

# APPENDIX L

## WMA (WORLD MASTERS ATHLETICS) ANTI-DOPING RULES (IAAF Based)

### DEFINITIONS

**a). Adverse Analytical Finding**

A report from a laboratory or other approved testing entity that identifies in a sample the presence of a prohibited substance or its metabolites or markers or evidence of the use of a prohibited method.

**aa). Anti-Doping Rules**

These WMA Anti-Doping Rules, unless otherwise stipulated hereunder.

**b). AD&M Committee**

The WMA Anti-Doping and Medical Committee.

**c). Area Association**

Shall, for WMA's purposes, mean any one or more of the six WMA Regions to which WMA Affiliates are linked, namely Africa, Asia, Europe, North and Central America and Caribbean, Oceania and South America.

**d). Athlete Support Personnel**

Any coach, trainer, manager, authorised athlete representative, agent, team staff, official, medical or para-medical personnel or any other person working with, or treating athletes participating in, or preparing for, competition in Athletics.

**e). 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.

**f). Code**

The World Anti-Doping Code.

**g). "Constitution"**

shall mean the WMA Constitution.

**h). "Council"**

shall mean the WMA Council.

**i). Competition**

shall mean WMA World Championships Stadia, Indoors and Non-Stadia and shall include WMA Regional Championships.

**j). Event**

A single race or contest in a competition (e.g. the 100 metres or the Javelin Throw).

**k). IAAF;**

International Association of Athletics Federations.

**l). In-competition Testing**

In-competition testing means testing where an athlete is selected for testing in connection with a specific event, and particularly, any Competition/s.

**L and L Committee**

The WMA Law and Legislation Committee.

**m). Marker**

A compound, group of compounds or biological parameters that indicates the use of a prohibited substance or prohibited method.

**n). “Member”**

shall mean a WMA Affiliate;

**o). “Membership”**

shall mean WMA affiliation.

**p). Metabolite**

Any substance produced by a biotransformation process.

**q). National Anti-Doping Organisation (“NADO”).**

The entity designated in the Country or Territory of each Member as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of doping control samples, the management of test results, and the conduct of hearings, all at the national level, and shall include any one or more IAAF Federations.

**r). No Fault or No Negligence**

When exceptional circumstances have been determined in an athlete’s case under Rule 38 to demonstrate that the athlete did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he had used or been administered a prohibited substance or prohibited method.

**s). No Significant Fault or No Significant Negligence**

When exceptional circumstances have been determined in an athlete’s case under Rule 38 to demonstrate that the athlete’s fault or negligence, when viewed in the totality of the circumstances, was not significant in relationship to the anti-doping rule violation.

**t). Out-of-competition testing**

Out-of-competition testing means any doping control which is not in-competition

**u). 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) of a prohibited substance or prohibited method; 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.

**v). Prohibited List**

The Prohibited List published by WADA identifying the prohibited substances and prohibited methods.

**w). Prohibited Method**

Any method so described on the Prohibited List.

**x). Prohibited Substance**

Any substance so described on the Prohibited List. Any biological material collected for the purposes of doping control.

**y). Tampering**

The altering of any item for an improper purpose or in an improper way in relation to doping control, bringing improper influence to bear upon the doping control or disciplinary process, or interfering to alter results or to prevent normal procedures from occurring.

**z). Target Testing**

The 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.

**aa). TUE**

Therapeutic Use Exemption/s, Abbreviated TUE's being no longer required.

**ab). Trafficking**

The selling, transporting, sending, delivering or distributing of a prohibited substance or prohibited method to an athlete, athlete support personnel or other person, either directly or through one or more third parties, but excluding the selling or distributing (by medical personnel or other persons) of a prohibited substance or prohibited method for genuine and legal therapeutic purposes.

**ac). Use**

The application, ingestion, injection or consumption by any means whatsoever of any prohibited substance or prohibited method.

**ad) WADA**

The World Anti-Doping Agency

**ae). WMA**

WORLD MASTERS ATHLETICS.

**RULE 30**  
**Scope of the Anti-Doping Rules**

1. These Anti-Doping Rules shall apply to WMA, its Members and Area Associations and to athletes, Athlete Support Personnel and other persons who participate in Competitions by virtue of their affiliation to WMA.
2. All Members and Area Associations shall comply with and observe these Anti-Doping Rules as read with the Prohibited List. These Anti-Doping Rules shall be incorporated either directly, or by reference, into the rules of each Member and Area Association and each Member and Area Association shall include in its rules the procedural regulations necessary to implement the Anti-Doping Rules as read with the Prohibited List (and any changes that may be made to them). The rules of each Member and Area Association shall specifically provide that all athletes, Athlete Support Personnel and other persons under the jurisdiction of the Member or Area Association shall be bound by these Anti-Doping Rules as read with the Prohibited List.
3. These Anti-Doping Rules together as read with the Prohibited List, shall apply to all doping controls over which WMA and respectively its Members and Area Associations have jurisdiction.
4. WMA shall focus its testing under these Anti-Doping Rules on athletes who compete, or who are preparing to compete in Competitions.
5. In order to be eligible to compete or participate in, or otherwise be accredited at, any Competitions, athletes (and where applicable) Athlete Support Personnel and other persons must have signed a prior written acknowledgment and agreement to observe these Anti-Doping Rules as read with the Prohibited List, in a form to be decided by the Council. In guaranteeing the eligibility of its athletes for Competition, Members guarantee that their athletes whose entries they submit contain the Member's validation stamps for athletes who have signed a written acknowledgement and agreement in the required form and that a copy of the signed agreement has been sent to or is available for inspection by the WMA Secretary.
6. It is the responsibility of each Member to ensure that all testing on its athletes and the management of results from such testing complies with these Anti-Doping Rules as read with the Prohibited List, if necessary, by arrangement with its National IAAF Federation. It is recognised that, in some Countries, the Member will conduct the testing and result management process itself whilst, in others, some or all of the Member's responsibilities may be delegated or assigned (either by the Member itself or under applicable national legislation or regulation) to a national anti-doping organisation or other third party. In respect of these Countries, reference in these Anti-Doping Rules to the Member or National IAAF Federation (or its relevant officers) shall, where applicable, be a reference to the National Anti-Doping Organisation or other third party (or its relevant officers).
7. Notice under these Anti-Doping Rules to an athlete, athlete support personnel or other person who is under the jurisdiction of a Member shall be accomplished by delivery of the notice to the Member concerned and to the WMA Secretary. The Member shall be responsible for making immediate contact with the person to whom the notice is applicable.

**RULE 31**  
**WMA Anti-Doping Organisation**

1. WMA shall be represented for the implementation of these Anti-Doping Rules by the following person(s) or bodies:
  - (a) the Council;
  - (b) the AD and M Committee;
  - (c) the TUE Panel;

- (d) the L&L Committee;
- (e) the WMA Anti-Doping Administrator;
- (f) the Doping Review Board, and;
- (g) the National Anti-Doping Organisation/s.

### **The Council**

2. The Council has a duty to the WMA General Assembly to oversee and supervise the activities of WMA in accordance with the Objects contained in its Constitution, By-Laws and Rules of Competition. One of these Objects is to promote fair play in sport, in particular, to play a leading role in the fight against doping, within Masters Athletics and to develop and maintain programmes of detection, deterrence and education which are aimed at the eradication of the scourge of doping within Masters Athletics.

The Council has the following powers under the Constitution in overseeing and supervising the activities of the WMA.

- (a) to establish any Committee or sub-Committee, whether on an ad hoc or permanent basis, that it deems to be necessary for the proper functioning of WMA;
- (b) to make any interim amendments to its By-Laws and Rules of Competition it considers to be necessary between General Assemblies and to fix a date on which such amendments shall take effect. The interim amendments shall be reported to the next General Assembly, which shall decide whether they shall be made permanent;
- (c) to approve, reject or amend any of the provisions of the Prohibited List, or its application to Masters Athletics in general and to Competitions in particular;
- (d) to suspend or take other sanctions against a Member for a breach of the Rules in accordance with the provisions of WMA By-Law 3.4.5, and;
- (e) to appoint and remove members of the TUE Panel, and/or the Doping Review Board in its sole and absolute discretion.

### **The AD and M Committee**

4. The AD and M Committee's function, inter alia, is to provide the WMA with general advice on all anti-doping and related matters, including in relation to these Anti-Doping Rules as read with the Prohibited List.
5. The AD and M Committee shall consist of a maximum of 6 members plus the Chairman who shall meet bi-ennially, normally at the WMA Stadia Championships, in order to review the IAAF's anti-doping activities in the preceding 24 months and to establish, for the approval of the Council, the WMA's anti-doping programme for the years ahead. The AD and M Committee shall also consult on a regular basis between bi-ennial meetings, as the need may arise.
6. The AD and M Committee and the TUE Panel shall have responsibility for one or more of the following further specific tasks under these Anti-Doping Rules:
  - (a) publication and distribution to Council of any amendments to the Prohibited List which are proposed be adopted as often as may be required. Testing, for the purposes of these Anti-Doping Rules shall comprise, either directly or by reference and solely for WMA's use, amendments to the following documents issued by WADA:
    - (i) the Prohibited List;
    - (ii) the International Standard for Testing;
    - (iii) the International Standard for Laboratories;
    - (iv) the International Standard for Therapeutic Use Exemptions (TUE's) together with any additions or modifications to such documents, or further procedures or guidelines, that may be deemed necessary to comply with these Anti-Doping Rules or otherwise pursue the WMA's anti-doping programme;
    - (v) the International Standard for the Protection of Privacy, and;

Furthermore, when giving its approval to any such modifications or amendments to the Prohibited List, Council shall fix a date on which its approved amendments to the Prohibited List shall take effect. The WMA Secretary shall notify the Members of this date and shall publish revisions and amendments to the Prohibited List on the WMA website. In the event of there being any conflict between the Prohibited List and these WMA Anti-Doping Rules, the conflicting provisions of the WMA Anti-Doping Rules shall prevail.

- (b) advising Council on amendments to these Anti-Doping Rules as may be necessary from time to time. Any proposed amendment to be made to these Anti-Doping Rules between General Assemblies must be approved by the Council and notified to the Members.
  - (c) planning, implementing and monitoring anti-doping information and anti-doping education programmes. These programmes should provide updated and accurate information shall be made available on at least the following issues:
    - (i) prohibited substances and prohibited methods in the Prohibited List;
    - (ii) health consequences of doping;
    - (iii) doping control procedures, and;
    - (iv) athletes' rights and responsibilities.
  - (d) prerequisites for the granting TUEs.
  - (e) establishing general guidelines for the selection of athletes for Testing. The AD and M Committee may, in the course of exercising any of the above tasks, call upon experts to provide further specialist medical or scientific advice as may be required.
7. The AD and M Committee shall report to Council on its activities at or before each Council meeting. It shall communicate with the L&L Committee Chairman on all anti-doping and related matters.

### **The Doping Review Board**

8. The Doping Review Board is appointed as a Council appointed sub-Committee to the AD and M Committee with at least the following specific tasks:
- (a) to determine on behalf of the Council whether exceptional circumstances exist in cases which are referred to it under Rule 38.16 below;
  - (b) to decide whether cases should be referred to arbitration before the L&L Committee or to CAS and whether, in such cases, to re-impose the athlete's suspension pending the decision of the L&L Committee and/or CAS, and;
  - (c) to decide in cases which are referred to it under Rule 43.3 below whether the results of doping controls carried out by a sporting body other than the WMA, under rules and procedures which are different to those of WMA, should be recognised by WMA.
- The Doping Review Board may, in the course of exercising any of the above tasks, refer to the AD and M Committee, the L&L Committee or Council for its opinion or guidance in relation to a particular case or to the Council on any matter of general policy that may have arisen.
9. The Doping Review Board shall consist of three persons, one of whom shall be legally qualified, one of whom shall be a qualified medical practitioner and the other, to be appointed by the WMA President, shall be the chairman of the Doping Review Board, to ensure that proper administration and the necessary decision reporting process is adhered to. Furthermore, the President shall have authority at any time to appoint an additional person or persons to the Doping Review Board, as may be required, on a temporary basis.
10. The Doping Review Board shall, through the Chairman of the AD and M committee, submit a written report to Council on its activities at each Council meeting.

### **The WMA Anti-Doping Administrator**

11. The WMA Anti-Doping Administrator shall be the Chairman of the AD and M Committee. He shall have responsibility for implementing the anti-doping programme which has been established by the AD and M Committee as above. He shall report to the AD and M Committee in this regard continuously and in particular at the bi-ennial meetings during Stadia Championships.
12. The WMA Anti-Doping Administrator shall have responsibility for the day to day administration of doping cases arising under these Anti-Doping Rules. In particular, the WMA Anti-Doping Administrator shall be the person responsible, where applicable, for conducting or delegating the results management process in accordance with Rule 37 and for deciding upon the provisional suspension of athletes in accordance with Rule 38.
13. The WMA Anti-Doping Administrator may at any time in the course of his work seek an advisory opinion from the AD and M Committee, the L&L Committee, from the Doping Review Board or from such other person as he considers to be appropriate.

### **The National Anti-Doping Organisation**

14. The National Anti-Doping Organisation shall, wherever possible, be engaged by the Local Organizing Committees for competitions to have and exercise the exclusive control over the appointment at competitions of the doping control officers whose function it shall be to strictly observe the International Standard for Testing, including the proper completion of doping control forms and the submission thereof, together with samples taken and corresponding chain of custody documentation to the WADA-accredited laboratory.

## **RULE 32 Anti-Doping Rule Violations**

1. Doping is strictly forbidden under these Anti-Doping Rules 31, 32 38.
2. Doping is defined as the occurrence of one or more of the following anti-doping rule violations:
  - (a) the presence of a prohibited substance or its metabolites or markers in an athlete's body tissues or fluids. All references to a prohibited substance in these Anti-Doping Rules as read with the Prohibited List shall include a reference, where applicable, to its metabolites or markers.
    - (i) it is each athlete's personal duty to ensure that no prohibited substance enters his body tissues or fluids. Athletes are warned that they are responsible for any prohibited substance found to be present in their bodies. It is not necessary that intent, fault, negligence or knowing use on an athlete's part be demonstrated in order to establish an anti-doping rule violation under Rule 32.2(a).
    - (ii) except those prohibited substances for which a reporting threshold is specifically identified in the Prohibited List, the detected presence of any quantity of a prohibited substance in an athlete's sample shall constitute an anti-doping rule violation. (iii) as an exception to the general application of Rule 32.2(a), the Prohibited List may establish specific criteria for the evaluation of prohibited substances that can also be produced endogenously.
  - (b) the use or attempted use of a prohibited substance or prohibited method.
    - (i) the success or failure of the use of a prohibited substance or prohibited method is immaterial. It is sufficient that the prohibited substance or prohibited method is used, or attempted to be used, for an anti-doping rule violation to be committed.
    - (ii) an admission of use or attempted use of a prohibited substance or a prohibited method may be made either orally in a verifiable manner or in writing. A

statement shall not however be admissible where it is made more than eight years after the facts to which it relates.

- (c) the refusal or failure, without compelling justification, to submit to doping control having been requested to do so by a responsible official or otherwise seeking to evade doping control.
- (d) if and when out of competition testing is directed by the Council, the evaluation of 3 missed out-of-competition tests (as defined in Rule 35.17 below) in any period of 5 years beginning with the date of the first missed test.
- (e) tampering, or attempting to tamper, with any part of the doping control process or its related disciplinary procedures.
- (f) the possession of a prohibited substance or prohibited method.
  - (i) possession by an athlete means possession at any time or place of a substance that is prohibited out-of-competition or a prohibited method unless the athlete establishes that the possession is pursuant to a TUE granted in accordance with Rule 34.5 below or some other acceptable justification.
  - (ii) possession by athlete support personnel means possession of a substance is prohibited or a prohibited method in connection with an athlete, whether in competition or training, unless the athlete support personnel establishes that the possession is pursuant to a TUE granted to an athlete in accordance with Rule 34.5 below or some other acceptable justification.
- (g) trafficking in a prohibited substance or prohibited method.
- (h) the administration, or attempted administration, of a prohibited substance or prohibited method to an athlete or assisting, encouraging, aiding, abetting, covering up or engaging in any other type of complicity involving an anti-doping rule violation or attempted violation.
- (i) competing, or attempting to compete, whilst provisionally suspended or ineligible under these Anti-Doping Rules.

### **RULE 33**

#### **Standards of Proof of Doping**

1. WMA, the Member or other prosecuting authority shall have the burden of establishing that an anti-doping rule violation has occurred under these Anti-Doping Rules.
2. The standard of proof shall be whether WMA, the Member or other prosecuting authority has established an anti-doping rule violation to the comfortable satisfaction of the relevant hearing body, bearing in mind the seriousness of the allegation which is made. This standard of proof is greater than a mere balance of probability but less than proof beyond a reasonable doubt.
3. Where these Anti-Doping Rules place the burden of proof on an athlete, Athlete Support Personnel or other person alleged to have committed an anti-doping violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.
4. Facts related to anti-doping rule violations may be established by any reliable means. The following standards of proof shall be applicable in doping cases:
  - (a) WADA-accredited laboratories are presumed to have conducted sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The athlete may rebut this presumption by establishing that a departure from the International Standard for Laboratories has occurred, in which case WMA, the Member or other prosecuting authority shall have the burden of establishing that such departure did not undermine the validity of the adverse analytical finding.

- (b) A departure from the International Standard for Testing shall not Invalidate a finding that a Prohibited Substance was present in a sample or that a prohibited method was used, or that any other anti-doping rule violation under these Anti-Doping Rules was committed, unless the departure was such as to undermine the validity of the finding in question. If the athlete establishes that a departure from the International Standard for Testing has occurred, then WMA, the Member or other prosecuting authority shall have the burden of establishing that such departure did not undermine the validity of the finding that a prohibited substance was present in a sample, or that a prohibited method was used, or the factual basis for establishing any other anti-doping rule violation was committed under these Anti-Doping Rules.

### **RULE 34**

#### **The Prohibited List**

1. These Anti-Doping Rules incorporate the Prohibited List which shall be published and revised by WADA.
2. WMA will make the current Prohibited List available to each Member and it shall be available on the WMA website. Each Member shall in turn ensure that the current Prohibited List is made available (either on its website, the IAAF website or otherwise) to all athletes, athlete support personnel and any other relevant persons under its jurisdiction.
3. Unless otherwise stated in the Prohibited List and/or any revision to the Prohibited List, 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 the WMA. Subject to WMA's right to delete or vary substances or methods WMA may also declare the inclusion of additional substances or methods which have the potential for abuse in Athletics, as part of the WMA's monitoring programme.
4. Unless varied by an adopted WMA General Assembly motion, WADA's determination of the prohibited substances and prohibited methods shall remain on the Prohibited List, shall be final and shall not be subject to legal challenge by any athlete or other person.
5. Athletes with a documented medical condition requiring the use of a prohibited substance or a prohibited method must first obtain a TUE. TUEs will however be granted only in cases of clear and compelling clinical need where no competitive advantage can be gained by the athlete.

WMA has adopted its own standard for the consideration and granting of Therapeutic Use Exemptions. However WMA shall require TUEs for the use of beta-2 agonists as prescribed in the Prohibited List and the Tue Regulations.

### **RULE 35**

#### **Testing**

1. Every athlete under these Anti-Doping Rules may be subject to in-competition testing at the competitions at which he competes and for out-of-competition testing at any time or place. Athletes shall submit to doping control, as provided for in these Rules, whenever requested to do so by a responsible official.
2. It is a condition of Membership of WMA that each Member (and Area Association), includes within its/their constitution/s:
  - (a) a provision giving the Member (and respectively the WMA Regions) authority to conduct in (and only when announced by WMA, out-of-competition), doping controls, a report which, in the case of the Member or WMA Region, must be submitted to WMA on an annual basis (see Rule 41.4 below);

- (b) a provision giving WMA, if it so chooses, authority to conduct doping controls at the Member's National Championships (and respectively at the Regional Championships);
  - (c) a provision giving the WMA, once decided upon by Council, authority to conduct unannounced out-of-competition testing on the Member's athletes, and;
  - (d) a provision making it a condition of membership or affiliation that participation in competitions which are sanctioned or organised by Member or alternatively, Competitions, subject to any in-competition and when introduced by Council, out-of-competition testing carried out by the Member, WMA and/or any other body with competent authority to test under these Anti-Doping Rules.
3. WMA and its Members may delegate testing under this Rule to any Member, IAAF Federation, WADA, governmental agency, National Anti-Doping Organisation or other third party which they deem to be suitably qualified for the purpose. However, for testing at Competitions, it is desirable that such testing be conducted by the relevant National Anti-Doping Organisation, wherever possible, but in the event that this is not possible, such other body conducting the testing shall be obliged to strictly observe the provisions of Rule 31.14 above, to the extent to which that Rule is applicable to NADO.
  4. In addition to testing by the WMA and its Members (and by entities to which the WMA and its Members may have delegated their testing responsibility under Rule 35.3 above), athletes may be subject to testing:
    - (a) in-competition by any other organisation or body which has competent authority to conduct testing at the Competition or competition in which they are participating, and;
    - (b) when introduced by Council, out-of-competition by (i) WADA or; (ii) the National Anti-Doping Organisation of the Member where the athlete may be. However, only a single organisation shall be responsible for initiating and directing testing during Competitions. Furthermore at Competitions the collection of samples shall be initiated and directed by the WMA (see Rule 35.7 below) or other international sports organisation ruling body appointed by WMA, where the Competition is to take place, with the approval of WMA, to conduct such testing.
  5. WMA and its Members shall promptly report all completed in-competition tests by means of copying of such report to the WMA Anti-Doping Administrator.
  6. Testing conducted by WMA and its Members under this Rule shall be in substantial conformity with the International Standard for Testing in force at the time of testing.

### **In-competition testing**

7. WMA shall have responsibility for initiating and directing in-competition testing at all Competitions. The WMA Regions shall, as and when financially able to do so, have responsibility for initiating and directing in-competition testing at their Competitions. Testing at Members' competitions/championships shall be optional. Any such testing shall be as prescribed from time to time by the AD&M Committee.
8. The WMA Anti-Doping Administrator shall determine the anticipated number of athletes to be tested at the Competitions on the recommendation of the AD&M Committee. Athletes to be tested shall be selected as follows:
  - (a) on a final position basis and/or random basis, and/or;
  - (b) at the discretion of the AD&M Committee by any method that it shall choose, including target testing, and/or;
  - (c) any athlete who has broken or equalled a WMA World Record.
9. If WMA has delegated testing under Rule 35.3 above, it may appoint a representative to attend at the Competition in question to ensure that these Anti-Doping Rules as read with the Prohibited List are being properly applied.

10. In consultation with the relevant Member (and respectively with the relevant WMA Region), WMA may conduct, or assist in the conduct of, doping controls at a Member's National championships or a Regional championships.
11. If the Member has delegated its testing under Rule 35.3 above, it is the Member's responsibility to ensure that such testing carried out in its Country complies with these Anti-Doping Rules as read with the Prohibited List.
12. Out-of-competition Testing When out of competition testing is introduced by Council:
  - 12.1 WMA may, at its discretion, conduct out-of-competition testing on any athlete at any time. In most cases, testing shall be carried out without notice to the athlete or his athlete support personnel or the Member.
  - 12.2 It is the duty of every Member, officer of a Member and other person under the jurisdiction of a Member to assist WMA (and, if appropriate, another Member, WADA or other body with competent testing authority) in the conduct of out-of-competition testing under this Rule. Any Member, officer of a Member or other person under the jurisdiction of a Member preventing, hindering, obstructing or otherwise tampering with the conduct of such testing may be liable to sanction under these Anti-Doping Rules.
  - 12.3 Out-of-competition testing shall be conducted under these Anti-Doping Rules in respect of the substances and methods prohibited out-of-competition in the Prohibited List.
  - 12.4 At the request of WMA, athletes shall be required to provide the Member with which they are affiliated their whereabouts information adequate for the purposes of out-of-competition testing on those athletes. Athletes shall be required to notify their Member affiliate immediately that there is any change to such information to ensure that it is kept current at all times. The ultimate responsibility for providing whereabouts information rests with each athlete. An athlete's Member affiliate shall, however, use its best efforts to assist the WMA in obtaining whereabouts information for the athlete, if so requested by WMA. Whereabouts information provided by an athlete pursuant to this Rule shall, where appropriate, be shared with WMA and any other body having competent authority to test the athlete, on the strict condition that such information be used solely for doping control purposes.
  - 12.5 If an athlete fails on request to provide his appropriate Member (WMA affiliate) with his whereabouts information, or to provide adequate whereabouts information, or is unable to be located for testing by a doping control officer at the whereabouts retained on file for that athlete, he shall be subject to an evaluation by the WMA Anti-Doping Administrator for a missed test. If, as a result of such evaluation, the WMA Anti-Doping Administrator concludes that the athlete has failed in his obligation to provide whereabouts information or adequate whereabouts information, the WMA Anti-Doping Administrator shall evaluate the failure as a missed test and the athlete shall be so notified in writing. If an athlete is evaluated as having 3 missed tests in any period of 5 years beginning with the date of the first missed test, he shall have committed an anti-doping rule violation in accordance with Rule 32.2(d).

## **RULE 36**

### **Analysis of Samples**

1. All samples collected under these Anti-Doping Rules shall be analysed in accordance with the following general principles:

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

- (a) Samples for analysis shall be sent only to WADA-accredited laboratories or as otherwise approved by WADA. In the case of WMA tests, samples shall be sent only

to WADA-accredited laboratories (or, where applicable, to haematological laboratories or mobile testing units) which are approved by the WMA Anti-Doping Administrator.

**Substances subject to detection**

- (b) Samples shall be analysed to detect prohibited substances and prohibited methods on the Prohibited List and such other substances as may be directed by WADA pursuant to its monitoring programme.

**Research on samples**

- (c) No sample may be used for any purpose other than the detection of prohibited substances (or classes of prohibited substances) or prohibited methods on the Prohibited List, or as otherwise directed by WADA pursuant to its monitoring programme, without the athlete's written consent.

**International Standard for Laboratories**

- (d) Laboratories shall analyse samples and report results in conformity with the International Standard for Laboratories.
2. All samples provided by athletes in doping controls conducted under the responsibility of WMA shall immediately become the property of the WMA.
  3. If, at any stage, any question or issue arises concerning the analysis or interpretation of the results of a sample, the person responsible for the analysis at the laboratory (or haematological laboratory or mobile testing unit) may consult the WMA Anti-Doping Administrator for guidance.
  4. If, at any stage, any question or issue arises in relation to a sample, the laboratory (or mobile testing unit) may conduct any further or other tests necessary to clarify the question or issue so raised and such tests may be relied upon by the WMA when deciding whether a sample has given rise to an adverse analytical finding.

Where an analysis indicates the presence of a prohibited substance or the use of a prohibited substance or prohibited method, the WADA-accredited laboratory shall immediately confirm the adverse analytical finding in writing, to WMA. In the case of a national test, the Member shall inform WMA of the adverse analytical finding and the name of the athlete promptly on receipt of the information from the WADA-accredited laboratory and, in all circumstances, within two weeks of such receipt.

**RULE 37**  
**Results Management**

1. Following notification of an adverse analytical finding or other anti-doping rule violation under these Anti-Doping Rules, the matter shall be subject to the results management process set out below.
2. Relative to all Competitions the results management process shall be conducted by the WMA Anti-Doping Administrator who shall nevertheless have the power and authority to delegate the conduct of these functions to the body of the athlete's National IAAF Federation. The relevant person or body of the athlete's National Federation shall keep the IAAF Anti-Doping Administrator and the WMA Anti-Doping Administrator updated on the process at all times. Requests for assistance or information in conducting the results management process may be made to the IAAF Anti-Doping Administrator at any time.
3. On notification of an adverse analytical finding, the WMA Anti-Doping Administrator shall conduct a review to determine whether:
  - (a) an applicable TUE has been granted to the athlete for the prohibited substance, or;

- (b) there is any apparent departure (or departures) from the International Standard for Testing (or other applicable provision in the Procedural Guidelines) or the International Standard for Laboratories such as to undermine the validity of the finding.
4. If the initial review under Rule 37.3 above does not reveal an applicable TUE or departure or departures from the International Standard for Testing or the International Standard for Laboratories such as to undermine the validity of the finding, the WMA Anti-Doping Administrator shall promptly notify the athlete of:
    - (a) the adverse analytical finding;
    - (b) the anti-doping violation rule that has been breached or, in a case falling under Rule 37.5 below, a description of the additional investigation to be conducted to determine whether an anti-doping rule violation has occurred;
    - (c) the time limit within which the athlete is to provide the WMA Anti-Doping Administrator, either directly with an explanation for the adverse analytical finding;
    - (d) the athlete's right to request, within a period no longer than two weeks from receipt of notification of the "A" sample testing positive, the analysis of the "B" sample and, failing such request, that the "B" sample shall be deemed to be waived. The athlete shall be advised at the same time that, if the "B" sample analysis is requested, all related laboratory costs shall be met by the athlete, unless the "B" sample fails to confirm the "A", in which case the costs shall be met by WMA or the other organization responsible for initiating the test;
    - (e) the date upon which the "B" sample analysis, if requested by the athlete, has been fixed, such date normally to be no later than 2 weeks after the date of notification of the adverse analytical finding to the athlete. If the laboratory concerned cannot subsequently accommodate the "B" sample analysis on the date fixed, the analysis shall take place at the earliest available date for the laboratory thereafter. No other reason shall be accepted for changing the date of the "B" sample analysis;
    - (f) the right of the athlete and/or his representative to attend the "B" sample opening procedure and analysis, if such analysis is requested, and;
    - (g) the athlete's right to request copies of the "A" and "B" sample laboratory documentation package which shall include the information required by the International Standard for Laboratories.
  5. Following notification to an athlete under Rule 37.4(b) above, the WMA Anti-Doping Administrator shall conduct any follow-up investigation that may be required. Upon the completion of such follow-up investigation, the WMA Anti-Doping Administrator shall promptly notify the athlete of the results of the follow-up investigation and whether it is asserted that an anti-doping rule violation has been committed. If this is the case, the athlete concerned shall then be afforded an opportunity, either directly or through his Member affiliate, within a time limit set by the WMA Anti-Doping Administrator, to provide an explanation in response to the anti-doping rule violation asserted.
  6. An athlete may accept an "A" sample analytical result by waiving his right to the "B" sample analysis. The WMA Anti-Doping Administrator or WMA may however request the analysis of a "B" sample at any time if it believes that such analysis will be relevant to consideration of the athlete's case.
  7. The athlete and/or his representative shall be allowed to be present at the "B" sample analysis and to attend throughout the analysis being carried out. A representative of the athlete's National Federation may also be present and attend throughout, as may a representative of WMA. An athlete shall remain provisionally suspended (see Rule 38.2 below) despite the fact that he has requested analysis of the "B" sample.
  8. Once the analysis of the "B" sample has been concluded, a full laboratory report shall be sent to the WMA Anti-Doping Administrator together, in due course, with a copy of all

relevant data required by the International Standard for Laboratories. A copy of this report and all relevant data shall be forwarded to the athlete if so requested.

9. On receipt of the “B” sample laboratory report, the WMA Anti-Doping Administrator shall conduct any follow-up investigation that may be required by the Prohibited List. Upon completion of the follow-up investigation, the WMA Anti-Doping Administrator shall promptly notify the athlete regarding the results of the follow-up investigation and whether or not WMA asserts, or continues to assert, that an anti-doping rule has been violated.
10. Persons connected with doping control shall take all reasonable steps to maintain confidentiality in a case until the “B” sample analysis has been concluded (or until any follow-up investigation to the “B” sample analysis as may be required by the Prohibited List under Rule 37.9 has been concluded), or until the “B” sample analysis is waived by the athlete. The identity of athletes whose samples have resulted in an adverse analytical finding or who are alleged to have committed anti-doping rule violations may be publicly disclosed in normal circumstances no earlier than the imposition of a provisional suspension in accordance with Rule 38.2 or Rule 38.3 below.

In the case of any anti-doping rule violation where there is no adverse analytical finding, the WMA Anti-Doping Administrator shall conduct an investigation based on the facts of the case that he deems to be necessary and, on completing such an investigation, shall promptly notify the athlete concerned whether it is asserted that an anti-doping rule violation has been committed. If this is the case, the athlete shall be afforded an opportunity, either directly or through his Member affiliate, within a time limit set by the WMA Anti-Doping Administrator, to provide an explanation in response to the anti-doping rule violation asserted.

### **RULE 38** **Disciplinary Procedures**

1. Where it is asserted that an anti-doping rule violation has been committed under these Anti-Doping Rules, disciplinary procedures shall take place in the following three stages:
  - (a) provisional suspension;
  - (b) hearing;
  - (c) sanction or exoneration.

#### **Provisional Suspension**

2. If no explanation, or no adequate explanation, for the asserted anti-doping rule violation is received from the athlete or his National Federation within the time limit set by the WMA Anti-Doping Administrator in Rule 37.4(c) or 37.11 above, the athlete shall be suspended, suspension at this time being provisional pending resolution of the athlete’s case by WMA.
3. A voluntary suspension shall be effective only from the date of receipt of the athlete’s written confirmation of such by WMA. Once the provisional suspension is imposed by the WMA Anti-Doping Administrator, it shall notify the suspension to the Member which must then, either itself, or through its IAAF National Federation commence the disciplinary procedures set out below.
4. A decision to impose a provisional suspension on an athlete shall not be subject to an appeal. An athlete who has been provisionally suspended, or who has accepted a voluntary suspension shall, however, be entitled to a full expedited hearing before his Member, or failing his Member, by the L&L Committee, in accordance with Rule 38.7 below.

#### **Hearing**

5. Every athlete shall have the right to request a hearing before the relevant tribunal of his IAAF National Federation, provided however that his IAAF National Federation is willing

to appoint and empower the relevant tribunal, before any sanction is determined in accordance with these Anti-Doping Rules. Similarly WMA shall have the right to request a hearing before the relevant tribunal of the athlete's IAAF National Federation on the same terms as stated for the athlete's request. However, if any such request made to the athlete's IAAF National Federation is rejected, it shall be WMA's obligation, itself through the L&L Committee, to appoint a tribunal and conduct such hearing. Nothing herein stated shall preclude the WMA Anti-Doping Administrator from requiring the Member in whose jurisdiction the athlete falls, to conduct such hearing, at the Member's cost, before a tribunal approved by the WMA Anti-Doping Administrator.

6. When an athlete is notified that his explanation has been rejected and that he is to be provisionally suspended in accordance with Rule 38.2 above, he shall also be told of his right to request a hearing. If the athlete fails to confirm in writing to WMA Anti-Doping Administrator or to his IAAF National Federation (if and where applicable), within 14 days of such notice that he wishes to have a hearing, he will be deemed to have waived his right to a hearing and to have accepted that he committed the anti-doping rule violation in question. This fact shall be confirmed in writing to the WMA Anti-Doping Administrator by the athlete or his Member affiliate within 5 working days.
7. If a hearing is requested by an athlete, it shall be convened without delay and the hearing held within 2 months of the date of notification of the athlete's request to the athlete's IAAF Federation, or failing them, the WMA Anti-Doping Administrator. Members, or where applicable, the relevant IAAF Federation, shall keep the WMA and vice versa shall keep Members, alternatively the IAAF Federation, fully informed as to the status of all cases pending hearing and of all hearing dates as soon as they are fixed. The Member and/or WMA shall have the right to attend all hearings as an observer. However, WMA's attendance at a hearing, or any other involvement in a case, shall not affect its right to appeal the decision to CAS pursuant to IAAF Rule 60.23. At all times, WMA shall have the right to intervene and replace the athlete's IAAF Federation for the purpose of conducting any particular hearing. Furthermore, if called for by the Member or the athlete's IAAF Federation, WMA shall give due consideration to providing an indemnity against liability for the expenses incurred or to be incurred in conducting the hearing.
8. The athlete's hearing shall take place before the relevant hearing body constituted or otherwise authorised by the WMA Anti-Doping Administrator. The relevant hearing body shall be fair and impartial and the conduct of the hearing shall respect the following principles: the right of the athlete to be present at the hearing and to present evidence, including the right to call and question witnesses, the right to be represented by legal counsel and an interpreter (at the athlete's expense) and a timely and reasoned decision in writing.
9. At the hearing of the athlete's case, the relevant tribunal shall consider first whether or not an anti-doping rule violation has been committed. WMA or other prosecuting authority shall have the burden of proving the anti-doping rule violation to the comfortable satisfaction of the tribunal (see Rule 33.2 above).
10. If the relevant tribunal considers that an anti-doping rule violation has not been committed, this decision shall be notified to the WMA Anti-Doping Administrator in writing within 5 working days of the decision being made (together with a copy of the written reasons for such decision). The case shall then be reviewed by the Doping Review Board which shall decide whether or not it should be referred to arbitration before CAS pursuant to Rule IAAF 60.23. If the Doping Review Board does so decide, it may at the same time reimpose, where appropriate, the athlete's provisional suspension pending resolution of the appeal by CAS. If the relevant tribunal considers that an anti-doping rule violation has been committed, prior to the imposition of any period of ineligibility, the athlete shall have the opportunity to establish that there are exceptional circumstances in his case justifying a reduction of the sanction otherwise applicable under Rule 40.1 below.

## **Exceptional Circumstances**

12. All decisions taken under these Anti-Doping Rules regarding exceptional circumstances must be harmonised so that the same legal conditions can be guaranteed for all athletes, regardless of their nationality, domicile, level or experience. Consequently, in considering the question of exceptional circumstances, the following principles shall be applied:
  - (i) it is each athlete's personal duty to ensure that no prohibited substance enters his body tissues or fluids. Athletes are warned that they shall be held responsible for any prohibited substance found to be present in their bodies (see Rule 32.2(a)(i) above).
  - (ii) exceptional circumstances will exist only in cases where the circumstances are truly exceptional and not in the vast majority of cases.
  - (iii) taking into consideration the athlete's personal duty in Rule 38.12(i) above, the following will not be regarded as cases which are truly exceptional: an allegation that the prohibited substance or prohibited method was given to an athlete by another person without his knowledge, an allegation that the prohibited substance was taken by mistake, an allegation that the prohibited substance was due to the taking of contaminated food supplements or an allegation that medication was prescribed by athlete support personnel in ignorance of the fact that it contained a prohibited substance.
  - (iv) exceptional circumstances may however exist where an athlete has provided substantial evidence or assistance to WMA, his Member, his IAAF Federation or other relevant body which has resulted in WMA, his Member, his IAAF Federation or other relevant body discovering or establishing an anti-doping rule violation by another person involving possession (under Rule 32.2(f)), trafficking (under Rule 32.2(g)) or administration to an athlete (under Rule 32.2(h)).
13. The determination of exceptional circumstances shall be made by the AD&M Committee (see Rule 38.17 below).
14. If an athlete seeks to establish that there are exceptional circumstances in his case, the relevant tribunal shall consider, based on the evidence presented, and with strict regard to the principles set out in Rule 38.12 above, whether, in its view, the circumstances in the athlete's case may be exceptional.
15. If, having examined the evidence presented, the relevant tribunal considers that there are no exceptional circumstances in the athlete's case, it shall impose the sanction prescribed in Rule 40.1 below and inform the WMA Anti-Doping Administrator accordingly. The WMA Anti-Doping Administrator shall notify the athlete and his Member affiliate in writing of the relevant tribunal's decision, within 5 working days of the decision being made.
16. If, having examined the evidence presented, the relevant tribunal considers that there are circumstances in the athlete's case which may be exceptional, it shall:
  - (a) refer the matter to the Doping Review Board together with all material and/or evidence which, in its view, demonstrates the exceptional nature of the circumstances, and;
  - (b) invite the athlete and/or his Member affiliate to support the referral of the relevant tribunal or to make independent submissions in support of such referral, and;
  - (c) adjourn the hearing of the athlete's case pending the AD&M Committee's determination on exceptional circumstances. The athlete's provisional suspension shall remain in place pending the receipt of the Doping Review Board's determination on exceptional circumstances.
17. Upon receipt of a reference from the relevant tribunal, the Doping Review Board shall examine the question of exceptional circumstances only, on the basis of the written materials which have been submitted to it. The Doping Review Board shall have the power:
  - (a) to exchange views on the matter by e-mail, telephone, facsimile or in person;
  - (b) to call for further evidence or documents;

- (c) to call for any further explanation from the athlete;
  - (d) at all times to seek guidance (including the attendance at any of its deliberations) from one or more persons nominated by the L&L Committee Chairman;
  - (e) if necessary, to request the attendance of the athlete before it. Based on a review of the written materials submitted to it, including any further evidence or documents, or further explanation provided by the athlete, the Doping Review Board, having strict regard to the principles set out in Rule 38.12 above, shall make a determination on whether there are exceptional circumstances in the case and, if so, into which category they fall, i.e., whether the exceptional circumstances demonstrate no fault or no negligence on the athlete's part (see Rule 40.2 below) or no significant fault or no significant negligence on the athlete's part (see Rule 40.3 below) or substantial evidence or assistance by the athlete resulting in discovering or establishing an anti-doping rule violation by another person (see Rule 40.4 below). This determination shall be conveyed to the athlete and his Member affiliate in writing by the WMA Anti-Doping Administrator.
18. If the Doping Review Board's determination is that there are no exceptional circumstances in the case, the determination shall be binding on the relevant tribunal, which shall impose the sanction prescribed in Rule 40.1 below. The Member shall notify the IAAF and the athlete in writing of the relevant tribunal's decision, which shall incorporate the Doping Review Board's determination, within 5 working days of the decision being made.
  19. If the Doping Review Board's determination is that there are exceptional circumstances in the case, the relevant tribunal shall decide the athlete's sanction in accordance with Rule 40.2, 40.3 or 40.4 below, consistent with the Doping Review Board's categorisation of the exceptional circumstances in Rule 38.17 above. The WMA Anti-Doping Administrator shall notify the athlete's Member affiliate and the athlete of the relevant tribunal's decision in writing, within 5 working days of the decision being made.
  20. The athlete shall have the right to seek a review of the Doping Review Board's determination on exceptional circumstances to CAS, either as part of an appeal against the decision of the tribunal in accordance with IAAF Rule 60.10(a) or pursuant to IAAF Rule 60.10(b). In all cases, the standard of review of the Doping Review Board's determination on the question of exceptional circumstances shall be as set out in IAAF Rule 60.27.

## **RULE 39**

### **Disqualification of Results**

1. Where an anti-doping rule violation occurs in connection with an in-competition test, the athlete shall be automatically disqualified from the event in question and from all subsequent events of the competition, with all resulting consequences for the athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money.
2. Where the athlete who commits an anti-doping rule violation under Rule 39.1 is a member of a relay team, the relay team shall be automatically disqualified from the event in question, with all resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize and appearance money. If the athlete who has committed an anti-doping rule violation competes for a relay team in a subsequent event in the competition, the relay team shall be disqualified from the subsequent event, with all the same resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize and appearance money (if any).
3. Where the athlete who commits an anti-doping rule violation under Rule 39.1 is a member of a team other than a relay team, in an event where a team ranking is based on the addition of individual results, the team shall not be automatically disqualified from the event in question but the result of the athlete committing the violation will be subtracted from the team result and replaced with the result of the next applicable team member. If by

subtracting the athlete's result from the team's result, the number of athletes counting for the team is less than the required number, the team shall be eliminated from the ranking. This same principle shall apply to the calculation of a team result if the athlete who has committed an anti-doping rule violation competes for a team in a subsequent event in the competition.

4. In addition to the above, where an athlete has been declared ineligible under Rule 40 below, all competitive results obtained from the date the positive sample was provided (whether in-competition or out-of-competition) or other anti-doping rule violation occurred through to the commencement of the period of provisional suspension or ineligibility shall, unless fairness requires otherwise, be annulled, with all resulting consequences for the athlete (and, where applicable, any team in which the athlete has competed), including the forfeiture of all titles, awards, medals, points and prize and appearance money (if applicable).
5. Where an athlete commits an anti-doping rule violation under Rule 32.2(b)(ii), all competitive results obtained subsequent to the admitted violation (both individual and, where applicable, as part of a team) shall be annulled, with all resulting consequences for the athlete (and, where applicable, the team in which the athlete competed), including the forfeiture of all titles, awards, medals, points and prize and appearance money and this from the date the athlete admitted the anti-doping rule violation.

#### **RULE 40** **Sanctions against Individuals**

1. If any person commits an anti-doping rule violation under these Anti-Doping Rules, he shall be subject to the following sanctions:
  - (a) for a violation under Rules 32.2(a), (b) or (f) (prohibited substances and prohibited methods), except where the prohibited substance is a specified substance in a case under Rule 40.5 below, or Rule 32.2(i) (competing whilst suspended or ineligible):
    - (i) first violation: for a minimum period of two years' ineligibility.
    - (ii) second violation: ineligibility for life.
  - (b) for a violation under Rule 32.2(c) (refusal or failure to submit to doping control) or Rule 32.2(e) (tampering with doping control):
    - (i) first violation: for a minimum period of two years' ineligibility.
    - (ii) second violation: ineligibility for life.
  - (c) for a violation under Rule 32.2(d) (3 missed tests):
    - (i) first violation: for a period of one year's ineligibility.
    - (ii) second and subsequent violations: for a period of two years' ineligibility.
  - (d) for a violation under Rules 32.2(g) (trafficking) or (h) (administration of a prohibited substance or prohibited method):
    - (i) ineligibility for life. In addition, violations under Rule 40.1(d) which also violate non-sporting laws and regulations may be reported to the competent administrative, professional or judicial authorities.

#### **Elimination, reduction or replacement of ineligibility period**

2. If, in a case involving an anti-doping rule violation under:
  - (a) Rule 32.2(a) (presence of a prohibited substance), or;
  - (b) Rule 32.2(b) (use of a prohibited substance or prohibited method); the relevant tribunal decides (where applicable, having referred the matter to the Doping Review Board for its determination under Rule 38.16 above) that there are exceptional circumstances in the case such that the athlete or other person bears no fault or negligence for the violation, the otherwise applicable period of ineligibility under Rule 40.1(a) shall be eliminated. When a prohibited substance is detected in an

athlete's sample in violation of Rule 32.2(a) (presence of a prohibited substance), the athlete must establish how the prohibited substance entered his system in order to have his period of ineligibility eliminated. In the event that this Rule is applied and the period of ineligibility otherwise applicable under Rule 40.1(a) 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 Rules 40.1(a)-(c) above and Rules 40.5 and 40.6-8 below.

3. If, in a case involving an anti-doping rule violation under:
  - (a) Rule 32.2(a) (presence of a prohibited substance);
  - (b) Rule 32.2(b) (use of a prohibited substance or prohibited method);
  - (c) Rule 32.2(c) (refusal or failure to submit to doping control);
  - (d) Rule 32.2(h) (administration of a prohibited substance or prohibited method), or;
  - (e) Rule 32.2(i) (competing whilst suspended or ineligible) the WMA Anti-Doping Administrator decides or the athlete's Member affiliate (where applicable, having referred the matter to the Doping Review Board for its determination under Rule 38.16 above) that there are exceptional circumstances such that the athlete or other person bears no significant fault or no significant negligence for the violation, the period of ineligibility may be reduced but the reduced period may not be less than half the minimum period of ineligibility otherwise applicable. If the otherwise applicable period is a lifetime, the reduced period under this Rule may be no less than 8 years. When a prohibited substance is detected in an athlete's sample in violation of Rule 32.2(a) (presence of a prohibited substance), the athlete must establish how the prohibited substance entered his system in order to have his period of ineligibility reduced.

The relevant tribunal may also decide (where applicable, having referred the matter to the Doping Review Board for its determination under Rule 38.16 above) to reduce the period of ineligibility in an individual case on account of exceptional circumstances because the athlete or other person has provided substantial evidence or assistance to WMA or the WMA Anti-Doping Administrator which has resulted in WMA Anti-Doping Administrator discovering or establishing an anti-doping rule violation by another person involving possession (under Rule 32.2(f)), trafficking (under Rule 32.2(g)) or administration to an athlete (under Rule 32.2(h)). The reduced period may not, however, be less than half the minimum period of ineligibility otherwise applicable. If the otherwise applicable period is a lifetime, the reduced period under this Rule may be no less than 8 years.

### **Specified Substances**

5. The Prohibited List (whether or not modified by the AD&M Committee), may identify a limited number of specified substances which are particularly susceptible to unintentional anti-doping rule violations because of their general availability in medicinal products or which are less likely to be successfully abused as doping agents. Where the athlete can establish that the use of such a specified substance was not intended to enhance performance, the period of ineligibility otherwise applicable in Rule 40.1(a) shall be replaced by:
  - (i) first violation: minimum - a public warning (and disqualification from the event and subsequent events in which he competed in the competition - see Rule 39 above) and no ineligibility from future competitions; maximum - one year's ineligibility.
  - (ii) second violation: for a period of two years' ineligibility.
  - (iii) third violation: ineligibility for life.

### **Rules for multiple violations**

6. For the purposes of imposing sanctions under Rules 40.1(a)-(c) above and Rule 40.5, a second or further anti-doping rule violation may only be considered if the WMA Anti-Doping Administrator or other prosecuting authority can establish that the athlete or other person subject to these Anti-Doping Rules committed the second or further anti-doping rule violation after he received notice, or after the WMA Anti-Doping Administrator made a reasonable attempt to give notice, of the first or previous violation. If the WMA Anti-Doping Administrator or other prosecuting authority cannot establish this fact, the relevant anti-doping rule violations shall be considered as a single violation and the sanction imposed shall be based on the violation that carries with it the more severe sanction. Where, arising from the same test, an athlete is found to have committed an anti-doping rule violation involving both a specified substance 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 violation that carries with it the more severe sanction.
- Where an athlete is found to have committed two separate anti-doping rule violations (which have not arisen from the same test), one involving a specified substance governed by the sanctions in Rule 40.5 and the other involving a prohibited substance or prohibited method governed by the sanctions in Rule 40.1(a) or other violation governed by the sanctions in Rules 40.1(a) or (b), regardless of the order in which the two violations are committed, the period of ineligibility imposed for the second violation shall be a minimum of 2 years and a maximum of 3 years. An athlete found to have committed a third violation involving any combination of a violation for a specified substance under Rule 40.5 and any of the violations under Rules 40.1(a)-(c) shall receive a sanction of ineligibility for life.

#### **Commencement of ineligibility period**

9. In any case where a period of ineligibility is to be imposed under this Rule, 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 the ineligibility is accepted or otherwise imposed. When an athlete has served a period of provisional suspension prior to being declared ineligible (whether imposed or voluntarily accepted), such a period shall be credited against the total period of ineligibility to be served.

#### **Status during ineligibility**

10. No athlete, athlete support personnel or other person who has been declared ineligible may, during the period of ineligibility, participate in any capacity in any competition or activity (other than in authorised anti-doping education or rehabilitation programmes) which are authorised or organised by the IAAF or WMA or any Member. In addition, for any anti-doping rule violation not involving specified substances, some or all sports-related financial support or other sport-related benefits received by such person will be withheld by the IAAF and/or WMA and/or the Member.

#### **Requirements for return to competition following ineligibility**

11. Where an athlete has been declared ineligible, he shall not be entitled to any payment to which he would have been entitled by virtue of his appearance and/or performance either at the competition at which the sample was provided or at any competition after the provision of the sample prior to him being provisionally suspended (or accepting a voluntary provisional suspension) pursuant to Rule 38.2 above. In the event that the athlete, contrary to this Rule, has received any award or payment, he shall not be entitled to return to competition at the end of his period of ineligibility until such time as any and all payments have been repaid to the relevant person or entity.
12. Where an athlete has been declared ineligible under Rule 40.1 for a period other than life, as a condition to regaining eligibility at the end of the specified period, he must, at any time

during his period of ineligibility, if called upon by WMA or his Member affiliate, make himself available for out-of-competition testing by the AD&M Committee and any other organisation having competent testing authority under these Anti-Doping Rules appointed by the WMA Anti-Doping Administrator, solely at the athlete's cost and he must provide whereabouts information to the WMA and his Member for this purpose in accordance with Rule 35(12.4) and (12.5).

Where an athlete has been rendered ineligible for one year or more, a minimum of one (1) out-of-competition tests must be conducted, at the athlete's cost, at any time after he will have served his term of ineligibility. The WMA Anti-Doping Administrator shall be responsible (directly or indirectly), for the conduct of the necessary tests, in accordance with the Rules as read with the Prohibited List, but tests by any competent testing body may be relied upon to satisfy this requirement, provided the samples collected have been analysed by a WADA-accredited laboratory. In addition, for the purpose of this single test, after the expiry of the ineligibility period, the testing procedure must cover for the full range of prohibited substances and methods applicable at the time. This shall include an analysis for rh-EPO and its related substances. The results of all such tests, together with copies of the relevant doping control forms, must be sent to the WMA Anti-Doping Administrator prior to the athlete returning to competition.

13. If the results of any testing carried out pursuant to Rule 40.12 above should give rise to an adverse analytical finding or other anti-doping rule violation under these Anti-Doping Rules, this will constitute a separate anti-doping rule violation and the athlete will be subject to disciplinary proceedings and further sanction, as appropriate.
14. Once the period of an athlete's ineligibility has expired, provided that he has complied with Rules 40.11 and 40.12 above, he shall become automatically re-eligible and no application by the athlete or his National Federation to the WMA shall be necessary. Confirmation in writing shall be given to the athlete by the WMA Anti-Doping Administrator, of the athlete's reinstatement once the requirements for reinstatement will have been satisfied.

## **RULE 41**

### **Member Reporting Obligations**

1. Every Member and/or organizer of any Competition, shall report to WMA promptly the names of athletes who have signed a written acknowledgement and agreement to these Anti-Doping Rules (incorporating the Prohibited List), alternatively, who are bound to observe them, by written undertaking consistent with the athlete's membership of the Member or as a condition for participation in any Competition, in order to be eligible to compete in Competitions (see Rule 30.5 above). A copy of the signed agreement shall, if called for by the WMA Anti-Doping Administrator be forwarded by the Member or organizer to the WMA Anti-Doping Administrator.
2. Every Member shall report to the WMA Anti-Doping Administrator promptly any TUEs that are granted in accordance with Rule 34.5(b) above.
3. Every Member shall report to the WMA Anti-Doping Administrator promptly, and in all circumstances, within 14 days of notice to it, any adverse analytical finding obtained in the course of doping controls carried out by that Member together with the name of the athlete concerned.

## **RULE 42**

### **Sanctions against Members**

1. The Council shall have authority to take sanctions against any Member which is in breach of its obligations under these Anti-Doping Rules, in accordance with Article 14.7 of the Constitution.

2. The following examples will be considered to be a breach of a Member's obligations under these Anti-Doping Rules:
  - (a) if called upon to do so, a failure to guarantee an athlete's eligibility to compete in Competitions by requiring the athlete sign a prior written acknowledgement and agreement to these Anti-Doping Rules and the Procedural Guidelines and forwarding a copy of the signed agreement to the WMA Secretary (see Rule 30.5 above).
  - (b) a failure to hold a hearing for an athlete within two months of being requested to do so (see Rule 38.7 above);
  - (c) a failure to make diligent efforts to assist the WMA Anti-Doping Administrator in the collection of whereabouts information should the he make such a request for assistance (see Rule 35.(12.4) and (12.5) above;
  - (d) a failure to report to the WMA Anti-Doping Administrator the grant of any TUE under Rule 34.5(b) (see Rule 41.2 above);
  - (e) a failure to report to the WMA Anti-Doping Administrator an adverse analytical finding obtained in the course of a doping control carried out by that Member, within 14 days of notice of such a finding to the Member, together with the name of the athlete concerned (see Rule 41.3 above);
3. If a Member is deemed to be in breach of its obligations under these Anti-Doping Rules, the Council shall have authority to act in one or more of the following ways:
  - (a) to suspend the Member until the next meeting of the Council or for any shorter period;
  - (b) to caution or censure the Member;
  - (c) to issue fines;
  - (d) to withhold grants or subsidies from the Member;
  - (e) to exclude the Member's athletes from any one or more Competition;
  - (f) to remove or deny accreditation to the officers or other representatives of the Member, and;
  - (g) to issue any other sanction as it may deem to be appropriate.
4. In any case where a tribunal has issued a sanction against a Member for a breach of its obligations under these Anti-Doping Rules, such a decision shall be reported to the next Council meeting.
5. For the purpose of this Rule 42, any reference herein to a Member shall be read to include also any one or more of the six WMA Regions.

### **RULE 43 Recognition**

1. Where doping controls have been carried out by WMA, a Member or a Member's IAAF Federation in accordance with these Anti-Doping Rules as read with the Prohibited List, every Member shall recognise the results of such doping controls. Furthermore, where decisions have been taken by WMA or a Member regarding a breach of these Anti-Doping Rules, every Member shall recognise such decisions and shall take all necessary action to render such decisions effective.
2. The Council may, on behalf of all Members, recognise the results of doping controls carried out by a sporting body other than the WMA or IAAF, whether national, regional, continental or international, or by a member of that sporting body, or by any government or governmental agency, under rules and procedures different from this WMA Anti-Doping Rules or the Rules of the IAAF, if it is satisfied the testing was properly carried out and the rules of the body conducting the testing afford sufficient protection to athletes. However, all members shall take all necessary action to ensure that any decision regarding an Anti-

Doping Rule violation in such a case is given effect to as if the decision had been a decision taken by WMA under these Anti-Doping Rules.

3. The Council may delegate its responsibility for the recognition of the results of doping controls under Rule 43.2 above to the Doping Review Board or to such other person or body as it may deem to be appropriate.
4. In the event of there being any conflict between the provisions of these WMA Anti-Doping Rules and a corresponding provision in the WADA Anti-Doping Rules, the provisions of these WMA Anti-Doping Rules shall prevail.
5. Hearing expenses whether incurred by the Member, the member's IAAF Federation or by WMA, shall, in the event of the accused person being found guilty of having committed an offence under these Rules, become payable by the accused, unless the hearing body rules otherwise.

#### **RULE 44** **Statute of Limitations**

No disciplinary action may be commenced under these Anti-Doping Rules against an athlete or any other person for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within eight years of the date on which the anti-doping rule violation occurred.

#### **RULE 45** **Interpretation**

1. Anti-Doping rules are, by their nature, competition rules governing the conditions under which the sport of Athletics is to be held. They are not intended to be subjected to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and standards set out in the Code as a basis for the fight against doping in sport, and as accepted by WMA in these Anti-Doping Rules, represent a broad consensus of those with an interest in fair sport and should be respected by all courts and adjudicating bodies.
2. The various headings and sub-headings used in these Anti-Doping Rules are for convenience only and shall not be deemed to be part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

**The Definitions contained in these Anti-Doping Rules shall be considered an integral part of these Anti-Doping Rules.**

**Note: All references in the Rules to the masculine gender shall also include reference to the feminine and all references to the singular shall also include reference to the plural. In the context of any clarification to language, the English version shall take precedence.**

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