articles 5.3.a.-c., in order to engage effectively in the fight against doping. Such purposes may include, for example, the development and improvement of test planning and Testing procedures and processes. Such Processing must be exclusively linked to the fight against doping and may only occur where the Anti-Doping Organization has documented the need to perform such Processing.
5.4 Personal Information Processed by Anti-Doping Organizations shall be processed fairly and shall be accurate, complete and kept up-to-date. Anti-Doping Organizations shall correct or amend as soon as possible any Personal Information that they know to be incorrect or inaccurate, taking into account the responsibilities of Participants such as under Article 14.3 of the Code and Article 11 of the International Standard for Testing and Investigations.

[5.4 Comment: Where Participants are responsible for providing Personal Information about themselves directly to Anti-Doping Organizations and for keeping it accurate, complete and up-to-date, they should be informed of this obligation and, whenever practicable, offered reasonable means to fulfill it. For instance, this could involve furnishing individuals with access to their Personal Information via the Internet through online tools and resources.]

6.0 Processing Personal Information in Accordance with Law or with Consent

6.1 Anti-Doping Organizations shall only Process Personal Information:

- on valid legal grounds, which can include compliance with legal obligations, fulfillment of a contract or to protect the vital interests of the Participant and other Persons; or

- where permitted, with a Participant’s or other Person’s informed consent, subject to the exceptions in Article 6.2.b, 6.3 and 6.4 of this International Standard.

[6.1 Comment: This International Standard envisions that Personal Information will be Processed in cases where the law expressly provides for its Processing or with the consent of Participants, subject to appropriate exceptions to avoid Participants or other persons undermining the Code. Principal responsibility for obtaining the consent of an Athlete, and/or his or her associated Athlete Support Personnel, shall rest with the Anti-Doping Organization(s) that places the relevant Athlete in its Registered Testing Pool.]

6.2 When Anti-Doping Organizations Process Personal Information with consent, Anti-Doping Organizations shall, in order to obtain an informed consent, ensure that adequate information is furnished to the Participant or Person to whom the Personal Information relates as described more fully in Article 7.

a. Anti-Doping Organizations shall inform Participants of the negative Consequences that could arise from their refusal to participate in Doping Controls, including Testing, and of the refusal to consent to the Processing of Personal Information as required for this purpose.

[6.2.a. Comment: For the avoidance of doubt, Participants shall be informed that their refusal to participate in Doping Controls, when requested to do so, could prevent their continued involvement in organized sport and, for Athletes, constitute a violation of the Code and invalidate Competition results, among other things. A
Participant who believes that an Anti-Doping Organization does not comply with this International Standard may notify WADA pursuant to Article 11.5, which shall, without prejudice to any other rights the Participant may have under applicable law, consider the grounds for the complaint.]

b. Anti-Doping Organizations shall inform Participants that regardless of any refusal to grant or subsequent withdrawal of consent, the Processing of their Personal Information by Anti-Doping Organizations still may be required, unless otherwise prohibited by applicable law, where necessary to enable Anti-Doping Organizations:

- to commence or pursue investigations involving suspected anti-doping rule violations relating to the Participant;
- to conduct or participate in proceedings involving suspected anti-doping rule violations relating to the Participant; or
- to establish, exercise or defend against legal claims relating to the Anti-Doping Organization, the Participant or both.

[6.2.b. Comment: In certain limited circumstances, Anti-Doping Organizations must have the ability to Process Personal Information in the absence of the Participant’s consent. These exceptions are necessary to avoid situations where Participants refuse to grant consent or withdraw consent in order to circumvent anti-doping efforts and procedures and evade detection for a doping violation.]

6.3 Where Anti-Doping Organizations Process Sensitive Personal Information with consent, the express and written consent of the Participant or Person to whom the Personal Information relates shall be obtained. The Processing of Sensitive Personal Information shall occur in accordance with any specific safeguards or procedures established under applicable data protection laws and regulations.

[6.3 Comment: This International Standard imposes additional restrictions where Anti-Doping Organizations Process Sensitive Personal Information, reflecting the greater sensitivities surrounding the Processing of such information. Although the Standard defines Sensitive Personal Information to expressly include different classes of information, this is not to suggest that such information should be Processed by Anti-Doping Organizations, as required by Article 5.1.]

6.4 In cases where a Participant is incapable of furnishing an informed consent by virtue of age, mental capacity or other legitimate reason recognized in law, the Participant’s legal representative, guardian or other competent representative may furnish consent on the Participant’s behalf for purposes of this International Standard, as well as exercise the Participant’s rights arising under Article 11 below. Anti-Doping Organizations shall ensure that obtaining consents under such circumstances is permitted by applicable law.
7.0 Ensuring Appropriate Information is Furnished to Participants and Other Persons

7.1 An Anti-Doping Organization shall inform Participants or Persons to whom the Personal Information relates about the Processing of their Personal Information. This information shall include:

- the identity of the Anti-Doping Organization collecting the Personal Information;
- types of Personal Information that may be Processed;
- the purposes for which the Personal Information may be used and how long it may be retained;
- other potential recipients of the Personal Information, including Anti-Doping Organizations located in other countries where the Participant may compete, train or travel;
- the possibility and circumstances under which Personal Information may, where permitted by applicable law, be Publicly Disclosed (such as the disclosure of test results and tribunal decisions);
- the Participant’s rights with respect to the Personal Information under this International Standard and the means to exercise those rights, including the procedure for submitting complaints pursuant to Article 11.5; and
- any other information necessary to ensure that the Processing of the Personal Information remains fair, such as information about regulatory authorities or bodies that oversee the Anti-Doping Organization’s Processing of Personal Information.

7.2. Anti-Doping Organizations shall communicate the above information to Participants or other Persons prior to or at the time that they collect Personal Information from Participants or other Persons, and Anti-Doping Organizations shall be responsive to the questions or concerns of Participants relating to the Processing of their Personal Information by the Anti-Doping Organization. Where Anti-Doping Organizations receive Personal Information from Third Parties, and not directly from the Participant, they shall communicate the above information as soon as possible and without undue delay, unless it has previously been furnished to the Participant or other Person by other parties. Exceptionally, notice to the Participant or other Persons may be delayed or suspended where providing such notice might reasonably be considered to jeopardize an anti-doping investigation or otherwise undermine the integrity of the anti-doping process. In such cases, the justification for the delay must be appropriately documented and the information provided to the Participant or other Persons as soon as reasonably possible.

[7.2 Comment: Anti-Doping Organizations should recognize that basic principles of fairness require that where a Participant’s Personal Information is Processed in the...]
context of Anti-Doping Activities, he or she should receive or have access to information that explains in simple terms the purpose and procedures for the collection and processing of their Personal Information. This International Standard aspires to ensure that Participants acquire a basic grasp of the roles and responsibilities performed by the different organizations involved in anti-doping in sport, as those relate to the Processing of Personal Information. Under no circumstances should Anti-Doping Organizations seek to mislead or misinform Participants in order to collect or use their Personal Information.

Each Anti-Doping Organization should ensure that its Processing of Personal Information is reasonably transparent to Participants, notwithstanding the fact that certain information relating to Anti-Doping Activities, notably information concerning scheduled Testing and investigations and proceedings relating to anti-doping rule violations, may need to be temporarily withheld from Participants in order to maintain the integrity of the anti-doping process. Similarly, notice to Participants also may need to be temporarily withheld if providing the information might reasonably risk jeopardizing an ongoing or imminent investigation into doping-related activities conducted by an Anti-Doping Organization or law enforcement agencies. The prompt provision of appropriate information to Participants pursuant to this Article 7 is essential given the serious, adverse consequences that might arise if Participants are found to have committed an anti-doping rule violation.

7.3 Anti-Doping Organizations shall provide the above information, together with the contact details of the accountable Person appointed pursuant to Section 9.1, in a manner and format, whether written, oral or otherwise, that Participants or Persons to whom the Personal Information relates can easily comprehend, taking into account local practices, customs and the particular circumstances surrounding the Processing of the Personal Information.

[7.3 Comment: Anti-Doping Organizations need to determine the most effective means of providing information in particular cases, recognizing that furnishing Participants with written notice is to be preferred when practical. This also may include furnishing notices through generally available sources, such as brochures and Internet websites, alone or preferably in combination with more succinct notices on forms and other documentation provided directly to Participants.]

8.0 Disclosures of Personal Information to other Anti-Doping Organizations and Third Parties

8.1 Anti-Doping Organizations shall not disclose Personal Information to other Anti-Doping Organizations except where such disclosures are necessary to allow the Anti-Doping Organizations receiving the Personal Information to fulfill obligations under the Code and in accordance with applicable privacy and data protection laws.

[8.1 Comment: In many instances required by the Code, it is necessary for Anti-Doping Organizations to share certain Personal Information relating to Participants with other Anti-Doping Organizations so that they may engage in Code-mandated Testing. For instance, this may occur in order to subject Athletes to...]

A6.13
In-Competition and Out-of-Competition Testing. In such cases, Anti-Doping Organizations shall cooperate with one another to ensure that the participation by Participants in such Testing remains suitably transparent to Participants and complies with the rules set out in this International Standard and applicable laws.]

8.2 Anti-Doping Organizations shall not disclose Personal Information to other Anti-Doping Organizations: (i) where the recipient Anti-Doping Organizations cannot establish a right, authority or need to obtain the Personal Information; (ii) where there is evidence that the recipient Anti-Doping Organizations do not or cannot comply with this International Standard; (iii) where the Anti-Doping Organization is prohibited from disclosing the Personal Information by applicable law or restrictions imposed by a competent supervisory authority; or (iv) where the disclosure would seriously compromise the status of an ongoing investigation into anti-doping rule violations. Where an Anti-Doping Organization has concerns that another Anti-Doping Organization is incapable of complying with this International Standard, it shall make its concerns known to the Anti-Doping Organization and WADA as soon as possible.

8.3 Apart from the disclosures referenced in Sections 8.1 and 8.2 above, Anti-Doping Organizations may disclose Personal Information to Third Parties where such disclosures:

a. are required by law, regulation or compulsory legal process;

b. take place with the informed, express and written consent of the relevant Participant; or

c. are necessary to assist law enforcement or governmental or other authorities in the detection, investigation or prosecution of a criminal offence or breach of the Code, provided that the Personal Information is reasonably relevant to the offence in question and cannot otherwise reasonably be obtained by the authorities.

[8.3.c. Comment: The ability of an Anti-Doping Organization to cooperate and exchange Personal Information with law enforcement agencies and the manner by which this is to occur may depend upon applicable national laws and regulations. Such rules may sometimes require or encourage Anti-Doping Organizations to disclose Personal Information to law enforcement when they are aware that this information may be relevant to an investigation. Anti-Doping Organizations must comply with such national obligations where they exist.]

9.0 Maintaining the Security of Personal Information

9.1 Anti-Doping Organizations shall designate a Person who is accountable for compliance with this International Standard and all locally applicable privacy and data protection laws. They shall take reasonable measures to ensure that the name and contact information of the Person so designated is made readily available to Participants should they request it.
9.2 Anti-Doping Organizations shall protect Personal Information that they Process by applying all necessary security safeguards, including physical, organizational, technical, environmental and other measures, to prevent the loss, theft, or unauthorized access, destruction, use, modification or disclosure (including disclosures made via electronic networks) of Personal Information.

[9.2 Comment: Anti-Doping Organizations shall ensure that any access to Personal Information by their own personnel shall take place on a need-to-know basis only and where consistent with assigned roles and responsibilities. Personnel accessing Personal Information should be informed of the need to hold Personal Information in confidence.]

9.3 Anti-Doping Organizations shall apply security measures that take into account the sensitivity of the Personal Information being Processed. Anti-Doping Organizations shall apply a higher level of security to the Sensitive Personal Information that they Process, reflecting the correspondingly greater risk that the unlawful or unauthorized disclosure of such information presents to the Participant or Person to whom the Personal Information relates.

9.4 Anti-Doping Organizations disclosing Personal Information to Third-Party Agents in connection with their Anti-Doping Activities shall ensure that such Third-Party Agents are subject to appropriate controls, including contractual controls, in order to protect the confidentiality and privacy of the Personal Information and to ensure that the Personal Information is only Processed for and on behalf of the Anti-Doping Organization.

[9.4 Comment: Anti-Doping Organizations have an ongoing responsibility to protect any Personal Information under their effective control or in their possession, including Personal Information Processed by their Third-Party Agents, such as IT-service providers, laboratories and external Doping Control Officers.]

9.5 Anti-Doping Organizations are required to choose Third-Party Agents that provide sufficient guarantees, in accordance with applicable law and this Standard, in respect of the technical security measures and organizational measures governing the Processing to be carried out.

9.6 In the event of a Security Breach, the responsible Anti-Doping Organization shall inform affected Participants or other Persons of the breach, where this breach is likely to affect in a significant way the rights and interests of those persons concerned. The information must be provided as soon as reasonably possible once the Anti-Doping Organization becomes aware of the details of the Security Breach and should describe the nature of the breach, the possible negative Consequences for those Persons concerned and the remediation measures taken or to be taken by the Anti-Doping Organization. Additionally, the Anti-Doping Organization shall ensure that the Person appointed pursuant to Section 9.1 is also informed about the Security Breach.
[9.6 Comment: Security Breach notification obligations are becoming increasingly common throughout the world. Pursuant to Article 4 of this Standard, Anti-Doping Organizations must comply with national obligations that go beyond the Standard (i.e., some national regimes may require additional notification to a competent authority or impose specific timeframes for notification). A breach does not significantly affect an individual when the Personal Information in question is subject to suitable technological protection measures (e.g., encryption) and there is no indication that the protection has been compromised. Notice shall be given by any appropriate means, whether written, verbally or otherwise, taking into account the particular circumstances of the Security Breach, including the prejudice that the relevant Persons may suffer as a result of the Security Breach.]

10.0 Retaining Personal Information Where Relevant and Ensuring Its Destruction

10.1 As a general rule, retaining Sensitive Personal Information requires stronger or more compelling reasons and justifications than retaining non-Sensitive Personal Information.

10.2 Anti-Doping Organizations shall ensure that Personal Information is only retained where it remains relevant to fulfilling their obligations under the Code or under this Standard or where otherwise required by applicable law, regulation or compulsory legal process. Once Personal Information no longer serves the above purposes, it shall be deleted, destroyed or permanently anonymized.

10.3 In order to ensure the effective application of Article 10.1, Anti-Doping Organizations shall establish clear retention times to govern their Processing of Personal Information consistent with the above-described limitations. Anti-Doping Organizations shall develop specific plans and procedures to ensure the secure retention and eventual destruction of Personal Information.

10.4 Different retention times may be applied to different types of Personal Information and shall take into account the purposes for which the Personal Information is Processed in the context of Anti-Doping Activities, including the granting of Therapeutic Use Exemptions, Testing, the investigation of doping violations, and the sanctioning of such violations. Anti-Doping Organizations shall adhere to those retention times set forth in Annex A (Retention Times), as amended from time to time.

11.0 Rights of Participants and Other Persons with Respect to Personal Information

11.1 Participants or Persons to whom the Personal Information relates shall have the right to obtain from Anti-Doping Organizations: (a) confirmation of whether or not Anti-Doping Organizations Process Personal Information relating to them, (b) the information as per Article 7.1, and (c) a copy of the relevant Personal Information within a reasonable timeframe, in a readily intelligible format, and without excessive cost, unless to do so in a particular case plainly conflicts with the
Anti-Doping Organization’s ability to plan or conduct No Advance Notice Testing or to investigate and establish anti-doping rule violations.

[11.1 Comment: Save in exceptional circumstances, (which may include situations where the amount of Personal Information at issue is significant and involves a disproportionate effort to assemble), an Anti-Doping Organization ordinarily is expected to respond no later than 6 to 8 weeks from the date the request is received.]

11.2 Anti-Doping Organizations have to respond to requests from Participants or Persons to whom the Personal Information relates seeking access to their Personal Information, except if doing so imposes a disproportionate burden on the Anti-Doping Organizations in terms of cost or effort given the nature of the Personal Information in question.

11.3 In the event an Anti-Doping Organization refuses to allow a Participant access to his or her Personal Information, it shall inform the Participant and set out in writing the reasons for refusing the request as soon as practicable. Anti-Doping Organizations shall ensure that Participants only obtain Personal Information relating to themselves, and not relating to other Participants or third Persons, where they seek to obtain access to Personal Information pursuant to this Article 11.

11.4 Where an Anti-Doping Organization’s Processing of Personal Information is shown to be inaccurate, incomplete, or excessive, it shall, as appropriate, rectify, amend or delete the relevant Personal Information as soon as possible. If the Anti-Doping Organization has disclosed the Personal Information in question to another Anti-Doping Organization that to its knowledge or belief continues to Process the Personal Information, it shall inform that Anti-Doping Organization of the change as soon as possible, unless this proves impossible or involves a disproportionate effort.

11.5 Without prejudice to any other rights a Participant may have under applicable laws, a Participant shall be entitled to initiate a complaint with an Anti-Doping Organization where he or she has a reasonable, good-faith belief that an Anti-Doping Organization is not complying with this International Standard and each Anti-Doping Organization shall have a procedure in place for dealing with such complaints in a fair and impartial manner. In the event that the complaint cannot be satisfactorily resolved, the Participant may notify WADA and/or submit a complaint to CAS, which will determine whether a violation occurred. Where the International Standard is not being adhered to, the relevant Anti-Doping Organization will be required to rectify the breach.
ANNEX A to the INTERNATIONAL STANDARD ON PROTECTION OF PRIVACY AND PERSONAL INFORMATION

I. Referenced data will be deleted no later than the end of the calendar quarter following the expiry of the stated retention period.

II. For practical reason, retention times are submitted to two categories; 18 months and 10 years.

III. Retention times can be extended in case of pending anti-doping rule violations.

<table>
<thead>
<tr>
<th>Module</th>
<th>Data</th>
<th>Retention periods</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1–Athlete</td>
<td>Athlete (general)</td>
<td>Name</td>
<td>Date of birth</td>
</tr>
<tr>
<td>1</td>
<td>Indefinitely</td>
<td>Indefinitely</td>
<td>Indefinitely</td>
</tr>
<tr>
<td>2</td>
<td>Whereabouts (except for the Athlete Passport program see section 8)</td>
<td>Whereabouts</td>
<td>Failures</td>
</tr>
<tr>
<td>2</td>
<td>18 months</td>
<td>18 months</td>
<td>18 months</td>
</tr>
<tr>
<td>2</td>
<td>Can be relevant to establish ADRV retrospectively</td>
<td>Relevant to count three Strikes in 1 year</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Relevant to count three Strikes in 1 year</td>
<td>Relevant to count three Strikes in 1 year</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>If ADRV, will be kept as part of disciplinary file indefinitely (see section 7).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The table above provides the necessary criteria for the retention of data related to athletes and their whereabouts. The retention periods are either 18 months or 10 years, depending on the nature of the data and the circumstances.
<table>
<thead>
<tr>
<th>Module</th>
<th>Data Retention periods</th>
<th>Remarks</th>
<th>Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>TUE</td>
<td>3 – TUE approval forms</td>
<td>TUE supp. med information TUE info not included: (i) on the approval form; or (ii) in the supporting medical information</td>
<td>TUE loses validity TUE information is largely medical and therefore specifically sensitive Managed by ADO/TUEC Can be relevant in case of re-testing loses relevance after expiration of TUE except in case of re-application (and sensitive information) Proportionality/Necessity Proportionality/Necessity Proportionality/Necessity</td>
</tr>
<tr>
<td>Testing</td>
<td>4 – Testing Mission orders</td>
<td>Doping Control Form Chain of Custody as of document creation date / as of first indication of AAF, ATF, ADRV or Sample collection</td>
<td>18 months / 10 yrs 18 months / 10 yrs 18 months / 10 yrs Long retention only relevant in case of AAF, ATP, ADRV or stored Sample(s). Managed by ADO 18 months if there is no indication of an ADRV/ 10 yrs if there is an indication of a possible ADRV, if the Sample is stored for possible re-testing or if it is part of a passport program. 18 months if there is no indication of an ADRV/ 10 yrs if there is an indication of a possible ADRV, if the Sample is stored for possible re-testing or if it is part of a passport program. Indefinitely / 10 yrs Only positive Samples are a possible privacy issue Managed by Laboratory These Samples are anonymous, and may be retained indefinitely for scientific purposes In case of an AAF, and if the Sample is identifiable, 10 yrs should be the maximum retention time Proportionality Proportionality</td>
</tr>
<tr>
<td>Samples</td>
<td>5 – Samples</td>
<td></td>
<td>Proportionality</td>
</tr>
<tr>
<td>Remarks</td>
<td>Criteria</td>
<td></td>
<td></td>
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<tr>
<td>---------</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Negative findings</td>
<td>Proportionality/Necessity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Managed by ADO</td>
<td>Proportionality/Necessity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Negative results have an historical value and keeping them could be in the interest of the athlete.</td>
<td>Proportionality/Necessity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Necessary because of multiple violations</td>
<td>Proportionality/Necessity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Necessary because of multiple violations</td>
<td>Proportionality/Necessity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Relevant because of multiple violations</td>
<td>Proportionality/Necessity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Managed by disciplinary body/sports federation/ADO</td>
<td>Proportionality/Necessity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Should be kept indefinitely for legal and precedential value.</td>
<td>Proportionality/Necessity</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Athlete Biological Passport**

*Differentiation between samples and results. As samples are not used for directly establishing ADRV, samples will not be stored, only results.*

*For blood there are no A or B samples.*

*Only positive samples are a possible privacy issue.*

**Samples**

- Results
- Whereabouts

- Results
- Whereabouts 10 yrs as of date results were obtained 10 yrs as of date the data relates to

- For the biological passport (blood module), the endocrinological/steroidal urine module or longitudinal profiling, the retention time for results is 10 yrs 10 yrs when needed to support atypical/abnormal results/to refute Athlete’s claims

- For cases where circumstances warrant for negative results to be stored for future inclusion in the biological passport (blood module/endocrinological/steroidal urine module): 10 yrs (only needed for limited amount of athletes)