

## **Anti-dopingové pravidlá WAF**

### Fundamental Rationale for the Code and WAF'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 Olympism; 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:

- 1• Ethics, fair play and honesty
- 2• Health
- 3• Excellence in performance
- 4• Character and education
- 5• Fun and joy
- 6• Teamwork
- 7• Dedication and commitment
- 8• Respect for rules and laws
- 9• Respect for self and other participants
- 10• Courage
- 11• Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

### **Scope**

These Anti-Doping Rules shall apply to WAF, each National Federation of WAF, and each Participant in the activities of WAF or any of its National Federations by virtue of the Participant's membership, accreditation, or participation in WAF, its National Federations, or their activities or Events.

### 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

The following constitute anti-doping rule violations:

2.1 The presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's bodily Specimen

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 bodily Specimens. 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 Excepting those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List, the detected 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.

2.1.3 As an exception to the general rule of Article 2.1, the Prohibited List 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 The success or failure of the Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an anti-doping rule violation to be committed.

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 Tampering, or Attempting to tamper, with any part of Doping Control.

2.5 Administration or Attempted administration of a Prohibited Substance or Prohibited Method to any Athlete, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted violation.

## ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

WAF and its National Federations shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether WAF or its 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.

## 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 laboratory analysis. The Athlete may rebut this presumption by establishing that a departure from the International Standard occurred.

If the Athlete rebuts the preceding presumption by showing that a departure from the International Standard occurred, then WAF or its National Federation shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

3.2.2 Departures from the International Standard for Testing which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such results. WAF the Athlete establishes that departures from the International Standard occurred during Testing then WAF or its National Federation shall have the burden to establish that such departures did not cause the Adverse Analytical Finding or the factual basis for 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. WAF will make the current Prohibited List available to each National Federation, and each National Federation shall ensure that the current Prohibited List is available to its members and constituents.

### 4.2 Therapeutic Use

4.2.1 Athletes with a documented medical condition requiring the use of a Prohibited Substance or a Prohibited Method must first obtain a Therapeutic Use Exemption ("TUE").

4.2.2 Athletes included by WAF in its Registered Testing Pool and other Athletes prior to their participation in any International Event must obtain a TUE from WAF (regardless of whether the Athlete previously has received a TUE at the national level). TUE's granted by WAF shall be reported to the Athlete's National Federation and to WADA. Other Athletes subject to Testing [must] [may] obtain a TUE from their National Anti-Doping Organization or other body designated by their National Federation. National Federations shall promptly report any such TUE's to WAF.

4.2.3 The WAF Executive shall appoint a panel of physicians to consider requests for TUE's (the "TUE Panel"). Upon WAF's receipt of a TUE request, the Chair of the TUE Panel shall appoint one or more members of the TUE Panel (which may include the Chair) to consider such request. The TUE Panel member(s) so designated shall promptly evaluate such 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 WAF.

## ARTICLE 5 TESTING

### 5.1 Authority to Test

All Athletes affiliated competing at the World Championships shall be subject to In-Competition Testing by WAF.

### 5.2 Responsibility for WAF Testing

The WAF Anti-Doping Committee shall be responsible for overseeing all Testing conducted by WAF. Testing may be conducted by members of the WAF Anti-Doping Committee or by other qualified persons so authorized by WAF.

### 5.3 Testing Standards

Testing conducted by WAF and its National Federations shall be in substantial conformity with the International Standard for Testing in force at the time of Testing.

### 5.4 Selection of Athletes to be Tested

At International Events, the WAF Anti-Doping Committee shall determine the number of finishing placement tests, random tests and target tests to be performed.

## 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

WAF shall send Doping Control Samples for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other method approved by WADA) used for the Sample analysis shall be determined exclusively by WAF.

### 6.2 Substances Subject to Detection

Doping Control Samples shall be analyzed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List.

### 6.3 Standards for Sample Analysis and Reporting

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

## ARTICLE 7 RESULTS MANAGEMENT

## 7.1 Results Management for Tests Initiated by WAF

Results management for Tests initiated by WAF (including Tests performed by WADA pursuant to agreement with WAF) shall proceed as set forth below:

7.1.1 The results from all analyses must be sent to WAF in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted in such a way that the results of the analyses are confidential.

7.1.2 Upon receipt of an A Sample Adverse Analytical Finding, the WAF Independent Doping Review Panel shall conduct a review to determine whether: (a) an applicable therapeutic use exemption has been granted, or (b) there is any apparent departure from the International Standards for Testing or Laboratory Analysis that undermines the validity of the Adverse Analytical Finding.

7.1.3 If the initial review under Article 7.1.2 does not reveal an applicable therapeutic use exemption or departure from the International Standard for Testing or the International Standard for laboratory analysis in force at the time of Testing or analysis that undermines the validity of the Adverse Analytical Finding, WAF shall promptly notify the Athlete 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 right of the Athlete and/or the Athlete's representative to attend the B Sample opening and analysis if such analysis is requested; and (e) 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 Laboratory Analysis.

7.1.4 Arrangements shall be made for Testing the B Sample within three weeks of the notification described in Article 7.1.3. An Athlete may accept the A Sample analytical results by waiving the requirement for B Sample analysis. WAF 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. Also a representative of the Athlete's National Federation as well as a representative of WAF shall be allowed to be present.

7.1.6 If the B Sample proves negative, the entire test shall be considered negative and the Athlete, his National Federation, and WAF 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, his National Federation, and to WAF.

7.1.8 The WAF Independent Review Panel shall conduct any follow-up investigation as may be required by the Prohibited List. Upon completion of such follow-up investigation, WAF shall promptly notify the Athlete regarding the results of the follow-up investigation and whether or not WAF asserts that an anti-doping rule was violated.

7.1.9 For apparent anti-doping rule violations that do not involve Adverse Analytical Findings, WAF shall conduct any necessary follow-up investigation and shall then promptly

notify the Athlete of the anti-doping rule which appears to have been violated, and the basis of the violation.

## 7.2 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 -underlie the detailed provisions set forth in Article 7.1. Results of all Doping Controls shall be reported to WAF within 14 days of the conclusion 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 or national law. Apparent anti-doping rule violations by Athletes who are members of another National Federation [shall be referred to the Athlete's National Federation] for hearing.

## 7.3 Provisional Suspensions

The WAF Executive, after consultation with the WAF Review Panel, may Provisionally Suspend an Athlete prior to the opportunity for a full hearing based on an Adverse Analytical Finding from the Athlete's A Sample or A and B Samples and the review described in Article 7.1. If a Provisional Suspension is imposed, either the hearing in accordance with Article 8 shall be advanced to a date, which avoids substantial prejudice to the Athlete, or the Athlete shall be given an opportunity for a Provisional Hearing before imposition of the Provisional Suspension or on a timely basis after imposition of the Provisional Suspension. National Federations may impose Provisional Suspensions in accordance with the principles set forth in this Article 7.3.]

## 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 shall be brought before a disciplinary panel of the Athlete or other Person's National Federation for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what Consequences should be imposed. Such hearing process shall respect the following principles:

- 1• a timely hearing;
- 2• fair and impartial hearing body;
- 3• the right to be represented by counsel at the Person's own expense;
- 4• the right to be fairly and timely informed of the asserted anti-doping rule violation;
- 5• the right to respond to the asserted anti-doping rule violation and resulting Consequences;
- 6• the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing body's discretion to accept testimony by telephone or written submission);

7• the Person's right to an interpreter at the hearing, with the Doping Panel to determine the identity, and responsibility for the cost of the interpreter; and

8• a timely, written, reasoned decision.

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.

8.3 National Federations shall keep WAF fully apprised as to the status of pending cases and the results of all hearings.

8.4 WAF shall have the right to attend hearings as an observer.

8.5 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 as proposed by the National Federation.

8.6 Decisions by National Federations, 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.

8.7 Hearing decisions by the National Federation 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.

## 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 Competition shall not be Disqualified unless the Athlete's results in Competition 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 Imposition of Ineligibility for Prohibited Substances and Prohibited Methods

Except for the specified substances identified in Article 10.3, 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) and Article 2.6 (Possession of Prohibited Substances and Methods) shall be:

First violation: 15 Months Ineligibility.

Second violation: 27 months Ineligibility.

Third violation: Lifetime Ineligibility

However, the Athlete or other Person shall have the opportunity in each case, before a period of Ineligibility is imposed, to establish the basis for eliminating or reducing this sanction as provided in Article 10.5.

### 10.3 Specified Substances

The Prohibited List may identify specified substances which are particularly susceptible to unintentional anti-doping rules violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where an Athlete can establish that the Use of such a specified substance was not intended to enhance sport performance, the period of Ineligibility found in Article 10.2 shall be replaced with the following:

First violation: At a minimum, a warning and reprimand and no period of Ineligibility from future Events, and at a maximum, one (1) year's Ineligibility.

Second violation: Two (2) years' Ineligibility.

Third violation: Lifetime Ineligibility.

However, the Athlete or other Person shall have the opportunity in each case, before a period of Ineligibility is imposed, to establish the basis for eliminating or reducing (in the case of a second or third violation) this sanction as provided in Article 10.5.

### 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 periods set forth in Article 10.2 shall apply.

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

10.5.1 If the Athlete establishes in an individual case involving an anti-doping rule violation under Article 2.1 (presence of Prohibited Substance or its Metabolites or Markers) or Use of a Prohibited Substance or Prohibited Method under Article 2.2 that he or she bears No Fault or Negligence for the violation, the otherwise applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's Specimen 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 10.2, 10.3 and 10.6.

10.5.2 This Article 10.5.2 applies only to anti-doping rule violations involving Article 2.1 (presence of Prohibited Substance or its Metabolites or Markers), Use of a Prohibited Substance or Prohibited Method under Article 2.2, failing to submit to Sample collection under Article 2.3, or administration of a Prohibited Substance or Prohibited Method under Article 2.8. If an Athlete establishes in an individual case involving such violations that he or she bears No Significant Fault or Negligence, then the period of Ineligibility may be reduced, but the reduced period of Ineligibility may not be less than one-half of the minimum period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this section may be no less than 8 years. When a Prohibited Substance or its Markers or Metabolites is detected in an Athlete's Specimen 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 reduced.

10.5.3 The WAF Doping Hearing Panel may also reduce the period of Ineligibility in an individual case where the Athlete has provided substantial assistance to WAF which results in WAF discovering or establishing an anti-doping rule violation by another Person involving Possession under Article 2.6.2 (Possession by Athlete Support Personnel), Article 2.7 (Trafficking), or Article 2.8 (administration to an Athlete). The reduced period of Ineligibility may not, however, be less than one-half of the minimum 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.

## 10.6 Rules for Certain Potential Multiple Violations

10.6.1 For purposes of imposing sanctions under Article 10.2, 10.3 and 10.4, a second anti-doping rule violation may be considered for purposes of imposing sanctions only if WAF (or its National Federation) can establish that the Athlete or other Person committed the second anti-doping rule violation after the Athlete or other Person received notice, or after WAF (or its National Federation) made a reasonable attempt to give notice, of the first anti-doping rule violation; If WAF (or its National Federation) cannot establish this, the violations shall be considered as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.

10.6.2 Where an Athlete, based on the same Doping Control, is found to have committed an anti-doping rule violation involving both a specified substance under Article 10.3 and another Prohibited Substance or Prohibited Method, the Athlete shall be considered to have committed a single anti-doping rule violation, but the sanction imposed shall be based on the Prohibited Substance or Prohibited Method that carries the most severe sanction.

10.6.3 Where an Athlete is found to have committed two separate anti-doping rule violations, one involving a specified substance governed by the sanctions set forth in Article 10.3 (specified substances) and the other involving a Prohibited Substance or Prohibited Method governed by the sanctions set forth in Article 10.2 or a violation governed by the sanctions in Article 10.4.1, the period of Ineligibility imposed for the second offense shall be at a minimum two years' Ineligibility and at a maximum three years' Ineligibility. Any Athlete

found to have committed a third anti-doping rule violation involving any combination of specified substances under Article 10.3 and any other anti-doping rule violation under Article 10.2 or 10.4.1 shall receive a sanction of 27 months Ineligibility.

#### 10.7 Disqualification of Results in Competitions Subsequent to Sample Collection

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 Commencement of Ineligibility Period

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. Where required by fairness, such as delays in the hearing process or other aspects of Doping Control not attributable to the Athlete, the WAF 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.

#### 10.9 Status During Ineligibility

No Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in an Event or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by WAF or any National Federation. 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 other sport-related benefits received by such Person will be withheld by WAF and its National Federations. A 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 sports subject to the jurisdictions of WAF and its National Federations, but only so long as the local sport event is not at a level that could otherwise qualify such Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event.

### ARTICLE 11 SANCTIONS AND COSTS ASSESSED AGAINST NATIONAL FEDERATIONS

11.1 National Federations shall be obligated to reimburse WAF for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an Athlete or other Person affiliated with that National Federation.]

11.2 WAF may elect to take additional disciplinary action against National Federations with respect to recognition, the eligibility of its officials and athletes to participate in International Events.

## ARTICLE 12 APPEALS

### 12.1 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. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in Article [8.7] [8.2.7] must be exhausted.

### 12.2 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 the WAF or its National Federation lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences, [and a decision to impose a Provisional Suspension as a result of a Provisional Hearing or otherwise in violation of Article 7.4] 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.]

### 12.3 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

Decisions by WAF reversing the grant or denial of a TUE exemption may be appealed exclusively to ? by the Athlete, WAF, or National Anti-Doping Organization or other body designated by a National Federation which granted or denied the exemption.

### 12.4 Time for Filing Appeals

The time to file an appeal 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 ?.

## ARTICLE 13 DISCLOSURE

### 13.1 Public Disclosure

Neither WAF nor its National Federation shall publicly identify Athletes whose Samples have resulted in Adverse Analytical Findings, or who were alleged to have violated other Articles of these Anti-Doping Rules until it has been determined in a hearing in accordance

with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged [or the Athlete has been Provisionally Suspended]. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days.

### 13.2 Recognition of Decisions by WAF and National Federations

Any decision of WAF or a National Federation regarding a violation of these Anti-Doping Rules shall be recognized by all National Federations, which shall take all necessary action to render such results effective.

## ARTICLE 14 RECOGNITION OF DECISIONS BY OTHER ORGANISATIONS

Subject to the right to appeal provided in Article 13, the Testing, therapeutic use exemptions and hearing results or other final adjudications of any Signatory to the Code which are consistent with the Code and are within the Signatory's authority, shall be recognized and respected by WAF and its National Federations.

## ARTICLE 15 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 years from the date the violation occurred.

## ARTICLE 16 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

16.1 These Anti-Doping Rules may be amended from time to time by the WAF Executive.

16.2 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.

16.3 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.

16.4 The INTRODUCTION and the APPENDIX I DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.

16.5 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the WADA Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The comments annotating various provisions of the Code may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.

16.6 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.

16.7 These Anti-Doping Rules shall not apply retrospectively to matters pending before the date these Anti-Doping Rules came into effect.

## ARTICLE 17 DEFINITIONS

**Adverse Analytical Finding.** A report from a laboratory or other approved Testing entity that identifies in a Specimen the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

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

**Athlete.** For purposes of Doping Control, 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) and any additional Person who participates in sport at a lower level if designated by the Person's National Anti-Doping Organization. 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.

**Athlete Support Personnel.** Any coach, trainer, manager, agent, team staff, official, medical or para-medical personnel working with or treating Athletes 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.

**Code.** The World Anti-Doping Code.

**Competition.** A single race, match, game or singular athletic contest. For example, the finals of the Olympic 100-meter dash. 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.** The process including test distribution planning, Sample collection and handling, laboratory analysis, results management, hearings and appeals.

**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.** For purposes of differentiating between In-Competition and

**Out-of-Competition** Testing, unless provided otherwise in the rules of an International Federation or other relevant Anti-Doping Organization, an In-Competition test is a test where an Athlete is selected for testing in connection with a specific Competition.

**Independent Observer Program.** A team of observers, under the supervision of WADA, who observe the Doping Control process at certain Events and report on observations. If WADA is testing In-Competition at an Event, the observers shall be supervised by an independent organization.

**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.

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

**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.

**Major Event Organizations.** This term refers to 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 parameters 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. 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 the IF's 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/Method** or the premises in which a Prohibited Substance/Method exists); provided, however, that if the person does not have exclusive control over the Prohibited Substance/Method or the premises in which a Prohibited Substance/Method exists, constructive possession shall only be found if the person knew about the presence of the Prohibited Substance/Method and intended to exercise control over it. Provided, however, 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 no longer intends to have Possession and has renounced the Person's previous Possession.

**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 7.5, 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 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.

**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 Organization's test distribution plan.

**Sample/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.

**Tampering.** Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly to alter results or prevent normal procedures from occurring.

**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.** To sell, give, administer, transport, send, deliver or distribute a Prohibited Substance or Prohibited Method to an Athlete either directly or through one or more third parties, but excluding the sale or distribution (by medical personnel or by Persons other than an Athlete's Support Personnel) of a Prohibited Substance for genuine and legal therapeutic purposes.

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

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

**WAF.** World Armwrestling Federation