

World Triathlon Corporation

# **ANTI-DOPING RULES**

**Version 4.0**

September 2011

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# WORLD TRIATHLON CORPORATION ANTI-DOPING RULES

## INTRODUCTION

### Preface

In 2005, the World Triathlon Corporation ("WTC") accepted the World Anti-Doping Code (the "Code") for all IRONMAN® Triathlon *Events*, whether conducted by WTC or its Licensees. As a private corporation conducting athletic *Events* under a variety of brands (including but not limited to IRONMAN®, Iron Kids, Iron Girl, and 5150), WTC was the first private, non-federation sports company to formally adhere to the Code. These Anti-Doping Rules are adopted and implemented in conformance with WTC's responsibilities under the Code, and are in furtherance of WTC's continuing efforts to eradicate doping in the sport of triathlon. WTC, as a private *Event* organizer, does not operate as either an *International* or *National Federation*.

Anti-Doping Rules, like *Competition* rules, are sport rules governing the conditions under which sport is played. *Athletes* and other *Persons* accept these rules as a condition of participation and shall be bound by them. These sport-specific rules and procedures, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature and, therefore, not intended to be subject to, or limited by any national requirements and legal standards applicable to criminal proceedings or employment matters. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the Code and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

The WTC Anti-Doping Rules have evolved to apply to all WTC *Events*, including but not limited to Ironman, Ironman 70.3, 5150, Iron Girl and IronKids.

While the WTC Anti-Doping Rules apply to all WTC *Events* and *Athletes*, they are primarily intended for Ironman®, Ironman 70.3®, and 5150® Triathlon *Athletes* and other *Persons* participating in elite level *Competition*. The WTC encourages all *Event* Licensees, *National Federations* and *National Anti-Doping Agencies* to prioritize *Testing* resources on those *Athletes* and *Events* which are considered to be at the highest risk for doping and to consider providing educational programs that can foster a strong anti-doping culture among the next generation of Ironman *Athletes*.

## **Fundamental Rationale for the Code and WTC's Anti-Doping Rules**

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of IRONMAN® and WTC's other brands; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other participants
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

### **Scope**

These Anti-Doping Rules shall apply to WTC, each WTC Licensee conducting a WTC branded *Event*, and each *Participant* in WTC *Events* by virtue of the *Participant's* application for entry and/or participation in WTC *Events*. It is expected that these Anti-Doping Rules shall work in juxtaposition with the Anti-Doping Rules of each *National Federation*. Each *Participant* in WTC *Events* shall be a member of their *National Federation* and must make himself or herself available for *Testing*, in accordance with the *Out-of-Competition Testing* rules of his or her *National Federation*. At the election of WTC, WTC may create its own *Out-of-Competition Testing* rules to be applied to *Athletes* that WTC designates as members of its *Registered Testing Pool*.

These Anti-Doping Rules shall apply to all *Doping Controls* for WTC *Events*, including but not limited to Ironman, Ironman 70.3, 5150, Iron Girl and IronKids.

## **ARTICLE 1 DEFINITION OF DOPING**

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of these Anti-Doping Rules.

## **ARTICLE 2 ANTI-DOPING RULE VIOLATIONS**

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

The following constitute anti-doping rule violations:

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

**2.1.1** It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping violation under Article 2.1.

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

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

**2.1.4** As an exception to the general rule of Article 2.1, the *Prohibited List* or *International Standards* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

### **2.2 Use or Attempted Use of a *Prohibited Substance* or a *Prohibited Method***

**2.2.1** It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be

demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or *Prohibited Method*.

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

**2.3 Refusing, or failing without compelling justification, to submit to *Sample* collection after notification as authorized in these Anti-Doping Rules or otherwise evading *Sample* collection.**

**2.4 Violation of applicable requirements regarding *Athlete* availability for *Out-of-Competition Testing*, including failure to file required whereabouts information and missed tests which are declared based on rules which comply with the *International Standard for Testing*. Any combination of three missed tests and/or filing failures within an eighteen-month period as determined by *Anti-Doping Organizations* with jurisdiction over the *Athlete* shall constitute an anti-doping rule violation.**

**2.5 *Tampering*, or *Attempted Tampering* with any part of *Doping Control*.**

**2.6 *Possession of Prohibited Substances and Methods***

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

**2.6.2** *Possession* by an *Athlete Support Personnel In-Competition* of any *Prohibited Method* or any *Prohibited Substance*, or *Possession* by an *Athlete Support Personnel Out-of-Competition* of any *Prohibited Method* or any *Prohibited Substance* which is prohibited *Out-of-Competition*, in connection with an *Athlete*, *Competition* or training, unless the *Athlete Support Personnel* establishes that the *Possession* is pursuant to a TUE granted to an *Athlete* in accordance with Article 4.4 (Therapeutic Use) 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 *Athlete In-Competition* of any *Prohibited Method* or *Prohibited Substance*, or administration or *Attempted* administration to any *Athlete Out-of-Competition*

of any *Prohibited Method* or any *Prohibited Substance* that is prohibited *Out-of-Competition*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* anti-doping rule violation.

## **ARTICLE 3 PROOF OF DOPING**

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

WTC, its *Event Licensees*, and the relevant *National Federation* sanctioning the WTC *Event* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether WTC, its *Event Licensee* or the relevant, sanctioning *National Federation* has established an anti-doping rule violation to the comfortable satisfaction of the hearing body bearing in mind the seriousness of the allegation, which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability except as provided in Articles 10.5 and 10.10 where the *Athlete* must satisfy a higher burden of proof.

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

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

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

If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*, then WTC, its *Event Licensee* or the relevant, sanctioning *National Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

**3.2.2** Departures from any other *International Standard* for Laboratories or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* or other *Person* establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse*

*Analytical Finding* or other anti-doping rule violation occurred, then the WTC, its *Event Licensee* or the relevant, sanctioning *National Federation* shall have the burden to establish that such a departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

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

**3.2.4** The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions either from the hearing panel or from the *Anti-Doping Organization* asserting the anti-doping rule violation.

## **ARTICLE 4 THE PROHIBITED LIST**

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

These Anti-Doping Rules incorporate the *Prohibited List*, which is published and revised by WADA as, described in Article 4.1 of the *Code*. Any *Participant* in a WTC *Event* may request the current *Prohibited List* from WTC or its *Event Licensee*.<sup>1</sup>

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

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

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication of the *Prohibited List* by WADA without requiring any further action by WTC. As described in Article 4.2 of the *Code*, WTC may request that WADA expand the *Prohibited List* for the sport of triathlon [or certain disciplines as relevant to WTC *Competition* within the sport of triathlon]. WTC may also request that WADA include additional substances or methods, which have the potential for abuse in the sport of triathlon, in the monitoring program

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(1) The *Prohibited List* in force is available on WADA's website at [www.wada-ama.org](http://www.wada-ama.org).

described in Article 4.5 of the *Code*. As provided in the *Code*, WADA shall make the final decision on such requests by WTC.

#### **4.2.2 Specified Substances**

For purposes of the application of Article 10 (Sanctions on Individuals), all *Prohibited Substances* shall be "Specified Substances" except (a) substances in the classes of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. *Prohibited Methods* shall not be Specified Substances.

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

As provided in Article 4.3.3 of the *Code*, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* is final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

#### **4.4 Therapeutic Use**

**4.4.1** *Athletes* with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a *TUE*. The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (Article 2.1), *Use* or *Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (Article 2.2), *Possession* of *Prohibited Substances* or *Prohibited Methods* (Article 2.6) or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method* (Article 2.8) consistent with the provisions of an applicable *TUE* issued pursuant to the *International Standard* for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.

#### **4.4.2 Subject to Article 4.4.4**

*Athletes* included by the WTC in its *Registered Testing Pool* must obtain a *TUE*. In accordance with Article 15.4 of the *Code*, any *TUE* granted to an *Athlete* by or on behalf of a *Signatory* (including any *TUE* granted prior to the Effective Date) will be recognised under these Rules in accordance with the terms of the grant, provided that the grant is consistent with the *Code* and is within that *Signatory's* authority. Otherwise, however, an *Athlete* is required to obtain a *TUE* from the WTC *TUE* Committee. The application for a *TUE* must be made as soon as possible (in the case of an *Athlete* in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations)

no later than 30 days before the *Athlete's* participation in the *Event*. *TUE* granted by the WTC shall be reported to the *Athlete's National Federation* and to WADA through ADAMS.

**4.4.3** Subject to Article 4.4.4, *Athletes* who are not included by the WTC in its *Registered Testing Pool* must obtain a *TUE* from their *National Anti-Doping Organization* or other body designated by their relevant *National Federation*, as required under the rules of the *National Anti-Doping Organization* or the relevant *National Federation*. The application for a *TUE* must be made as soon as possible (in the case of an *Athlete* in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later than 30 days before the *Athlete's* participation in the *Event*. *National Federations* shall promptly report any such *TUE* to the WTC and WADA, through ADAMS.

**4.4.4** The WTC shall appoint a panel to consider requests for *TUE's* (the "TUE Panel") in accordance with the *International Standard* for Therapeutic Use Exemptions. The TUE Panel member(s) shall promptly evaluate the request in accordance with the *International Standard* for Therapeutic Use Exemptions and render a decision on such request, which shall be the final decision of the WTC.

**4.4.5** WADA, on its own initiative, may review at any time the granting of a *TUE* to any *International-Level Athlete* or *Athlete* entered in a WTC *Event* for which a *TUE* pursuant to the WTC's rules is required or national-level *Athlete* who is included in his or her *National Anti-Doping Organization* or *National Federation's Registered Testing Pool*. Further, upon any request of any such *Athlete* who has been denied a *TUE*, WADA may review such denial. If WADA determines that such granting or denial of a *TUE* did not comply with the *International Standard* for Therapeutic Use Exemptions, WADA may reverse that decision. Decisions on *TUE's* are subject to further appeal as provided in Article 13.

## **ARTICLE 5 TESTING**

### **5.1 Authority to Test**

All *Athletes* participating in WTC *Events* shall be subject to *Testing* by WTC, its *Event Licensee*, the *Athlete's National Federation*, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Athletes* under the jurisdiction of a *National Federation*, including *Athletes* serving a period of *Ineligibility* or a *Provisional Suspension*, shall be subject to *Testing* at any time or place, with or without advance notice, *In-Competition* or *Out-of-Competition* by the WTC, its *Event Licensees*, WADA, the *Athlete's National Federation*, the *National Anti-Doping Organization* of any country where the *Athlete* is present or of which the *Athlete* is national, resident, licence holder or member of a sport organization, and any other *Anti-*

*Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate.

All *Athletes* must comply with any request for *Testing* by any *Anti-Doping Organization* with *Testing* jurisdiction.

## **5.2 Responsibility for WTC Testing**

The WTC and/or its *Event Licensee* shall be responsible for drawing up a test distribution plan for *Athletes* competing in *WTC Events* in accordance with Article 4 of the *International Standard for Testing*, and for the implementation of that plan, including overseeing all *Testing* conducted by or on behalf of the WTC. *Testing* may be conducted by the WTC and/or its *Event Licensee* or by other qualified persons so authorized by WTC. All *Testing* planned at any *WTC Event* shall be conducted in accordance with the WTC Anti-Doping Rules.

In coordination with other *Anti-Doping Organizations* conducting *Testing* on the same *Athletes*, and consistent with the *International Standard for Testing*, WTC shall:

5.2.1 Plan and conduct an effective number of *In-Competition* and *Out-of-Competition* tests on *Athletes* over whom it has jurisdiction, including but not limited to *Athletes* in its *Registered Testing Pool*.

5.2.2 Except in exceptional circumstances all *Out-of-Competition Testing* shall be *No Advance Notice*.

5.2.3 Make *Target Testing* a priority.

5.2.4 Conduct *Testing* on *Athletes* serving a period of *Ineligibility* or a *Provisional Suspension*.

## **5.3 Standards for Testing**

*Testing* conducted by WTC and/or its *Event Licensees* and the relevant *National Federations* granting sanctions to *WTC Events* shall be in substantial conformity with the *International Standard for Testing* in force at the time of *Testing*.

**5.3.1 Blood** (or other non-urine) *Samples* may be used either to detect *Prohibited Substances* or *Prohibited Methods*, for screening procedure purposes, or for longitudinal hematological profiling (“the passport”).

## **5.4 Coordination of Testing**

WTC and/or its *Event Licensees*, *National Federations* sanctioning *WTC Events*, and/or any other *Anti-Doping Organization* with the jurisdiction to test, shall promptly report completed tests through the *WADA* clearinghouse to avoid unnecessary duplication in *Testing*.

## **5.5 Athlete Whereabouts Requirements**

**5.5.1** The WTC shall identify a *Registered Testing Pool* of those *Athletes* who are required to comply with the whereabouts requirements of the *International Standard for Testing*, and shall publish the criteria for *Athletes* to be included in this *Registered Testing Pool* as well as a list of the *Athletes* meeting those criteria for the period in question. The WTC shall review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall revise the membership of its *Registered Testing Pool* from time to time as appropriate in accordance with the set criteria. Each *Athlete* in the *Registered Testing Pool* (a) shall advise the WTC of his/her whereabouts on a quarterly basis, in the manner set out in Article 11.3 of the *International Standard for Testing*; (b) shall update that information as necessary, in accordance with Article 11.4.2 of the *International Standard for Testing*, so that it remains accurate and complete at all times; and (c) shall make him/herself available for *Testing* at such whereabouts, in accordance with Article 11.4 of the *International Standard for Testing*.

**5.5.2** An *Athlete's* failure to advise the WTC of his/her whereabouts shall be deemed a filing failure for purposes of Article 2.4 where the conditions of the Article 11.3.5 of the *International Standard for Testing* are met.

**5.5.3** An *Athlete's* failure to be available for *Testing* at his/her declared whereabouts shall be deemed a missed test for purposes of Article 2.4 where the conditions of Article 11.4.3 of the *International Standard for Testing* are met.

**5.5.4** Each *National Federation* shall also assist its *National Anti-Doping Organization* in establishing a national level *Registered Testing Pool* of top-level national *Athletes* to whom the whereabouts requirements of the *International Standard for Testing* shall also apply. Where those *Athletes* are also in the WTC's *Registered Testing Pool*, the WTC and the *National Anti-Doping Organization* will agree (with the assistance of *WADA* if required) on which of them will take responsibility for receiving whereabouts filings from the *Athlete* and sharing it with the other (and with other *Anti-Doping Organizations*) in accordance with Article 5.5.5.

**5.5.5** Whereabouts information provided pursuant to Articles 5.5.1 and 5.5.4 shall be shared with *WADA* and other *Anti-Doping Organizations* having jurisdiction to test an *Athlete* in accordance with Articles 11.7.1(d) and 11.7.3(d) of the *International Standard for Testing*, including the strict condition that it be used only for *Doping Control* purposes.

## **5.6 Retirement and Return to Competition**

**5.6.1** An *Athlete* who has been identified by WTC for inclusion in WTC's *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to comply with the whereabouts requirements of the *International Standard for Testing* unless and until the *Athlete* gives written notice to WTC that he or she has retired or until he or she no longer satisfies the criteria for inclusion in WTC's *Registered Testing Pool* and has been so informed by WTC.

**5.6.2** An *Athlete* who has given notice of retirement to WTC may not resume competing unless he or she notifies WTC at least six months before he or she expects to return to competition and makes him/herself available for unannounced *Out-of-Competition Testing*, including (if requested) complying with the whereabouts requirements of the *International Standard for Testing*, at any time during the period before actual return to competition.

## **5.7 Selection of *Athletes* to be Tested**

**5.7.1** At WTC *Events*, WTC and/or its *Event Licensee* shall determine the number of finishing placement tests, random tests and target tests to be performed.

**5.7.2** In addition to the selection procedures set forth in Articles 5.7.1 above; WTC and/or its *Event Licensee* may also select *Athletes* for *Target Testing* so long as such *Target Testing* is not used for any purpose other than legitimate *Doping Control* purposes.

**5.7.3** *Athletes* shall be selected for *Out-of-Competition Testing* by the WTC or its *Event Licensee* through a process that substantially complies with the *International Standard for Testing* in force at the time of selection.

**5.8** The WTC and WTC *Event Licensees* shall provide access to independent observers at *Events* in accordance with the *Independent Observers Program*.

**5.9** All WTC Professional Members and Age Group qualified *Athletes* (those *Athletes* that compete in the general age division classifications as mandated in all IRONMAN® *Events*) will not be permitted to compete in a designated WTC World Championship *Event* unless he/she acknowledges that they are subject to the WTC anti-doping program, he/she is available for *Sample* collection and where applicable, he/she provides accurate and up-to-date whereabouts information. All Professional Members and qualified Age Group *Athletes* are subject to inclusion in the WTC's *Registered Testing Pool* at the discretion of the WTC.

## **ARTICLE 6 ANALYSIS OF SAMPLES**

*Doping Control Samples* collected under these Anti-Doping Rules shall be analyzed in accordance with the following principles:

### **6.1 Use of Approved Laboratories**

For the purposes of Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers*), WTC or its *Event Licensee* shall send *Samples* for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other laboratory or method approved by WADA) used for the *Sample* analysis shall be determined exclusively by WTC. Blood *Samples* may be analyzed at a WADA accredited laboratory or at a satellite facility (mobile unit and/or ISO accredited hematology laboratory approved by WADA).

### **6.2 Purpose of Collection and 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 the Monitoring Program described in Article 4.5 of the *Code* or to assist the WTC or its *Event Licensee* in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.

### **6.3 Research on Samples**

No *Sample* may be used for any purpose other than as described in Article 6.2 without the *Athlete's* written consent. *Samples* used (with the *Athlete's* consent) for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular *Athlete*.

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

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

### **6.5 Retesting Samples**

A *Sample* collected in accordance with the WTC Rules may be reanalyzed for the purposes described in Article 6.2 at any time exclusively at the direction of the WTC, the *Anti-Doping Organization* that collected the *Sample* or WADA. The circumstances and conditions for retesting *Samples* shall conform with the requirements of the *International Standard* for Laboratories.

## ARTICLE 7 RESULTS MANAGEMENT

### 7.1 Results Management for Tests Initiated by WTC

Results management for *Tests* initiated by WTC and/or its *Event Licensees* (including tests performed by *WADA* pursuant to agreement with WTC or its *Event Licensee*) shall proceed as set forth below:

**7.1.1** The results from all analyses must be sent to WTC in encoded form, in a report signed by an authorised representative of the laboratory. All communication must be conducted in confidentiality and in conformity with *ADAMS*, a database management tool developed by *WADA*. *ADAMS* is consistent with data privacy statutes and norms applicable to *WADA* and other organizations using it.

**7.1.2** Upon receipt of an *A Sample Adverse Analytical Finding*, WTC shall forward the *Sample Adverse Analytical Finding* to the *Athlete's National Federation* which may conduct a review to determine whether: (a) the *Adverse Analytical Finding* is consistent with an applicable *TUE* or whether other special requirements are set forth in the *International Standard for Therapeutic Use Exemptions*, or (b) there is any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Adverse Analytical Finding*. If the *Athlete's National Federation* declines to conduct this review, WTC shall conduct its own review.

**7.1.2.1** Consistent with the rules of the relevant *National Federation*, results management authority may lie with their respective *National Anti-Doping Organization* or other responsible *Anti-Doping Organization*. The WTC must be provided notice by the relevant *National Federation* and accept the delegation of results management responsibilities to another party. The WTC only will recognize the results management authority of other *Code compliant Anti-Doping Organizations*.

**7.1.3** If the initial review of an *Adverse Analytical Finding* under Article 7.1.2 does not reveal an applicable *TUE* or entitlement to a *TUE* as provided in the *International Standard for Therapeutic Use Exemptions*, or departure that caused the *Adverse Analytical Finding*, WTC and/or the responsible *Results Management Authority* shall promptly notify the *Athlete*, WTC, the *Athlete's National Federation*, the *Athlete's National Anti-Doping Organization* and *WADA* (as applicable), in the manner set out in Article 19, of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated, or, in a case under Articles 7.1.8 or 7.1.9, a description of the additional investigation that will be conducted as to whether there is an anti-doping rule violation; (c) the *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request,

that the B *Sample* analysis may be deemed waived; (d) the scheduled date, time, and place for the B *Sample* analysis (which shall be scheduled within the time period specified in the *International Standard* for Laboratories) if the *Athlete* or WTC chooses to request an analysis of the B *Sample*; (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the B *Sample* opening and analysis within the time period specified in the *International Standard* for Laboratories if such analysis is requested; and (f) the *Athlete's* right to request copies of the A and B *Sample* laboratory documentation package which includes information as required by the *International Standard* for Laboratories. If WTC and/or the responsible *Results Management Authority* decide not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Athlete*, WTC, the *Athlete's National Anti-Doping Organization*, the *Athlete's National Federation* and WADA (as applicable).

**7.1.4** Where requested by the *Athlete*, the WTC or accepted *Results Management Authority* arrangements shall be made for *Testing* the B *Sample* within the time period specified in the *International Standard* for Laboratories. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. WTC and/or the responsible *Results Management Authority* may nonetheless elect to proceed with the B *Sample* analysis.

**7.1.5** The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample* within the time period specified in the *International Standard* for Laboratories. Also, a representative of the WTC, the *Athlete's National Federation* as well as a representative of accepted *Results Management Authority* shall be allowed to be present.

**7.1.6** If the B *Sample* proves negative, then (unless the WTC or the responsible *Results Management Authority* takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the *Athlete*, WTC, the *Athlete's National Anti-Doping Organization*, the *Athlete's National Federation* and WADA (as applicable) shall be so informed.

**7.1.7** If a *Prohibited Substance* or the *Use of a Prohibited Method* is identified, the findings shall be reported to the *Athlete*, WTC, the *Athlete's National Anti-Doping Organization*, the *Athlete's National Federation* and WADA (as applicable)

**7.1.8** WTC and/or the responsible *Results Management Authority* shall conduct any follow-up investigation as may be required by the *Prohibited List*. Upon completion of such follow-up investigation, WTC and/or the responsible *Results Management Authority* shall promptly give the *Athlete*, WTC, the *Athlete's National Anti-Doping Organization*, the *Athlete's National Federation*, WADA or other *Person* subject to sanction (as applicable) notice, in the manner set out in Article 19, regarding the

results of the follow-up investigation and whether or not an anti-doping rule was violated.

**7.1.9** For apparent anti-doping rule violations that do not involve *Adverse Analytical Findings*, WTC and/or the responsible *Results Management Authority*, shall conduct any necessary follow-up investigation and, at such time as it is satisfied that an anti-doping rule violation has occurred, shall then promptly notify the *Athlete* or other *Person* subject to sanction notice, in the manner set out in Article 19, of the anti-doping rule which appears to have been violated, and the basis of the violation.

## **7.2 Review of Atypical Findings**

**7.2.1** As provided in the *International Standards*, 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.

**7.2.2** Upon receipt of an *A Sample Atypical Finding*, the WTC shall conduct an initial review to determine whether: (a) an applicable *TUE* has been granted, or (b) there is an apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Atypical Finding*.

**7.2.3** If the initial review of an *Atypical Finding* under Article 7.2.2 reveals an applicable *TUE* or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete*, the *Athlete's National Anti-Doping Organization*, the *Athlete's National Federation* and *WADA* shall be so informed.

**7.2.4** If that initial review does not reveal an applicable *TUE* or departure that caused the *Atypical Finding*, the WTC shall conduct the required investigation. After the investigation is complete, the *Athlete*, *WADA* and the *Athlete's National Anti-Doping Organization* 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 7.1.3.

**7.2.5** The WTC will not provide notice of an *Atypical Finding* until it has completed its investigation and has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:

(a) If the WTC determines the *B Sample* should be analyzed prior to the conclusion of its follow-up investigation, it may conduct the *B Sample* analysis after notifying the *Athlete*, with such notice to include

a description of the *Atypical Finding* and the information described in Article 7.1.3(b) to (f).

(b) If the WTC receives a request, either from a *Major Event Organization* shortly before one of its *International Events* or a request from a sport organization responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided by the *Major Event Organization* or sport organization has a pending *Atypical Finding*, the WTC shall so identify any such *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*.

### **7.3 Results Management for Tests Initiated During Other International Events**

Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a *Major Event Organization*, shall be managed, as far as sanctions beyond *Disqualification* from the *Event* or the results of the *Event*, by the WTC.

### **7.4 Results Management for Tests initiated by National Federations**

Results management conducted by *National Federations* shall be consistent with the general principles for effective and fair results management, which are underlined, in the detailed provisions set forth in this Article 7. *Adverse Analytical Findings*, *Atypical Findings* and other asserted violations of anti-doping rules shall be reported by *National Federations* in accordance with the principles outlined in this Article 7 to the *Athlete's National Anti-Doping Organization*, WTC, and WADA, no later than the completion of the *National Federation's* results management process. Any apparent anti-doping rule violation by an *Athlete* who is a member of that *National Federation* shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the *National Federation*, *National Anti-Doping Organization* or national law. Apparent anti-doping rule violations by *Athletes* who are members of another *National Federation* shall be referred to the WTC for hearing.

### **7.5 Results Management for Whereabouts Violations**

**7.5.1** Results management in respect of an apparent Filing Failure by an *Athlete* in WTC *Registered Testing Pool* shall be conducted by WTC in accordance with Article 11.6.2 of the *International Standard for Testing* (unless it has been agreed in accordance with Article 5.5.4 that the *National Federation* or *National Anti-Doping Organization* shall take such responsibility).

**7.5.2** Results management in respect of an apparent Missed Test by an *Athlete* in WTC's *Registered Testing Pool* as a result of an attempt to test the *Athlete* by or on behalf of WTC shall be conducted by WTC in accordance with Article 11.6.3 of the *International Standard for Testing*. Results management in respect of an apparent Missed Test by such *Athlete* as a result of an attempt to test the *Athlete* by or on behalf of another *Anti-Doping Organization* shall be conducted by that other *Anti-Doping Organization* in accordance with Article 11.7.6(c) of the *International Standard for Testing*.

**7.5.3** Where, in any eighteen-month period, an *Athlete* in WTC's *Registered Testing Pool* is declared to have three Filing Failures, or three Missed Tests, or any combination of Filing Failures or Missed Tests adding up to three in total, whether under these Anti-Doping Rules or under the rules of any other *Anti-Doping Organization*, WTC shall bring them forward as an apparent anti-doping rule violation.

## **7.6 Provisional Suspensions**

**7.6.1** If analysis of an A *Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, and a review in accordance with Article 7.1.2 does not reveal an applicable *TUE* or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, a *Provisional Suspension* shall be imposed promptly after the review and notification described in Article 7.1.

**7.6.2** In any case not covered by Article 7.2.1 where the WTC decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 7, a *Provisional Suspension* may be imposed after the review and notification described in Article 7.1, but prior to the analysis of the *Athlete's* B *Sample* or the final hearing as described in Article 8 (Right to a Fair Hearing).

**7.6.3** Whether pursuant to Article 7.2.1 or Article 7.2.2, the *Athlete* or other *Person* shall be given either (a) an opportunity for a *Provisional Hearing* either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 (Right to a Fair Hearing) on a timely basis after imposition of a *Provisional Suspension*. *National Federations* shall impose *Provisional Suspensions* in accordance with the principles set forth in this Article 7.2.

**7.6.4** If a *Provisional Suspension* is imposed based on an A *Sample* *Adverse Analytical Finding* and a subsequent B *Sample* analysis (if requested by the *Athlete* or *Anti-Doping Organization*) does not confirm the A *Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 of

the *Code* (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers*). In circumstances where the *Athlete* (or the *Athlete's* team as may be provided in relevant anti-doping rules) has been removed from a *Competition* based on a violation of Article 2.1 and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, if, without otherwise affecting the *Competition*, it is still possible for the *Athlete* or team to be reinserted, the *Athlete* or team may continue to take part in the *Competition*.

**7.6.5** If a *Provisional Suspension* is imposed, the WTC and/or responsible *Results Management Authority* shall also notify (as applicable) the WTC, the *Athlete's* or other *Person's National Anti-Doping Agency*, the *Athlete* or other *Person's National Federation*, WADA, the International Triathlon Federation (ITU), the International Cycling Union (UCI), the International Amateur Athletics Federation (IAAF) and the Fédération Internationale de Natation (FINA). The WTC and/or the responsible *Results Management Authority* shall likewise continue to provide notice to these parties if/when the *Athlete* has regained eligibility and/or of the outcome of the results management process.

## **7.7 Retirement from Sport**

If an *Athlete* or other *Person* retires while a results management process is underway, the WTC retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun and the WTC would have had results management jurisdiction over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, the WTC has jurisdiction to conduct results management.

## **ARTICLE 8 RIGHT TO A FAIR HEARING**

**8.1** When it appears, following the Results Management process described in Article 7, that these Anti-Doping Rules have been violated, the *Athlete* or other *Person* involved may be brought before a disciplinary panel of the *Athlete* or other *Person's National Federation* or responsible *Results Management Authority* for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what *Consequences* should be imposed. If the *Athlete's National Federation* declines to institute such a disciplinary hearing and no other responsible *Results Management Authority* exists, and no other ADO is compelled to do so by the Court of Arbitration for Sport, WTC shall bring the *Athlete* before WTC's own disciplinary panel administered by the American Arbitration Association pursuant to the modified Supplementary Rules for Anti-Doping attached as Appendix 3. The hearing process shall respect the following principles:

- A timely hearing;
- fair and impartial hearing body;

- the right to be represented by counsel at the *Person's* own expense;
- the right to be informed in a fair and timely manner of the asserted anti-doping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;
- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);
- the *Person's* right to an interpreter at the hearing, with the hearing panel to determine the identity, and responsibility for the cost of the interpreter; and
- a timely, written, reasoned decision, specifically including an explanation of the reason(s) for any period of *Ineligibility*.

**8.2** Hearings pursuant to this Article shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 7. Hearings held in connection with *Events* may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, WTC may elect to bring the case directly to a single arbitrator from the Court of Arbitration for Sport. The case before the Court of Arbitration for Sport shall be handled in accordance with the Court of Arbitration for Sport appeal procedure without reference to any time limit for appeal. If the completion of the hearing is delayed beyond three months, and the *Athlete* is not a member of WTC's *Registered Testing Pool*, WTC may elect to bring the case directly to the national level appellate body referenced in Article 13.2.2. In either case the appeal from such decision shall be to the Court of Arbitration for Sport.

**8.3** The *Athlete* or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 9 and 10.

**8.4** Decisions by *National Federations* or other responsible *Results Management Authority* pertaining to violations of these Anti-Doping Rules at WTC's *Events* or decisions by WTC, whether as the result of a hearing or the *Athlete* or other *Person's* acceptance of *Consequences*, may be appealed as provided in Article 13.

**8.5** Hearing decisions by the *National Federation* or other responsible *Results Management Authority* pertaining to violations of these Anti-Doping Rules at WTC *Events* or decisions by WTC, shall not be subject to further administrative review at the national level except as provided in Article 13 or as required by applicable national law.

**8.6** The right to a hearing may be waived either expressly or by the *Athlete's* or other *Person's* failure to challenge the assertion that an anti-doping rule violation has occurred within the specific time period provided in the WTC's or responsible *Results Management Authority's* rules within the specific time period provided in their rules. Where no hearing occurs, the WTC or responsible *Results Management Authority* shall submit to the *Persons* described in Article 13.2.3 a reasoned decision explaining the action taken.

## **ARTICLE 9 AUTOMATIC *DISQUALIFICATION* OF INDIVIDUAL RESULTS**

A violation of these Anti-Doping Rules in connection with an *In-Competition* test automatically leads to *Disqualification* of the individual result obtained in that *Competition* with all resulting consequences, including forfeiture of any medals, points and prizes.

## **ARTICLE 10 SANCTIONS ON INDIVIDUALS**

### **10.1 *Disqualification* of Results in *Event* During which an *Anti-Doping Rule Violation* Occurs**

An *Anti-Doping Rule* violation occurring during or in connection with an *Event* may lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

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

### **10.2 *Ineligibility* for Presence, Use or Attempted Use, or Possession of Prohibited Substances and Prohibited Methods**

The period of *Ineligibility* imposed for a violation of Article 2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 2.2 (*Use* or *Attempted Use* of *Prohibited Substance* or *Prohibited Method*) or Article 2.6 (*Possession* of *Prohibited Substances* and *Prohibited Methods*) shall be as follows, unless the conditions for eliminating or reducing the period of *Ineligibility*, as provided in Articles 10.3 and 10.5, or the conditions for increasing the period of *Ineligibility*, as provided in Article 10.10 are met:

First violation: Two (2) years' *Ineligibility*.

### **10.3 *Elimination* or *Reduction* of the Period of *Ineligibility* for Specified Substances under Specific Circumstances**

Where an *Athlete* or other *Person* can establish how a Specified Substance entered his or her body or came into his or her *Possession* and that such Specified Substance was not intended to enhance the *Athlete's* sport performance or mask the *Use* of a performance-enhancing substance, the period of *Ineligibility* found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, two (2) year's of *Ineligibility*.

To justify any elimination or reduction, the *Athlete* or other *Person* must produce corroborating evidence in addition to his or her word which establishes to the comfortable satisfaction of the hearing panel the absence of an intent to enhance sport performance or mask the *Use* of a performance enhancing substance. The *Athlete's* or other *Person's* degree of fault shall be the criterion considered in assessing any reduction of the period of *Ineligibility*.

#### **10.4 *Ineligibility for Other Anti-Doping Rule Violations***

The period of *Ineligibility* for other violations of these Anti-Doping Rules shall be:

**10.4.1** For violations of Article 2.3 (refusing or failing to submit to *Sample* collection) or Article 2.5 (*Tampering with Doping Control*), the *Ineligibility* shall be two (2) years unless the conditions provided in Article 10.5, or the conditions provided in Article 10.6 are met.

**10.4.2** For violations of Article 2.7 (*Trafficking*) or Article 2.8 (Administration of *Prohibited Substance* or *Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility* unless the conditions provided for in Article 10.5 are met. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than specified substances referenced in Article 10.3, shall result in lifetime *Ineligibility* for such *Athlete Support Personnel*. In addition, violations of Articles 2.7 or 2.8, which may also violate non-sporting laws and regulations, may be reported to the competent administrative, professional or judicial authorities.

**10.4.3** For violations of Article 2.4 (Whereabouts Filing Failures and/ or Missed Tests), the period of *Ineligibility* shall be at a minimum one (1) year and at a maximum two (2) years based on the *Athlete's* degree of fault.

#### **10.5 Elimination or Reduction of Period of *Ineligibility* Based on Exceptional Circumstances**

##### **10.5.1 No *Fault* or *Negligence***

If an *Athlete or other Person* establishes in an individual case that he or she bears *No Fault or Negligence*, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Sample* in violation of Article 2.1 (presence of *Prohibited Substance*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 10.7.

### **10.5.2 No Significant Fault or Negligence**

If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Significant Fault or Negligence*, then the otherwise applicable period of *Ineligibility* may be reduced, 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 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an *Athlete's Sample* in violation of Article 2.1 (presence of *Prohibited Substance* or its *Metabolites* or *Markers*), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

### **10.5.3 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations**

The WTC or responsible *Results Management Authority* 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 the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another *Person*. After a final appellate decision under Article 13 or the expiration of time to appeal, the WTC may only suspend a part of the otherwise applicable period of *Ineligibility* with the approval of WADA. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-

suspended period under this Article must be no less than eight (8) years. If the WTC suspends any part of the otherwise applicable period of *Ineligibility* under this Article, it shall promptly provide a written justification for its decision to each *Anti-Doping Organization* having a right to appeal the decision. If the WTC subsequently reinstates any part of the suspended period of *Ineligibility* because the *Athlete* or other *Person* has failed to provide the *Substantial Assistance*, which was anticipated, the *Athlete* or other *Person* may appeal the reinstatement pursuant to Article 13.2.

#### **10.4.4 Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence**

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

#### **10.5.5 Where an Athlete or Other Person Establishes Entitlement to Reduction in Sanction under More than One Provision of this Article**

Before applying any reduction or suspension under Articles 10.5.2, 10.5.3 or 10.5.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4 and 10.6. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 10.5.2, 10.5.3 or 10.5.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

### **10.6 Aggravating Circumstances Which May Increase the Period of *Ineligibility***

If the WTC or responsible *Results Management Authority* establishes in an individual case involving an anti-doping rule violation other than violations under Articles 2.7 (*Trafficking* or *Attempted Trafficking*) and 2.8 (*Administration* or *Attempted Administration*) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four (4) years unless the *Athlete* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he did not knowingly commit the anti-doping rule violation.

An *Athlete* or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by the WTC or the responsible *Results Management Authority*.

## 10.7 Rules for Certain Potential Multiple Violations

### 10.7.1 Second Anti-Doping Rule Violation

For an *Athlete's* or other *Person's* first anti-doping rule violation, the period of *Ineligibility* is set forth in Articles 10.2 and 10.3 (subject to elimination, reduction or suspension under Articles 10.4 or 10.5, or to an increase under Article 10.6). For a second anti-doping rule violation the period of *Ineligibility* shall be within the range set forth in the table below.

<b>Second Violation</b>	<b>RS</b>	<b>FFMT</b>	<b>NSF</b>	<b>St</b>	<b>AS</b>	<b>TRA</b>
<b>First Violation</b>						
<b>RS</b>	<b>1-4</b>	<b>2-4</b>	<b>2-4</b>	<b>4-6</b>	<b>8-10</b>	<b>10-life</b>
<b>FFMT</b>	<b>1-4</b>	<b>4-8</b>	<b>4-8</b>	<b>6-8</b>	<b>10-life</b>	<b>life</b>
<b>NSF</b>	<b>1-4</b>	<b>4-8</b>	<b>4-8</b>	<b>6-8</b>	<b>10-life</b>	<b>life</b>
<b>St</b>	<b>2-4</b>	<b>6-8</b>	<b>6-8</b>	<b>8-life</b>	<b>life</b>	<b>life</b>
<b>AS</b>	<b>4-5</b>	<b>10-life</b>	<b>10-life</b>	<b>life</b>	<b>life</b>	<b>life</b>
<b>TRA</b>	<b>8-life</b>	<b>life</b>	<b>life</b>	<b>life</b>	<b>life</b>	<b>life</b>

Definitions for purposes of the second anti-doping rule violation table:

**RS** (Reduced sanction for Specified Substance under Article 10.4): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.4 because it involved a Specified Substance and the other conditions under Article 10.4 were met.

**FFMT** (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Article 10.3.3 (Filing Failures and/or Missed Tests).

**NSF** (Reduced sanction for *No Significant Fault* or *Negligence*): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 10.5.2 because *No Significant Fault* or *Negligence* under Article 10.5.2 was proved by the *Athlete*.

**St** (Standard sanction under Articles 10.2 or 10.3.1): The anti-doping rule violation was or should be sanctioned by the standard sanction of two (2) years under Articles 10.2 or 10.3.1.

**AS** (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 10.6 because the *Anti-Doping Organization* established the conditions set forth under Article 10.6.

**TRA** (*Trafficking* or *Attempted Trafficking* and administration or *Attempted* administration): The anti-doping rule violation was or should be sanctioned by a sanction under Article 10.3.2.

### **10.7.2 Application of Articles 10.5.3 and 10.5.4 to Second Anti-Doping Rule Violation.**

Where an *Athlete* or other *Person* who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article 10.5.3 or Article 10.5.4, the hearing panel shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table in Article 10.7.1, and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 10.5.3 and 10.5.4, must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

### **10.7.3 Third Anti-Doping Rule Violation**

A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfils the condition for elimination or reduction of the period of *Ineligibility* under Article 10.4 or involves a violation of Article 2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of *Ineligibility* shall be from eight (8) years to life ban.

### **10.7.4 Additional Rules for Certain Potential Multiple Violations**

- For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered a second violation if the WTC or responsible *Results Management Authority* can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7 (Results Management), or after the WTC or responsible *Results Management Authority* made reasonable efforts to give notice, of the first anti-doping rule violation; if the WTC or responsible *Results Management Authority* cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe

sanction; however, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances (Article 10.6)

- If, after the resolution of a first anti-doping rule violation, the WTC discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then the WTC or responsible *Results Management Authority* shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 10.8. To avoid the possibility of a finding of Aggravating Circumstances (Article 10.6) on account of the earlier-in-time but later-discovered violation, the *Athlete* or other *Person* must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he or she is first charged. The same rule shall also apply when he or she is first charged. The same rule shall also apply when the WTC discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

#### **10.7.5 Multiple Anti-Doping Rule Violations during an Eight-Year Period**

For purposes of Article 10.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

#### **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* of the results in the *Competition* which produced the positive *Sample* under Article 9 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other doping violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.

**10.8.1** As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the *Athlete* must first repay all prize money forfeited under this Article.

**10.8.2** Forfeited prize money shall be allocated first to reimburse the collection expenses incurred by the *Anti-Doping Organization* that performed the necessary steps to collect the prize money back, then to reimburse the expenses incurred by the *Anti-Doping Organization* that

conducted results management in the case, with the balance, if any, allocated at the discretion of the WTC

## **10.9 Commencement of *Ineligibility* Period**

Except as provided below, the period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served.

### **10.9.1 Delays Not Attributable to the *Athlete* or other *Person***

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete* or other *Person*, WTC or *Anti-Doping Organization* imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred.

### **10.9.2 Timely Admission**

Where the *Athlete* promptly (which, in all events, means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by the WTC, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the periods of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.

**10.9.3** If a *Provisional Suspension* is imposed and respected by the *Athlete*, then the *Athlete* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed.

**10.9.4** If an *Athlete* voluntarily accepts a *Provisional Suspension* in writing from the WTC and thereafter refrains from competing, the *Athlete* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility*, which may ultimately be imposed. A copy of the *Athlete's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Article 14.1.

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

## **10.10 Status During *Ineligibility***

### **10.10.1 Prohibition against Participation during *Ineligibility***

No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in a WTC *Event* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by WTC or any *Event Licensee*. In addition, for any anti-doping rule violation not involving *Specified Substances* described in Article 10.3, some or all sport-related financial support or WTC and/or its *Event Licensees* will withhold other sport-related benefits received by such *Person*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport events in a sport other than the sport in which the *Athlete* or other *Person* committed the anti-doping rule violation, but only so long as the local sport event is not at a level that could otherwise qualify such *Athlete* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

### **10.10.2 Violation of the Prohibition of Participation during *Ineligibility***

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.10.1, the results of such participation shall be *Disqualified* and the period of *Ineligibility* which was originally imposed shall start over again as of the date of the violation. The new period of *Ineligibility* may be reduced under Article 10.5.2 if the *Athlete* or other *Person* establishes he or she bears *No Significant Fault or Negligence* for violating the prohibition against participation. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether a reduction under Article 10.5.2 is appropriate, shall be made by the WTC.

### **10.10.3 Withholding of Financial Support during *Ineligibility***

In addition, for any anti-doping rule violation not involving a reduced sanction for *Specified Substances* as described in Article 10.4, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by the WTC and/or the *Athlete's National Federations*.

### **10.11 Aggravating Circumstances Which May Increase the Period of *Ineligibility***

If the WTC or responsible *Results Management Authority* establishes in an individual case involving an anti-doping rule violation other than violations under Articles 2.7 (*Trafficking* or *Attempted Trafficking*) and 2.8 (Administration or *Attempted Administration*) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the proof of *Ineligibility* otherwise application shall be increased up to a maximum of four (4) years unless the *Athlete* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he did not knowingly commit the anti-doping rule violation.

An *Athlete* or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by the WTC.

### **10.12 Reinstatement *Testing***

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by WTC, the applicable *National Federation*, and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must, if requested, provide current and accurate whereabouts information. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified WTC and the applicable *National Federation* and has been subject to *Out-of-Competition Testing* for a period of time equal to the period of *Ineligibility* remaining as of the date the *Athlete* had retired. During such remaining period of *Ineligibility*, a minimum of 4 tests must be conducted on the *Athlete* with at least three months between each test. The results of such tests shall be reported to WTC. In addition, immediately prior to the end of the period of *Ineligibility*, an *Athlete* must undergo *Testing* by WTC for the *Prohibited Substances* and *Methods* that are prohibited in *Out-of-Competition Testing*. Once the period of an *Athlete's Ineligibility* has expired, and the *Athlete* has fulfilled the conditions of reinstatement, then the *Athlete* will become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Federation* will then be necessary.

**[ARTICLES 11 & 12 intentionally omitted]**

## **ARTICLE 13 APPEALS**

### **13.1 Decisions Subject to Appeal**

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 13.2 through 13.4 or as otherwise provided in these Anti-

Doping Rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

Before an appeal is commenced, any post-decision review provided in these rules must be exhausted (except as provided in Article 13.1.1)

#### **13.1.1 WADA Not Required to Exhaust Internal Remedies**

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

### **13.2 Appeals from Decisions Regarding *Anti-Doping* Rule Violations, Consequences, and *Provisional Suspensions***

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, a decision that no anti-doping rule violation was committed, a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Article 10.10.2 (Violation of the Prohibition of Participation during *Ineligibility*); or a decision that WTC or the responsible *Results Management Authority* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision by an *Anti-Doping Organization* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Article 7.1.8; and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 7.5 may be appealed exclusively as provided in this Article 13.2.

[Notwithstanding any other provision herein, the only *Person* that may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.]

#### **13.2.1 Appeals Involving *International Level Athletes***

In cases arising from an *International Event* as defined by the WTC or in cases involving members of WTC's *Registered Testing Pool*, the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court.

#### **13.2.2 Appeals Involving *National Level Athletes***

In cases arising involving *National Level Athletes*, the decision may be appealed exclusively to the Court of Arbitration for Sport ("CAS") in accordance with the provisions applicable before such court.

### **13.2.3 Persons Entitled to Appeal**

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) WTC and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed; (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (e) WADA.

In cases under Article 13.2.2, the parties having the right to appeal as provided in the *National Anti-Doping Organization's* rules shall include, at a minimum, the following parties: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) WTC; (d) the *National Anti-Doping Organization* of the *Person's* country of residence; and (e) WADA. WADA and the WTC shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the *Anti-Doping Organization* whose decision is being appealed and the information shall be provided if CAS so directs

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

### **13.3 Failure to Render a Timely Decision**

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

**13.3.2** Where, in a particular case, the WTC or responsible *Results Management Authority* fail 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 WTC or responsible *Results Management Authority* 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's fees in prosecuting the appeal shall be reimbursed to *WADA* by *WTC* or responsible *Results Management Authority*.

#### **13.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption**

Decisions by *WADA* reversing the grant or denial of a *TUE* may be appealed exclusively to *CAS* by the *Athlete*, *WTC*, or *National Anti-Doping Organization* or other body designated by a *National Federation* whose decision was reversed. Decisions by Anti-Doping Organizations other than *WADA* denying *TUEs*, which are not reversed by *WADA*, may be appealed by *International-Level Athletes* to *CAS*.

When *WTC*, *National Anti-Doping Organizations* or other bodies designed by *National Federations* fail to take action on a properly submitted *TUE* application within a reasonable time, their failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

#### **13.5 Failure to Render a Timely Decision by WTC**

Where, in a particular case, the *WTC* 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 *WTC* 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 appear directly to *CAS*, then *WADA*'s costs and attorneys' fees in prosecuting the appeal shall be reimbursed to *WADA* by the *WTC*.

#### **13.6 Time for Filing Appeals**

The time to file an appeal to *CAS* shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:

- a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;
- b) If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to *CAS*.

The above notwithstanding, the filing deadline for an appeal or intervention filed by *WADA* shall be the later of:

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

## **ARTICLE 14 CONFIDENTIALITY AND REPORTING**

### **14.1 Notice and Confidentiality**

#### **14.1.1 Notice to *Athletes* and Other *Persons*.**

Notice to *Athletes* or other *Persons* shall occur as provided under Article 7. Notice to an *Athlete* or other *Person* who is a member of a *National Federation* may be accomplished by delivery of the notice to the *National Federation*.

#### **14.1.2 Notice to *National Anti-Doping Organizations*, WTC and WADA.**

Notice to *National Anti-Doping Organizations*, WTC and WADA shall occur as provided under Article 7.

#### **14.1.3 Confidentiality.**

Any notice given to interested parties and/or other third parties of pending cases pursuant to these Rules shall be provided to them on the confidential basis set out in Article 14.1.5.

### **14.2 Public Disclosure.**

**14.2.1** The identity of any *Athlete* or other *Person* who is asserted by WTC, the responsible *Results Management Authority* or the *Athlete's* or other *Person's National Federation* to have committed an anti-doping rule violation, may be *publicly disclosed* by WTC or its *National Federations* only after notice has been provided to the *Athlete* or other *Person* in accordance with Articles 7.1, 7.2 or 7.4, and to the applicable *Anti-Doping Organizations* in accordance with Article 14.1.2. Where such public disclosure is permitted under those Articles, the *Participant's* identity shall be disclosed publicly on the WTC's or *National Federation's* website.

**14.2.2** Neither WTC, the responsible *Results Management Authority* nor its *National Federation*, or official of either, shall publicly comment 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 *Athlete*, other *Person* or their representatives.

### **14.3 Reporting of Testing**

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

### **14.4 Data Privacy.**

When performing obligations under these rules, WTC or its *National Federations* may collect, store, process or disclose personal information relating to *Athletes* and third parties. WTC or its *National Federations* shall ensure that they comply with applicable data protection and privacy laws with respect to their handling of such information, as well as the *International Standard* for the protection of privacy that WADA shall adopt to ensure *Athletes* and non-*Athletes* are fully informed of and, where necessary, agree to the handling of their personal information in connection with anti-doping activities arising under the *Code* and these *anti-doping rules*.

## **ARTICLE 15 RECOGNITION OF DECISIONS BY OTHER ORGANIZATIONS**

**15.1** Subject to the right to appeal provided in Article 13, the *Testing*, *TUE's* and hearing results or other final adjudications of any *National Federation* or *Signatory* which are consistent with the *Code* and are within the *National Federation* or *Signatory's* authority, shall be recognized and respected by WTC and its *Event Licensees*.

**15.2** WTC and its *Event Licensees* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

## **ARTICLE 16 STATUTE OF LIMITATIONS**

No action may be commenced under these Anti-Doping Rules against an *Athlete* or other *Person* for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within eight (8) years from the date the violation is asserted to have occurred.

## **ARTICLE 17 WTC COMPLIANCE REPORTS TO WADA**

WTC will report to WADA on the WTC's compliance with the *Code* every second year and shall explain reasons for any noncompliance.

## **ARTICLE 18 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES**

**18.1** These Anti-Doping Rules may be amended from time to time by the WTC.

**18.2** Except as provided in Article 18.5, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

**18.3** The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

**18.4** The INTRODUCTION and the APPENDIX I DEFINITIONS and the International Standards issued by WADA shall be considered integral parts of these Anti-Doping Rules.

**18.5** These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*.

**18.6** The comments annotating various provisions of the *Code* should be used to interpret these Anti-Doping Rules.

**18.7** Notice to an *Athlete* or other *Person* who is a member of a *National Federation* may be accomplished by delivery of the notice to the *National Federation*.

**18.8** These Anti-Doping Rules have come into full force and effect on September 1, 2011 (the "Effective Date"). These Anti-Doping Rules shall not apply retrospectively to matters pending before the Effective Date; provided, however, that:

**19.7.1** With respect to any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred unless the panel hearing the case determines the principle of "lex mitior" appropriately applies under the circumstances of the case.

**19.7.2** Any Article 2.4 whereabouts violation (whether a filing failure or a missed test) declared by WTC under rules in force prior to the Effective Date that has not expired prior to the Effective Date and that would qualify as a whereabouts violation under Article 11 of the *International Standard for Testing* shall be carried forward and may be relied upon, prior to expiry, in accordance with the *International Standards for Testing*.

**19.7.3** With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to the

*Anti-Doping Organization* which had results management responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of these anti-doping rules. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 13.2. These anti-doping rules shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.

**19.7.4** Subject always to Article 10.7.5, anti-doping rule violations committed under rules in force prior to the Effective Date shall be taken into account as prior offences for purposes of determining sanctions under Article 10.7. Where such pre-Effective Date anti-doping rule violation involved a substance that would be treated as a Specified Substance under these Anti-Doping Rules, for which a period of *Ineligibility* of less than two years was imposed, such violation shall be considered a Reduced Sanction violation for purposes of Article 10.7.1.

## APPENDIX 1 - DEFINITIONS

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

Adverse Analytical Finding. A report from a laboratory or other WADA-approved *Testing* entity 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*.

Age Group Athlete. An *Athlete* defined as an amateur – an *Athlete* who does not qualify for, nor has applied for, a professional/elite license through his/ her respective National Triathlon Federation. An *Age Group Athlete* competes in IRONMAN® Triathlon Events and 5150® Triathlon Events according to published age divisions, and is not eligible to receive prize money.

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 participates in sport at the international level (as defined by each International Federation), or national level (as defined by each *National Anti-Doping Organization*, including but not limited to those *Persons* in its *Registered Testing Pool*), and any other competitor in sport who is otherwise subject to the jurisdiction of any *Signatory* or other sports organization accepting the *Code*. All provisions of the *Code*, including, for example, *Testing*, and *TUE's* must be applied to international and national-level competitors. Some *National Anti-Doping Organizations* may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national caliber competitors. *National Anti-Doping Organizations* are not required, however, to apply all aspects of the *Code* to such *Persons*. Specific national rules may be established for *Doping Control* for non-international-level or non-national-level competitors without being in conflict with the *Code*. Thus, a country could elect to test recreational-level competitors but not require *TUE's* or whereabouts information. In the same manner, a *Major Event Organization* holding an *Event* only for masters-level competitors could elect to test the competitors but not require advance *TUE* or whereabouts information. For purposes of Article 2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

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

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

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

*CAS.* The Court of Arbitration for Sport.

*Code.* The World Anti-Doping Code.

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

*Consequences of Anti-Doping Rules Violations.* An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9; and (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

*Disqualification.* See *Consequences of Anti-Doping Rules Violations* above.

*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, *TUE's*, 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).

*In-Competition.* Unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, “*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*.

*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 observations. *Event*

*Ineligibility.* See *Consequences of Anti-Doping Rules Violations* above.

*International Event.* An *Event* 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*.

The WTC defines only *Athletes* competing as registered WTC or Ironman Professionals at a designated WTC World Championship *Event* to be competing at an *International Event* as relevant under these Rules.

*International-Level Athlete.* *Athletes* designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

The WTC defines only registered WTC or Ironman Professional *Athletes* who are in the WTC *Registered Testing Pool* to be *International Athletes* as relevant under these Rules.

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

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

*Marker.* A compound, group of compounds or biological parameter(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 majority as established by the applicable laws of his or her country of residence.

*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, all at the national level. This includes an entity which may be designated by multiple countries to serve as a regional *Anti-Doping Organization* for such countries. 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* involving international or national-level *Athletes* that is not an *International Event*.

*National Federation.* A national or regional entity which is a member of or is recognized by IF as the entity governing sport in that nation or region.

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

*No Advance Notice.* A *Doping Control* which takes place with no advance warning to the *Athlete* and where the *Athlete* is continuously chaperoned from the moment of notification through *Sample* provision.

*No Fault or Negligence.* The *Athlete's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method*.

*No Significant Fault or Negligence.* The *Athlete's* establishing that his or 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.

*Out-of-Competition.* Any *Doping Control* which is not *In-Competition*.

*Participant.* Any *Athlete* or *Athlete Support Personnel*.

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

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

*Professional Athlete.* An *Athlete* who has met the qualifying criteria and been approved, by his or her *National Federation* or the WTC Committee, to compete exclusively in this category which is eligible to receive prize money.

*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 so described on the *Prohibited List*.

*Provisional Hearing.* For purposes of Article 7.6, an expedited abbreviated hearing occurring prior to a hearing under Article 8 (Right to a Fair Hearing) that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

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

*Publicly Disclose or Publicly Report.* To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 14.

*Results Management Authority.* The *Anti-Doping Organization* or *National Federation* with responsibility for the *Results Management* process as described in Article 7.1.2.1 and consistent with the rules of the *World Triathlon Corporation*.

*Registered Testing Pool.* The pool of top level *Athletes* established separately by each *International Federation* and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that *International Federation's* or *National Anti-Doping Organization's* test distribution plan.

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

*Signatories.* Those entities signing the *Code* and agreeing to comply with the *Code*, including the *International Olympic Committee*, *International Federations*, *International Paralympic Committee*, *National Olympic Committees*, *National Paralympic Committees*, *Major Event Organizations*, *National Anti-Doping Organizations* and *WADA*.

Specified Substances. As defined in Article 4.2.2.

Substantial Assistance. For purposes of Article 10.5.3, 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.

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; or providing fraudulent information to an *Anti-Doping Organization*.

Target Testing. Selection of *Athletes* for *Testing* where specific *Athletes* or groups of *Athletes* are selected on a non-random basis for *Testing* at a specified time.

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.

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

TUE. As defined in Article 2.6.1.

TUE Panel. As defined in Article 4.4.4.

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

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

WADA. The World Anti-Doping Agency.

WTC. The World Triathlon Corporation. WTC is a private *Event* organizer and does not operate as an International or *National Federation*.

## **APPENDIX 2 - Acknowledgment and Agreement**

I, as a participant in a WTC Event, hereby acknowledge and agree as follows:

- 1.** I have received and had an opportunity to review the WTC Anti-Doping Rules.
- 2.** I consent and agree to comply with and be bound by all of the provisions of the WTC Anti-Doping Rules, including but not limited to, all amendments to the Anti-Doping Rules and all International Standards incorporated in the Anti-Doping Rules.
- 3.** I acknowledge and agree that WTC has jurisdiction to impose sanctions as provided in the WTC Anti-Doping Rules.
- 4.** I also acknowledge and agree that any dispute arising out of a decision made pursuant to the WTC Anti-Doping Rules, after exhaustion of the process expressly provided for in the WTC Anti-Doping Rules, may be appealed exclusively as provided in Article 13 of the WTC Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of members of WTC's Registered Testing Pool is the Court of Arbitration for Sport.
- 5.** I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.
- 6.** I have read and understand this Acknowledgement and Agreement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name (Last Name, First Name)

\_\_\_\_\_  
Date of Birth  
(Day/Month/Year)

\_\_\_\_\_  
Signature (or, if a minor, signature of  
legal guardian)

## **APPENDIX 3 – AAA Supplementary Procedures for the Arbitration of Anti-Doping Rule Violations – As Modified for World Triathlon Corporation (“WTC”)**

American Arbitration Association Supplementary Procedures for the Arbitration of Anti-Doping Rule Violations – As Modified for World Triathlon Corporation (“WTC”)

Amended and Effective as of May 1, 2009

[Click here to see Summary of Changes](#)

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#### R-1. Applicability

The Commercial Arbitration Rules of the American Arbitration Association (AAA), as modified by these Supplementary Procedures for the Arbitration of Anti-Doping Rule Violations (Supplementary Procedures) shall apply to arbitrations, which arise out of World Triathlon Corporation ("WTC") Protocol. To the extent that there is any variance between the Commercial Arbitration Rules and the Supplementary Procedures, the Supplementary Procedures shall control.

#### R-2. AAA and Delegation of Duties

Anti-doping rule violation cases shall be administered by the AAA through the AAA Vice President then serving as the Secretary for the North American/Central American/Caribbean Islands Decentralized Office of The Court of Arbitration for Sport or his/her designee (Administrator).

#### R-3. National Pool of Arbitrators

The Pool of AAA Arbitrators for anti-doping rule violation cases shall consist of the Court of Arbitration for Sport (CAS) Arbitrators who are citizens of the USA. (the Arbitrator Pool). Any reference to arbitrator in these rules shall also refer to an arbitration panel consisting of three arbitrators, if applicable. All arbitrators in the Arbitrator Pool shall have received training by the AAA.

#### R-4. Initiation by WTC

Arbitration proceedings shall be initiated by WTC by sending a notice to the athlete or other person charged with an anti-doping rule violation and the Administrator. The notice shall set forth (i) the offense and (ii) the sanction, consistent with the applicable WTC rules and the

mandatory Articles from the World Anti-Doping Code (Annex A of the WTC Protocol) which WTC is seeking to have imposed and other possible sanctions, which could be imposed under the applicable rules and the mandatory Articles from the World Anti-Doping Code (Annex A of the WTC Protocol). The notice shall include a copy of the WTC Protocol and these Supplemental Procedures. The parties to the proceeding shall be WTC and the athlete or other person charged with an anti-doping rule violation. The applicable International Federation and World Anti-Doping Association shall also be invited to join in the proceeding as a party or as an observer. If the parties agree or the athlete or other person charged with an anti-doping rule violation requests and the arbitrator agrees, the hearing shall be open to the public.

#### R-5. Changes of Claim

After filing of a claim, if any party desires to make any new or different claim, it shall be made in writing and filed with the AAA. The party asserting such a claim shall provide a copy of the new or different claim to the other party or parties. After the arbitrator is appointed, however, no new or different claim may be submitted except with the arbitrator's consent.

#### R-6. Applicable Procedures

All cases shall be administered in accordance with Sections R-1 through R-51 of these rules.

At the request of any party, any time period set forth in these procedures may be shortened by the arbitrator(s) where doing so is reasonably necessary to resolve any athlete's eligibility before a protected competition, while continuing to protect the right of an athlete or other person charged with an anti-doping rule violation to a fair hearing. The shortened time periods shall not prohibit the athlete's or other person's right to request three (3) arbitrators.

If a request to expedite the adjudication process is made prior to the arbitration panel being appointed, the AAA shall randomly select one (1) arbitrator from the Arbitrator Pool, who shall determine whether the adjudication process shall be expedited and the schedule pursuant to which the process shall proceed. This randomly selected arbitrator shall not sit on the panel.

If a request to expedite the adjudication process is made after the arbitration panel is appointed, the arbitration panel shall determine whether the adjudication process shall be expedited and the schedule pursuant to which the process shall proceed.

#### R-7. Jurisdiction

a. The arbitrator shall have the power to rule on his or her own jurisdiction, including any objections with respect to the existence, scope or validity of the arbitration agreement.

b. The arbitrator shall have the power to determine the existence or validity of a contract of which an arbitration clause forms a part. Such an arbitration clause shall be treated as an agreement independent of the other terms of the contract. A decision by the arbitrator that the contract is null and void shall not for that reason alone render invalid the arbitration clause.

c. A party must object to the jurisdiction of the arbitrator or to the arbitrability of a claim or counterclaim no later than the filing of the answering statement to the claim or counterclaim

that gives rise to the objection. The arbitrator may rule on such objections as a preliminary matter or as part of the final award.

#### R-8. Administrative Conference

At the request of any party or upon the AAA's own initiative, the AAA may conduct an administrative conference, in person or by telephone, with the parties and/or their representatives. The conference may address such issues as arbitrator selection, potential mediation of the dispute, potential exchange of information, a timetable for hearings and any other administrative matter.

#### R-9. Fixing of Locale

The locale of the arbitration shall be in the United States at a location determined by the Administrator using criteria established by the AAA but making every effort to give preference to the choice of the athlete or other person charged with an anti-doping rule violation.

#### R-10. Qualifications of Arbitrator.

a. Any arbitrator appointed pursuant to Section R-11, or selected by mutual choice of the parties or their appointees, shall be subject to disqualification for the reasons specified in Section R-14. If the parties specifically so agree in writing, the arbitrator shall not be subject to disqualification for those reasons.

b. Party-appointed arbitrators are expected to be neutral and may be disqualified for the reasons set forth in R-14.

#### R-11. Appointment of the Arbitration Panel

The arbitrator(s) shall be appointed in the following manner:

a. Immediately after the initiation of a proceeding by WTC (as set forth in R-4), the AAA shall send simultaneously to each party to the dispute an identical list of all names of persons in the Arbitrator Pool.

b. The proceeding shall be heard by one (1) arbitrator from the list of persons in the Arbitrator Pool (as set forth in R-3), unless within five (5) days following the initiation of the proceeding by WTC, a party elects instead to have the matter heard by a panel of three (3) arbitrators from the Arbitrator Pool (Arbitration Panel). Such election shall be in writing and served on the Administrator and the other parties to the proceeding.

c. If the proceeding is to be heard by one (1) arbitrator, that arbitrator shall be appointed as follows:

i. Within ten (10) days following receipt of the Arbitrator Pool list provided by the Administrator under R-11a, the parties shall notify the Administrator of the name of the person who is mutually agreeable to the parties to serve as the arbitrator.

ii. If the parties are unable to agree upon an arbitrator by the time set forth in paragraph c.i of this Rule, each party to the dispute shall have five (5) additional days in which to strike up to one third of the Arbitrator Pool, rank the remaining names in order of

preference, and return the list to the AAA. If a party does not return the list within the time specified, all persons named therein shall be deemed acceptable. From among the persons who have been approved on both lists, and in accordance with the designated order of mutual preference, the AAA shall invite the acceptance of an arbitrator to serve. If the parties fail to agree on any of the persons named, or if acceptable arbitrators are unable to act, or if for any other reason the appointment cannot be made from the submitted lists, the AAA shall have the power to make the appointment from among other members of the panel without the submission of additional lists.

d. If the proceeding is to be heard by a panel of three (3) arbitrators, those arbitrators shall be appointed as follows:

i. Within five (5) days following receipt of the Arbitrator Pool list provided by the Administrator under R-11a or from receipt of notice of the request to have a three (3) arbitrator panel, whichever is later, WTC, or WTC and the International Federation, if a party, shall designate one (1) arbitrator from the Arbitrator Pool. The athlete or other person charged with an anti-doping rule violation shall have an additional five (5) days following receipt of the arbitrator choice from WTC, or from WTC and the International Federation, if a party, to designate one (1) arbitrator from the Arbitrator Pool.

ii. The two (2) arbitrators chosen by the parties shall choose the third arbitrator from among the remaining members of the Arbitrator Pool. The AAA shall furnish to the party-appointed arbitrators the Arbitrator Pool list. If the two (2) arbitrators chosen by the parties are unable, within seven (7) days following their selection, to choose the third arbitrator, then the party-appointed arbitrators shall so notify the AAA which shall notify the parties. Within five (5) days of receipt of notice from the AAA that the party-selected arbitrators are unable to reach or have not reached agreement, the parties shall then each strike up to one third of the Arbitrator Pool and rank the remaining members in order of preference. From among the persons who have not been stricken by the parties, and in accordance with the designated order of mutual preference, the AAA shall invite the acceptance of one (1) arbitrator to serve. The third arbitrator shall serve as Chair of the Arbitration Panel.

#### R-12. Number of Arbitrators

The number of arbitrators shall be one (1) unless any party requests three (3).

#### R-13. Notice to Arbitrator of Appointment

Notice of the appointment of the arbitrator, whether appointed mutually by the parties or by the AAA, shall be sent to the arbitrator by the AAA, together with a copy of these rules the signed acceptance of the arbitrator shall be filed with the AAA prior to the opening of the first hearing.

#### R-14. Disclosure and Challenge Procedure

a. Any person appointed as an arbitrator shall disclose to the AAA any circumstance likely to affect impartiality or independence, including any bias or any financial or personal interest in the result of the arbitration or any past or present relationship with the parties or their representatives.

b. Upon receipt of such information from the arbitrator or another source, the AAA shall communicate the information to the parties and, if it deems it appropriate to do so, to the arbitrator and others.

c. Upon objection of a party to the continued service of an arbitrator, the AAA shall determine whether the arbitrator should be disqualified and shall inform the parties of its decision, which shall be conclusive.

#### R-15. Communication with Arbitrator

a. No party and no one acting on behalf of any party shall communicate unilaterally concerning the arbitration with an arbitrator or a candidate for an arbitrator. Unless the parties agree otherwise or the arbitrator so directs, any communication from the parties to an arbitrator shall be sent to the AAA for transmittal to the arbitrator. No party and no one acting on behalf of any party shall communicate with any arbitrator concerning the selection of the third arbitrator.

b. Once the panel has been constituted, no party and no one acting on behalf of any party shall communicate unilaterally concerning the arbitration with any arbitrator.

#### R-16. Vacancies

a. If for any reason an arbitrator is unable to perform the duties of the office, the AAA may, on proof satisfactory to it, declare the office vacant. Vacancies shall be filled in accordance with the applicable provisions of these rules.

b. In the Event of a vacancy in a panel of arbitrators after the hearings have commenced, the remaining arbitrator or arbitrators may continue with the hearing and determination of the controversy, unless the parties agree otherwise.

c. In the Event of the appointment of a substitute arbitrator, the panel of arbitrators shall determine in its sole discretion whether it is necessary to repeat all or part of any prior hearings.

#### R-17. Preliminary Hearing

a. At the request of any party or at the discretion of the arbitrator or the AAA, the arbitrator may schedule as soon as practicable a preliminary hearing with the parties and/or their representatives. The preliminary hearing may be conducted by telephone at the arbitrator's discretion. There is no administrative fee for the first preliminary hearing.

b. During the preliminary hearing, the parties and the arbitrator should discuss the future conduct of the case, including clarification of the issues and claims, a schedule for the hearings and any other preliminary matters.

#### R-18. Exchange of Information

a. At the request of any party or at the discretion of the arbitrator, consistent with the expedited nature of arbitration, the arbitrator may direct (i) the production of documents and other information, and (ii) the identification of any witnesses to be called.

b. Unless otherwise agreed by the parties or ordered by the arbitrator, at least five (5) business days prior to the hearing, the parties shall exchange copies of all exhibits they intend to submit at the hearing.

c. The arbitrator is authorized to resolve any disputes concerning the exchange of information.

#### R-19. Date, Time, and Place of Hearing

Except as may be mutually agreed by the parties or upon the request of a single party for good cause as may be determined by the arbitrator, the hearing, including any briefing ordered by the arbitrator, shall be completed within three (3) months of the appointment of the arbitrator. On good cause shown by any party, the hearing process shall be expedited as may be necessary in order to resolve the determination of an athlete's eligibility prior to any protected competition or team selection for a protected competition.

#### R-20. Attendance at Hearings

The arbitrator and the AAA shall maintain the privacy of the hearings unless the hearing is open to the public as prescribed in R-4. Any person having a direct interest in the arbitration is entitled to attend hearings. The arbitrator shall otherwise have the power to require the exclusion of any witness, other than a party or other essential person, during the testimony of any other witness. It shall be discretionary with the arbitrator to determine the propriety of the attendance of any other person other than (i) a party and its representatives and (ii) those entities identified in R-4, which may attend the hearing as observers. If the parties agree, or the athlete or other person charged with a doping offense requests and the arbitrator agrees, hearings or any portion thereof may also be conducted telephonically.

#### R-21. Representation

Any party may be represented by counsel or other authorized representative. A party intending to be so represented shall notify the other party and the AAA of the name and address of the representative at least three (3) days prior to the date set for the hearing at which that person is first to appear. When such a representative initiates an arbitration or responds for a party, notice is deemed to have been given.

#### R-22. Oaths

Before proceeding with the first hearing, each arbitrator may take an oath of office and, if required by law, shall do so. The arbitrator may require witnesses to testify under oath administered by any duly qualified person and, if it is required by law or requested by any party, shall do so.

#### R-23. Stenographic Record

Any party desiring a stenographic record of all or a portion of the hearing shall make arrangements directly with a stenographer and shall notify the other parties of these arrangements at least three (3) days in advance of the start of the hearing or as required by the arbitrator. The requesting party or parties shall pay the cost of the transcript they request, whether full or partial. If a party seeks a copy of a transcript, full or partial, requested by

another party, then the other party shall pay half the costs of the transcript to the requesting party. If the entire transcript is requested by the parties jointly, or if all or a portion of the transcript is determined by the arbitrator to be the official record of the proceeding or necessary to the arbitrator's decision, it must be provided to the arbitrator and made available to the other parties for inspection, at a date, time, and place determined by the arbitrator with the costs of the transcription divided equally between the parties. The arbitrator may award the costs of transcription for a transcript requested by the arbitrator as expenses of the arbitration pursuant to R-48.

#### R-24. Interpreters

Any party wishing an interpreter shall make all arrangements directly with the interpreter and shall assume the costs of the service.

#### R-25. Postponements

The arbitrator may postpone any hearing upon agreement of the parties, upon request of a party for good cause shown, or upon the arbitrator's own initiative. A party or parties causing a postponement of a hearing will be charged a postponement fee, as set forth in the administrative fee schedule.

#### R-26. Arbitration in the Absence of a Party or Representative

Unless the law provides to the contrary, the arbitration may proceed in the absence of any party or representative who, after due notice, fails to be present or fails to obtain a postponement. An award shall not be made solely on the default of a party. The arbitrator shall require the party who is present to submit such evidence as the arbitrator may require for the making of an award.

#### R-27. Conduct of Proceedings

a. WTC shall present evidence to support its claim. The athlete or other person charged with an anti-doping rule violation shall then present evidence to support his/her defense. Witnesses for each party shall also submit to questions from the arbitrator and the adverse party. The arbitrator has the discretion to vary this procedure, provided that the parties are treated with equality and that each party has the right to be heard and is given a fair opportunity to present its case.

b. The arbitrator, exercising his or her discretion, shall conduct the proceedings with a view to expediting the resolution of the dispute and may direct the order of proof, bifurcate proceedings and direct the parties to focus their presentations on issues the decision of which could dispose of all or part of the case.

c. The parties may agree to waive oral hearings in any case.

#### R-28. Evidence

a. The parties may offer such evidence as is relevant and material to the dispute and shall produce such evidence as the arbitrator may deem necessary to an understanding and determination of the dispute. Conformity to legal rules of evidence shall not be necessary. All evidence shall be taken in the presence of all of the arbitrators and all of the parties, except where any of the parties is absent, in default or has waived the right to be present.

b. The arbitrator may only retain an expert or seek independent evidence if agreed to by the parties and the parties agree to pay for the cost of such expert or independent evidence. The parties shall have the right to examine any expert retained by the arbitrator and shall have the right to respond to any independent evidence obtained by the arbitrator.

c. The arbitrator shall determine the admissibility, relevance, and materiality of the evidence offered and may exclude evidence deemed by the arbitrator to be cumulative or irrelevant.

d. The arbitrator shall take into account applicable principles of legal privilege, such as those involving the confidentiality of communications between a lawyer and client.

e. An arbitrator or other person authorized by law to subpoena witnesses or documents may do so upon the request of any party or independently.

f. Hearings conducted pursuant to these rules shall incorporate mandatory Articles from the World Anti-Doping Code (Annex A of the WTC Protocol). If the World Anti-Doping Code is silent on an issue and then the WTC Protocol shall apply as determined by the arbitrator.

#### R-29. Evidence by Affidavit and Post-hearing Filing of Documents or Other Evidence

a. The arbitrator may receive and consider the evidence of witnesses by declaration or affidavit, but shall give it only such weight as the arbitrator deems it entitled to after consideration of any objection made to its admission.

b. If the parties agree, if any party requests and the arbitrator agrees, or if the arbitrator directs that documents or other evidence be submitted to the arbitrator after the hearing, the documents or other evidence shall be filed with the AAA for transmission to the arbitrator within 30 days of the conclusion of the hearing. All parties shall be afforded an opportunity to examine and respond to such documents or other evidence.

#### R-30. Inspection or Investigation

An arbitrator finding it necessary to make an inspection or investigation in connection with the arbitration shall direct the AAA to so advise the parties. The arbitrator shall set the date and time and the AAA shall notify the parties. Any party who so desires may be present at such an inspection or investigation. In the Event that one or all parties are not present at the inspection or investigation, the arbitrator shall make an oral or written report to the parties and afford them an opportunity to comment.

#### R-31. Interim Measures

The arbitrator may take whatever interim measures he or she deems necessary.

#### R-32. Closing of Hearing

The arbitrator shall specifically inquire of all parties whether they have any further proofs to offer or witnesses to be heard. The arbitrator shall declare the hearing closed unless a party demonstrates that the record is incomplete and that such additional proof or witnesses(es) are pertinent and material to the controversy. If briefs are to be filed or a transcript of the hearing produced, the hearing shall be declared closed as of the final date set by the arbitrator for the receipt of briefs; or receipt of the transcript. If documents are to be filed as provided in R-29,

and the date set for their receipt is later than that set for the receipt of briefs, the later date shall be the closing date of the hearing. The time limit within which the arbitrator is required to make the award shall commence, in the absence of other agreements by the parties, upon the closing of the hearing.

#### R-33. Reopening of Hearing

The hearing may be reopened on the arbitrator's initiative, or upon application of a party, at any time before the award is made. If reopening the hearing would prevent the making of the award within the specific time required by R-38, the matter may not be reopened unless the parties agree on an extension of time.

#### R-34. Waiver of Rules

Any party who proceeds with the arbitration after knowledge that any provision or requirement of these rules has not been complied with and who fails to state an objection in writing shall be deemed to have waived the right to object.

#### R-35. Extensions of Time

The parties may modify any period of time by mutual agreement. The AAA or the arbitrator may for good cause extend any period of time established by these rules, except the time for making the award. The AAA shall notify the parties of any extension.

#### R-36. Serving of Notice

a. Any papers, notices, or process necessary or proper for the initiation or continuation of an arbitration under these rules, for any court action in connection therewith, or for the entry of judgment on any award made under these rules may be served on a party by mail addressed to the party, or its representative at the last known address or by personal service, in or outside the state where the arbitration is to be held, provided that reasonable opportunity to be heard with regard to the dispute is or has been granted to the party.

b. The AAA, the arbitrator and the parties may also use overnight delivery or electronic facsimile transmission (fax), to give the notices required by these rules. Where all parties and the arbitrator agree, notices may be transmitted by electronic mail (email), or other methods of communication.

c. Unless otherwise instructed by the AAA or by the arbitrator, any documents submitted by any party to the AAA or to the arbitrator shall simultaneously be provided to the other party or parties to the arbitration.

#### R-37. Majority Decision

When the panel consists of more than one arbitrator, a majority of the arbitrators must make all decisions.

#### R-38. Time of Award

The award shall be made promptly by the arbitrator and, unless otherwise agreed by the parties or specified by law, no later than thirty (30) days from the date of closing the hearing,

or, if oral hearings have been waived, from the date of the AAA's transmittal of the final statements and proofs to the arbitrator.

#### R-39. Form of Award

Any award shall be in writing and signed by a majority of the arbitrators. It shall be executed in the manner required by law. In all cases, the arbitrator shall render a reasoned award.

#### R-40. Scope of Award

- a. The arbitrator may grant any remedy or relief that the arbitrator deems just and equitable and within the scope of the World Anti-Doping Code and the WTC Rules.
- b. In addition to a final award, the arbitrator may make other decisions, including interim, interlocutory, or partial rulings, orders, and awards.

#### R-41. Award upon Settlement

If the parties settle their dispute during the course of the arbitration and if the parties so request, the arbitrator may set forth the terms of the settlement in a "consent award."

#### R-42. Delivery of Award to Parties

Parties shall accept as notice and delivery of the award the placing of the award or a true copy thereof in the mail addressed to the parties or their representatives at the last known addresses, personal or electronic service of the award, or the filing of the award in any other manner that is permitted by law.

The AAA shall also provide a copy of the award (preferably in electronic form) to the appropriate National Governing Body.

The award is public and shall not be considered confidential.

#### R-43. Modification of Award

Within five (5) days after the transmittal of an award, any party, upon notice to the other parties, may request the arbitrator, through the AAA, to correct any clerical, typographical, or computational errors in the award. The arbitrator is not empowered to redetermine the merits of any claim already decided. The other parties shall be given five (5) days to respond to the request. The arbitrator shall dispose of the request within five (5) days after transmittal by the AAA to the arbitrator of the request and any response thereto.

#### R-44. Release of Documents for Judicial Proceedings

The AAA shall, upon the written request of a party, furnish to the party, at the party's expense, certified copies of any papers in the AAA's possession that may be required in judicial proceedings relating to the arbitration. If the matter is appealed to CAS, the AAA shall furnish copies of documents required in connection with that proceeding.

#### R-45. Appeal Rights

The arbitration award may be appealed to CAS as provided in the WTC Protocol, which incorporates the mandatory Articles on Appeals from the World Anti- Doping Code. Notice of appeal shall be filed with the Administrator within the time period provided in the CAS appellate rules. Appeals to CAS filed under these rules shall be heard in the United States. The decisions of CAS shall be final and binding on all parties and shall not be subject to any further review or appeal except as permitted by the Swiss Federal Judicial Organization Act or the Swiss Statute on Private International Law.

#### R-46. Applications to Court and Exclusion of Liability

- a. No judicial proceeding by a party relating to the subject matter of the arbitration shall be deemed a waiver of the party's right to arbitrate.
- b. Neither the AAA nor any arbitrator in a proceeding under these rules is a necessary party in judicial proceedings relating to the arbitration.
- c. Parties to an arbitration under these rules shall be deemed to have consented that judgment upon the arbitration award may be entered in any federal or state court having jurisdiction thereof.
- d. Neither the AAA nor any arbitrator shall be liable to any party for any act or omission in connection with any arbitration conducted under these rules.

#### R-47. Administrative Fees

As a not-for-profit organization, the AAA shall prescribe filing and other administrative fees and service charges to compensate it for the cost of providing administrative services. The fees in effect when the fee or charge is incurred shall be applicable. The filing fee and any other administrative fee or charge shall be paid by the WTC.

#### R-48. Expenses

The expenses of witnesses for any party shall be paid by the party producing such witnesses. All other expenses of the arbitration, including required travel and other reasonable and customary expenses of the arbitrator shall be paid by the WTC. The expenses associated with an expert retained by an arbitrator or independent evidence sought by an arbitrator shall be paid for as provided in R-28b.

#### R-49. Arbitrator's Compensation

- a. Arbitrators shall be compensated at a rate consistent with the current CAS rates.
- b. If there is disagreement concerning the terms of compensation, an appropriate rate shall be established with the arbitrator by the AAA and confirmed to the parties and the WTC.
- c. Any arrangement for the compensation of an arbitrator shall be made through the AAA and not directly between the parties and the arbitrator.
- d. Arbitrator fees shall be paid by WTC for a single Arbitrator. If the athlete elects to proceed with three (3) arbitrators, the athlete shall be responsible for the fees (including travel and other

reasonable and customary expenses) of the Arbitrator selected by the athlete.

#### R-50. Payment of Fees, Expenses and Compensation for Citizens of a Country Other than USA

Notwithstanding R-47, R-48 and R-49, if the athlete or other person charged with an anti-doping rule violation is a citizen of a country other than the USA, then the authority requesting that WTC prosecute the anti-doping rule violation shall pay for the arbitration fees, expenses and arbitrator's compensation associated with the arbitration. The AAA may require such authority to deposit in advance of any hearings such sums of money as it deems necessary to cover the expense of the arbitration, including the arbitrator's fee. If such payments are not made, the AAA may order the suspension or termination of the proceeding.

#### R-51. Interpretation and Application of Rules

The arbitrator shall interpret and apply these rules insofar as they relate to the arbitrator's powers and duties. When there is more than one arbitrator and a difference arises among them concerning the meaning or application of these rules, it shall be decided by a majority vote. If that is not possible, either an arbitrator or a party may refer the question to the AAA for final decision. All other rules shall be interpreted and applied by the AAA.

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