

CHAPTER 3

ANTI-DOPING

CHAPTER 3: ANTI-DOPING

DEFINITIONS

ADAMS

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

Adverse Analytical Finding

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

Anti-Doping Organisation

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

Anti-Doping Rules

The IAAF Anti-Doping Rules as may be passed by the IAAF Congress or the IAAF Council from time to time.

Anti-Doping Regulations

The IAAF Anti-Doping Regulations as may be passed by the IAAF Council from time to time

Athlete

Any Person who participates in the IAAF, its Members and Area Associations by virtue of his agreement, membership, affiliation, authorisation, accreditation or participation in their activities or competitions and any other competitor in Athletics who is otherwise subject to the jurisdiction of any Signatory or other sports organisation accepting the Code.

Athlete Support Personnel

Any coach, trainer, manager, authorised athlete representative, agent, team staff, official, medical or para-medical personnel, parent or any other

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Person working with, treating or assisting an Athlete participating in, or preparing for, competition in Athletics.

Attempt

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

Atypical Finding

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

Code

The World Anti-Doping Code.

Competition

An Event or series of Events held over one or more days.

Consequences of Anti-Doping Rule Violations

An Athlete or other Person's violation of an anti-doping rule may result in at least one or more of the following: (a) Disqualification which means the Athlete's results in a particular Event or Competition are invalidated, with all resulting consequences including forfeiture of any titles, awards, medals, points and prize and appearance money; and (b) Ineligibility which 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 Rule 40.

Disqualification

See Consequences of Anti-Doping Rule Violations above.

Doping Control

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

Event

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

Filing Failure

A failure by an Athlete to make an accurate and complete Whereabouts Filing either in accordance with the Anti-Doping Regulations or with the rules or regulations of a Member or Anti-Doping Organisation with jurisdiction over the Athlete that comply with the International Standard for Testing.

In-Competition

In-Competition means the period commencing twelve (12) hours before an Event in which the Athlete is scheduled to participate through to the end of such Event and the Sample collection process related to such Event.

Ineligibility

See Consequences of Anti-Doping Rule Violations above.

International Competition

For the purposes of these Anti-Doping Rules, the international competitions under Rule 35.7, as published annually on the IAAF website.

International Standard

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

Major Event Organisation

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

Marker

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

Metabolite

Any substance produced by a biotransformation process.

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Minor

A natural Person who has not reached the age of majority as established by the applicable laws of his country of residence.

Missed Test

A failure by an Athlete to be available for testing at the location and time specified in the 60-minute time slot identified in his Whereabouts Filing for the day in question either in accordance with the Anti-Doping Regulations or with the rules or regulations of a Member or Anti-Doping Organisation with jurisdiction over the Athlete that comply with the International Standard for Testing.

National Anti-Doping Organisation

The entity (ies) designated by each Country or Territory as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as a regional Anti-Doping Organisation for such Countries or Territories. If this designation has not been made by the competent public authority (ies), the entity shall be the Country or Territory's National Olympic Committee or its designee.

National Olympic Committee

The organisation recognised by the International Olympic Committee. The term National Olympic Committee shall also include the National Sport Confederation in those Countries or Territories 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 No Negligence

The Athlete establishing in a case under Rule 38 that he 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 the Prohibited Substance or Prohibited Method.

No Significant Fault or No Significant Negligence

The Athlete establishing in a case under Rule 38 that his fault or negligence, when viewed in the totality of the circumstances and taking

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into account the criteria for No Fault or Negligence, was not significant in relationship to the anti-doping rule violation.

Out-of-Competition

Any period which is not In-Competition.

Participant

Any Athlete or Athlete Support Personnel.

Person

Any natural Person (including any Athlete or Athlete Support Personnel) or an organisation or other entity.

Possession

The actual, physical possession or the constructive possession of a Prohibited Substance or Prohibited Method (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 never intended to have possession and has renounced possession by explicitly declaring it to the IAAF, a Member or an Anti-Doping Organisation. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes possession by the Person who makes the purchase.

Prohibited List

The Prohibited List published by WADA 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.

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Provisional Suspension

The Athlete or other Person is barred temporarily from participating in any Competition prior to the final decision at a hearing conducted in accordance with these Rules.

Registered Testing Pool

The pool of Athletes established by the IAAF who are subject to both In-Competition and Out-of-Competition Testing as part of the IAAF's Testing programme. The IAAF shall publish a list which identifies the Athletes included in its Registered Testing Pool.

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, National Olympic Committees, Major Event Organisations, National Anti-Doping Organisations and WADA.

Substantial Assistance

For the purposes of Rule 40.5(c), a Person providing Substantial Assistance must (i) fully disclose in a signed written statement all information he possesses in relation to anti-doping rule violations and (ii) fully co-operate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by the prosecuting authority or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering

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

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.

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Testing

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

TUE

Therapeutic Use Exemption.

Trafficking

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

Use

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

WADA

The World Anti-Doping Agency.

Whereabouts Failure

A Filing Failure or a Missed Test.

Whereabouts Filing

Information provided by or on behalf of an Athlete in the Registered Testing Pool that sets out the Athlete's whereabouts during the following quarter.

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RULE 30
Scope of the Anti-Doping Rules

1. The Anti-Doping Rules shall apply to the IAAF, its Members and Area Associations and to Athletes, Athlete Support Personnel and other Persons who participate in the IAAF, its Members and Area Associations by virtue of their agreement, membership, affiliation, authorisation, accreditation or participation in their activities or competitions.
2. All Members and Area Associations shall comply with the Anti-Doping Rules and Regulations. The Anti-Doping Rules and Regulations shall be incorporated either directly, or by reference, into the rules or regulations 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 and Regulations effectively (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 its jurisdiction shall be bound by the Anti-Doping Rules and Regulations.
3. In order to be eligible to compete or participate in, or otherwise be accredited at, an International Competition, Athletes (and where applicable) Athlete Support Personnel and other Persons must have signed an agreement to the Anti-Doping Rules and Regulations in a form to be decided by the Council. In guaranteeing the eligibility of its Athletes for an International Competition (see Rule 21.2), Members guarantee that the Athletes have signed an agreement in the required form and that a copy of the signed agreement has been sent to the IAAF Office.
4. The Anti-Doping Rules and Regulations shall apply to all Doping Controls over which the IAAF and respectively its Members and Area Associations have jurisdiction.
5. It is the responsibility of each Member to ensure that all national-level In and Out-of-Competition Testing on its Athletes and the management of results from such Testing complies with the Anti-Doping Rules and Regulations. It is recognised that, in some Countries or Territories, 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 or Territories, reference in these

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Anti-Doping Rules to the Member or National 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).

6. The IAAF shall monitor the anti-doping activities of its Members under these Anti-Doping Rules, including but not limited to the In and Out-of-Competition Testing conducted at national level by each Member (and/or by the relevant National Anti-Doping Organisation or third party in accordance with Rule 30.5). If the IAAF considers that the In and/or Out-of-Competition Testing or other anti-doping activity conducted at national level by a Member is insufficient or inadequate, either having regard to the success of the Member's Athletes in International Competitions or for any other reason, the Council may require the Member to take such action as it considers to be necessary in order to ensure a satisfactory level of anti-doping activity in the Country or Territory concerned. A failure by a Member to comply with the Council's decision may result in the imposition of sanctions under Rule 44.
7. Notice under these Anti-Doping Rules to an Athlete or other Person who is under the jurisdiction of a Member may be accomplished by delivery of the notice to the Member concerned. The Member shall be responsible for making immediate contact with the Athlete or other Person to whom the notice is applicable.

RULE 31

IAAF Anti-Doping Organisation

1. The IAAF shall principally act under these Anti-Doping Rules by the following person(s) or bodies:
 - (a) the Council;
 - (b) the Medical and Anti-Doping Commission;
 - (c) the Doping Review Board; and
 - (d) the IAAF Anti-Doping Administrator.

The Council

2. The Council has a duty to the IAAF Congress to oversee and supervise the activities of the IAAF in accordance with its Objects (see Article 6.12(a) of the Constitution). One of these Objects is to promote fair play in sport, in particular, to play a leading role in the fight against doping, both within Athletics and externally in the wider sporting community, and to develop and maintain programmes of detection, deterrence and education which are aimed at the

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eradication of the scourge of doping within sport (see Article 3.8 of the Constitution).

3. The Council has the following powers under the Constitution in overseeing and supervising the activities of the IAAF:
 - (a) to establish any Commission or sub-Commission, whether on an ad hoc or permanent basis, that it deems to be necessary for the proper functioning of the IAAF (see Article 6.11(j) of the Constitution).
 - (b) to make any interim amendments to the Rules it considers to be necessary between Congresses and to fix a date on which such amendments shall take effect. The interim amendments shall be reported to the next Congress, which shall decide whether they shall be made permanent (see Article 6.11(c) of the Constitution).
 - (c) to approve, reject or amend the Anti-Doping Regulations (see Article 6.11(i) of the Constitution); and
 - (d) to suspend or take other sanctions against a Member for a breach of the Rules in accordance with the provisions of Article 14.7 (see Article 6.11(b) of the Constitution).

The Medical and Anti-Doping Commission

4. The Medical and Anti-Doping Commission is appointed as a Commission of the Council under Article 6.11(j) of the Constitution to provide the IAAF with general advice on all anti-doping and related matters, including in relation to these Anti-Doping Rules and the Anti-Doping Regulations.
5. The Medical and Anti-Doping Commission shall consist of up to 15 members who shall meet at least once a year, normally at the end of each calendar year, in order to review the IAAF's anti-doping activities in the preceding 12 months and to establish, for the approval of the Council, the IAAF's anti-doping programme for the year ahead. The Medical and Anti-Doping Commission shall also consult on a regular basis throughout the course of the year, as the need may arise.
6. The Medical and Anti-Doping Commission shall have responsibility for the following further specific tasks under these Anti-Doping Rules:
 - (a) publishing the Anti-Doping Regulations, and amendments to the Anti-Doping Regulations, as often as may be required. The Anti-Doping Regulations shall comprise, either directly or by reference, the following documents issued by WADA:
 - (i) the Prohibited List;

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- (ii) the International Standard for Testing;
- (iii) the International Standard for Laboratories;
- (iv) the International Standard for Therapeutic Use Exemptions;
and
- (v) the International Standard for the Protection of Privacy and
Personal Information

together with any additions or modifications to such documents or International Standards, or further procedures or guidelines, that may be deemed necessary to comply with these Anti-Doping Rules or otherwise pursue the IAAF's anti-doping programme. The Anti-Doping Regulations, and any proposed amendment to them, unless otherwise stated in these Anti-Doping Rules, must be approved by the Council. Upon giving its approval, the Council shall fix a date on which the Anti-Doping Regulations, or any proposed amendment to them, shall take effect. The IAAF Office shall notify the Members of this date and shall publish the Anti-Doping Regulations, and any proposed amendment to them, on the IAAF website.

- (b) advising the Council on amendments to these Anti-Doping Rules as may be necessary from time to time. Any proposed amendment to be made to the Anti-Doping Rules between Congresses must be approved by the Council and notified to the Members in accordance with Article 6.11(c) of the Constitution.
- (c) planning, implementing and monitoring anti-doping information and anti-doping education programmes. These programmes should provide updated and accurate information 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) granting TUEs in accordance with Rule 34.9(a).
- (e) establishing general guidelines for the selection of Athletes in the Registered Testing Pool.

The Medical and Anti-Doping Commission 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 Medical and Anti-Doping Commission shall report to the Council on its activities before each Council meeting. It shall

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communicate with the IAAF Office on all anti-doping and related matters through the IAAF Medical and Anti-Doping Department.

The Doping Review Board

8. The Doping Review Board is appointed as a sub-Commission of the Council under Article 6.11(j) of the Constitution with at least the following specific tasks:
- (a) to decide whether cases should be referred to arbitration before CAS under Rule 38.9 in circumstances where the relevant Member has failed to hold a hearing for the Athlete or other Person within the stipulated 3 month time period;
 - (b) to determine on behalf of the Council whether special / exceptional circumstances exist (under Rules 40.4 and 40.5 respectively) in cases which are referred to it under Rule 38.16;
 - (c) to decide whether cases should be referred to arbitration before CAS under Rule 42.15 and whether, in such cases, to re-impose the Athlete's suspension pending the CAS decision;
 - (d) to decide whether the IAAF should participate in cases before CAS to which it is not an original party in accordance with Rule 42.19 and whether, in such cases, to re-impose the Athlete's suspension pending the CAS decision;
 - (e) to determine in any case an extension of time for the IAAF to file a statement of appeal with CAS in accordance with Rule 42.13, and
 - (f) to decide in cases which are referred to it under Rule 45.4 whether Testing conducted by a body that is not a Signatory to the Code, under rules and procedures which are different from those in these Anti-Doping Rules, should be recognised by the IAAF.
- The Doping Review Board may, in the course of exercising any of the above tasks, refer to the Medical and Anti-Doping Commission or the 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. 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 report to the Council on its activities before each Council meeting.

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The IAAF Anti-Doping Administrator

11. The IAAF Anti-Doping Administrator is the head of the IAAF's Medical and Anti-Doping Department. He shall have responsibility for implementing the anti-doping programme which has been established by the Medical and Anti-Doping Commission under Rule 31.5. He shall report to the Medical and Anti-Doping Commission in this regard at least once a year and, more regularly, if called upon to do so.
12. The IAAF Anti-Doping Administrator shall have responsibility for the day to day administration of doping cases arising under these Anti-Doping Rules. In particular, the IAAF Anti-Doping Administrator shall be the person responsible, where applicable, for conducting the results management process in the case of International-Level Athletes in accordance with Rule 37, for deciding upon the Provisional Suspension of International-Level Athletes in accordance with Rule 38 and for conducting the administrative review of Filing Failures /Missed Tests committed by International-Level Athletes in accordance with the procedures set out in the Anti-Doping Regulations.
13. The IAAF Anti-Doping Administrator may at any time in the course of his work seek an advisory opinion from the Chairperson of the Medical and Anti-Doping Commission, from the Doping Review Board or from such other person as he considers to be appropriate.

RULE 32

Anti-Doping Rule Violations

1. Doping is defined as the occurrence of one or more of the anti-doping rule violations set out in Rule 32.2 of these Anti-Doping Rules.
2. Athletes or other Persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the Prohibited List. The following constitute anti-doping rule violations:
 - (a) Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample.
 - (i) it is each Athlete's personal duty to ensure that no Prohibited Substance enters his body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete's part be demonstrated in

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- order to establish an anti-doping rule violation under Rule 32.2(a).
- (ii) sufficient proof of an anti-doping rule violation under Rule 32.2(a) is established by either of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Athlete's A Sample where the Athlete waives analysis of the B Sample and the B Sample is not analysed; or, where the Athlete's B Sample is analysed and the analysis of the Athlete's B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Athlete's A Sample.
 - (iii) except those Prohibited Substances for which a quantitative threshold is specifically identified in the Prohibited List, the presence of any quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample shall constitute an anti-doping rule violation.
 - (iv) as an exception to the general application of Rule 32.2(a), the Prohibited List or International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.
- (b) Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method.
- (i) it is each Athlete's personal duty to ensure that no Prohibited Substance enters his body. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method.
 - (ii) the success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used, or Attempted to be Used, for an anti-doping rule violation to be committed.
- (c) Refusing or failing without compelling justification to submit to Sample collection after notification as authorized in applicable anti-doping rules or otherwise evading Sample collection.
- (d) Violation of applicable requirements regarding Athlete availability for Out-of-Competition Testing, including failure to file required whereabouts information and Missed Tests which are declared based on rules which comply with the International Standard for Testing. Any combination of three Missed Tests

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and/or Filing Failures within an eighteen-month period as determined by the IAAF and/or other Anti-Doping Organizations with jurisdiction over the Athlete shall constitute an anti-doping rule violation.

Note: If an Athlete has a recorded missed test /filing failure on file with the IAAF prior to 1 January 2009, it may be combined with post-1 January 2009 missed tests and/or filing failures for the purposes of a violation of Rule 32.2(d) provided that all three missed tests and/or filing failures that are the subject of the anti-doping rule violation have taken place within an eighteen-month period.

- (e) Tampering or Attempted Tampering with any part of Doping Control.
- (f) Possession of a Prohibited Substance or Prohibited Method.
 - (i) Possession by an Athlete In-Competition of any Prohibited Method or Prohibited Substance or Possession by an Athlete Out-of-Competition of any Prohibited Method or Prohibited Substance which is prohibited Out-of-Competition unless the Athlete establishes that the Possession is pursuant to a TUE granted in accordance with Rule 34.9 (Therapeutic Use) or other acceptable justification.
 - (ii) Possession by an Athlete Support Personnel In-Competition of any Prohibited Method or Prohibited Substance or Possession by an Athlete Support Personnel Out-of-Competition of any Prohibited Method or Prohibited Substance which is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless the Athlete Support Personnel establishes that the Possession is pursuant to a TUE granted to an Athlete in accordance with Rule 34.9 (Therapeutic Use) or other acceptable justification.
- (g) Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.
- (h) Administration or Attempted administration to any Athlete In-Competition of any Prohibited Method or Prohibited Substance, or administration or Attempted administration to any Athlete Out-of-Competition of any Prohibited Method or Prohibited Substance that is prohibited Out-of-Competition or assisting, encouraging, aiding, abetting, covering up or any other type of

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complicity involving an anti-doping rule violation or any
Attempted anti-doping rule violation.

RULE 33
Proof of Doping

Burdens and Standards of Proof

1. The IAAF, the Member or other prosecuting authority shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the IAAF, the Member or other prosecuting authority has established an anti-doping rule violation to the comfortable satisfaction of the relevant hearing panel, 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.
2. Where these Anti-Doping Rules place the burden of proof upon the Athlete 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, except as provided in Rules 40.4 (Specified Substances) and 40.6 (aggravating circumstances) where the Athlete must satisfy a higher burden of proof.

Methods of Establishing Facts and Presumptions

3. Facts related to anti-doping rule violations may be established by any reliable means, including but not limited to admissions, evidence of third Persons, witness statements, experts reports, documentary evidence, conclusions drawn from longitudinal profiling and other analytical information.

The following rules 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 or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories has occurred which could reasonably have caused the Adverse Analytical Finding.

If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then the IAAF, the Member or other

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prosecuting authority shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding.

- (b) Departures from any other International Standard or other anti-doping rule or policy which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such results. If the Athlete or other Person establishes that a departure from another International Standard or other anti-doping rule or policy has occurred which could reasonably have caused the Adverse Analytical Finding or other anti-doping rule violation, then the IAAF, the Member or other prosecuting authority shall have the burden of establishing that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.
- (c) The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrefutable evidence against the Athlete or other Person to whom the decision pertained of those facts unless the Athlete or other Person establishes that the decision violated principles of natural justice.
- (d) The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the Athlete or other Person who is asserted to have committed an anti-doping rule violation based on the Athlete's or other Person's refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or by telephone as directed by the hearing panel) and to answer questions from the hearing panel or the IAAF, Member or other prosecuting authority asserting the anti-doping rule violation.

RULE 34

The Prohibited List

1. These Anti-Doping Rules incorporate the Prohibited List which shall be published by WADA from time to time.

Publication and Revision of the Prohibited List

2. The Prohibited List shall be available from the IAAF and shall be published on the IAAF website. Each Member shall ensure that the current Prohibited List is made available (either on its website or otherwise) to all Athletes and other Persons under its jurisdiction.
3. Unless otherwise stated in the Prohibited List and/or any revision to the Prohibited List, the Prohibited List and revisions shall go into

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effect under these Anti-Doping Rules three (3) months after publication of the Prohibited List by WADA without requiring any further action by the IAAF.

Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4. Prohibited Substances and Prohibited Methods: The Prohibited List shall identify those substances and methods which are prohibited as doping at all times (both In-Competition and Out-of-Competition) because of their potential to enhance performance in future Competitions or their masking potential and those substances and methods which are prohibited In-Competition only. Prohibited Substances and Prohibited Methods may be included in the Prohibited List by general category (e.g., anabolic agents) or by specific reference to a particular substance or method.
5. Specified Substances: For purposes of the application of Rule 40 (Sanctions on Individuals), all Prohibited Substances shall be Specified Substances, except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. Prohibited Methods shall not be Specified Substances.
6. New Classes of Prohibited Substances: In the event WADA expands the Prohibited List by adding a new class of Prohibited Substances, WADA's Executive Committee shall determine whether any or all Prohibited Substances within the new class of Prohibited Substances shall be considered Specified Substances under Rule 34.5.
7. WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List and the classification of substances into categories on the Prohibited List is final and shall not be subject to challenge by an Athlete or other Person based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

Therapeutic Use

8. WADA has adopted an International Standard for the process of therapeutic use exemptions ("TUE").
9. Athletes with a documented medical condition requiring the use of a Prohibited Substance or a Prohibited Method must apply for a TUE. TUEs will be granted only in cases of clear and compelling clinical need where no competitive advantage can be gained by the Athlete.
 - (a) International-Level Athletes must apply for a TUE from the

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IAAF prior to participating in an International Competition (regardless of whether the Athlete has previously obtained a TUE at national level). The IAAF shall publish a list of International Competitions for which a TUE from the IAAF is required. International-Level Athletes seeking a TUE are required to make an application to the Medical and Anti-Doping Commission. Details of the procedure for the application can be found in the Anti-Doping Regulations. TUEs granted by the IAAF under this Rule shall be reported to the Athlete's National Federation and to WADA (through ADAMS or otherwise).

- (b) Athletes who are not International-Level Athletes must apply for a TUE from their National Federation, or from such other body as may be designated by their National Federation to grant TUEs, or which otherwise has competent authority to grant TUEs in the Country or Territory of the National Federation. National Federations shall in all cases be responsible for reporting promptly the grant of any TUEs under this Rule to the IAAF and to WADA (through ADAMS or otherwise).
- (c) WADA, on its own initiative, may review at any time the granting of a TUE to an International-Level Athlete or to an Athlete who is not an International-Level Athlete but is included in his national registered testing pool. Further, upon the request of any such Athlete that has been denied a TUE, WADA may review such denial. If WADA determines that such granting or denial of a TUE did not comply with the International Standard for Therapeutic Use Exemptions, WADA may reverse the decision.
- (d) The presence of a Prohibited Substance or its Metabolites or Markers (Rule 32.2(a)), Use or Attempted Use of a Prohibited Substance or Prohibited Method (Rule 32.2(b)), Possession of a Prohibited Substance or Prohibited Method (Rule 32.2(f)) or Administration of a Prohibited Substance or Prohibited Method (Rule 32.2(h)) consistent with the provisions of an applicable TUE and issued pursuant to the International Standard for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation.

RULE 35**Testing**

1. Every Athlete under these Anti-Doping Rules is subject to In-Competition Testing at the Competitions at which he competes and

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- to Out-of-Competition Testing at any time or place. Athletes shall submit to Doping Control whenever requested to do so by a Person with authority to conduct Testing.
2. It is a condition of Membership of the IAAF that each Member (and respectively Area Association) includes within its constitution:
 - (a) a provision giving the Member (and respectively the Area Association) authority to conduct In and Out-of-Competition Testing, a report of which, in the case of the Member, must be submitted to the IAAF on an annual basis (see Rule 43.4);
 - (b) a provision giving the IAAF authority to conduct Testing at the Member's National Championships (and respectively at the Area Association's Area Championships);
 - (c) a provision giving the IAAF authority to conduct No Advance Notice Out-of-Competition Testing on the Member's Athletes; and
 - (d) a provision making it a condition of membership or affiliation to its National Federation, and a condition of participation in Competitions which are sanctioned or organised by the Member, that its Athletes agree to be subject to any In-Competition or Out-of-Competition Testing carried out by the Member, the IAAF and any other body with competent authority to Test under these Anti-Doping Rules.
 3. The IAAF and its Members may delegate Testing under this Rule to any Member, other Member, WADA, governmental agency, National Anti-Doping Organisation or other third party which they deem to be suitably qualified for the purpose.
 4. In addition to Testing by the IAAF and its Members (and by entities to which the IAAF 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 in which they are participating; and
 - (b) Out-of-Competition by (i) WADA; (ii) the National Anti-Doping Organisation of the Country or Territory in which they are present; or (iii) by, or on behalf of, the IOC in connection with the Olympic Games.However, only a single organisation shall be responsible for initiating and directing Testing during a Competition. At International Competitions, the collection of Samples shall be initiated and directed by the IAAF (see Rule 35.7) or other

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international sports organisation ruling body in the case of an International Competition over which the IAAF has no exclusive control (e.g. the IOC at the Olympic Games or the Commonwealth Games Federation at the Commonwealth Games). If the IAAF or such other international sports organisation ruling body decides not to conduct Testing at an International Competition, the National Anti-Doping Organisation in the Country or Territory where the International Competition is to take place may, with the approval of the IAAF and WADA, initiate and conduct such Testing.

5. The IAAF and its Members shall promptly report all completed In-Competition Tests through the WADA clearinghouse (in the case of reporting by a Member, with a copy of such report being sent to the IAAF at the same time) in order to avoid any unnecessary duplication in Testing.
6. Testing conducted by the IAAF and its Members under this Rule shall be in substantial conformity with the Anti-Doping Regulations in force at the time of Testing.

In-Competition Testing

7. The IAAF shall have responsibility for initiating and directing In-Competition Testing at the following International Competitions:-
 - (a) World Championships;
 - (b) World Athletics Series Competitions;
 - (c) International Invitation Meetings in accordance with Rule 1.1;
 - (d) IAAF Permit Meetings;
 - (e) IAAF Road Races (including IAAF Marathons); and
 - (f) at such other International Competitions as the Council may determine on the recommendation of the Medical and Anti-Doping Commission. The full list of International Competitions under this Rule shall be published annually on the IAAF website.
8. The Council shall determine the anticipated number of Athletes to be tested at the above International Competitions on the recommendation of the Medical and Anti-Doping Commission. Athletes to be tested shall be selected as follows:
 - (a) on a final position basis and/or random basis;
 - (b) at the discretion of the IAAF (acting by its relevant official or body), by any method that it shall choose, including Target Testing;
 - (c) any Athlete who has broken or equalled an Area and/or World Record.

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9. If the IAAF has delegated Testing under Rule 35.3 above, it may appoint a representative to attend at the International Competition in question to ensure that these Anti-Doping Rules and the Anti-Doping Regulations are being properly applied.
10. In consultation with the relevant Member (and respectively with the relevant Area Association), the IAAF may conduct, or assist in the conduct of, Testing at a Member's National Championships or Area Association's Area Championships.
11. In all other cases (except where Testing is carried out under the rules of another international sports organisation ruling body, for example, by the IOC at the Olympic Games), the Member conducting the controls, or in whose Country or Territory a competition is held, shall be responsible for initiating and directing In-Competition Testing. 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 or Territory complies with these Anti-Doping Rules and the Anti-Doping Regulations.

Out-of-Competition Testing

12. The IAAF shall focus its Out-of-Competition Testing primarily on International-Level Athletes. However, it may, at its discretion, conduct Out-of-Competition Testing on any Athlete at any time. Except in exceptional circumstances, all Out-of-Competition Testing shall be carried out on No Advance Notice to the Athlete or his Athlete Support Personnel or National Federation. Athletes included in the Registered Testing Pool shall be subject to the whereabouts requirements set out in accordance with Rule 35.17.
13. It is the duty of every Member, officer of a Member and other Person under the jurisdiction of a Member to assist the IAAF (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.
14. Out-of-Competition Testing shall be conducted under these Anti-Doping Rules to detect Prohibited Substances and Prohibited Methods listed as being the substances and methods prohibited at all times (In and Out-of-Competition) in the Prohibited List.
15. Statistics of Out-of-Competition Testing shall be published once a year per Athlete in the Registered Testing Pool and per Member Federation.

Whereabouts Information

16. The IAAF shall establish a Registered Testing Pool of Athletes who are required to comply with the whereabouts requirements set out in these Rules and in the Anti-Doping Regulations. The Registered Testing Pool shall be published by the IAAF on its website and shall be reviewed and updated as necessary from time to time.
17. Each Athlete in the Registered Testing Pool shall be required to submit Whereabouts Filings in accordance with the Anti-Doping Regulations. The ultimate responsibility for submitting a Whereabouts Filing rests with each Athlete. Members shall, however, upon the request of the IAAF or other relevant Testing Authority, use their best efforts to assist in the collection of current and accurate whereabouts information for their Athletes and shall make specific provision in their rules or regulations for such purpose. Whereabouts information provided by an Athlete pursuant to this Rule shall be shared with WADA and any other body having competent authority to test the Athlete in accordance with the Anti-Doping Regulations on the strict condition that it be used for Doping Control purposes only.
18. If an Athlete in the Registered Testing Pool fails to advise the IAAF of his whereabouts, it shall be deemed to be a Filing Failure for the purposes of Rule 32.2(d) where the relevant conditions of the Anti-Doping Regulations have been met. If an Athlete in the Registered Testing Pool fails to be available for Testing at his declared whereabouts, it shall be deemed to be a Missed Test for the purposes of Rule 32.2(d) where the relevant conditions of the Anti-Doping Regulations have been met. An Athlete shall be deemed to have committed an anti-doping rule violation under Rule 32.2(d) if he commits a total of three Whereabouts Failures (which may be any combination of Filing Failures and/or Missed Tests adding up to three in total) within any 18 (eighteen) month period. The IAAF may rely for the purposes of Rule 32.2(d) on Filing Failures and/or Missed Tests that have been declared by other Anti-Doping Organisations with jurisdiction over an Athlete provided that they have been declared based on rules that comply with the International Standard for Testing.
19. If an Athlete in the Registered Testing Pool or a member of his Athlete Support Personnel or other Person knowingly provides inaccurate or misleading whereabouts information, he shall be deemed to be evading Sample collection in breach of Rule 32.2(c) and/or Tampering or Attempting to Tamper with the Doping Control Process in breach of Rule 32.2(e). If a Member that has been

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requested to assist the IAAF in collecting whereabouts information in accordance with Rule 35.17, or has otherwise agreed to submit whereabouts information on behalf of its Athletes, fails to check that the information forwarded is current and accurate, it shall be found to be in breach of Rule 44.2(e).

Return to Competition Following Retirement or Other Period of Non-Competition

20. If an Athlete in the Registered Testing Pool no longer wishes to be subject to Out-of-Competition Testing on account of the fact that he has retired, or has chosen not to compete for any other reason, he shall be required to give notice to the IAAF using the prescribed form. The same Athlete may not then resume competition unless he has given the IAAF 12 months notice in writing of his intention to return to competition and has made himself available for Out-of-Competition Testing by the IAAF in that period by providing the IAAF with whereabouts information pursuant to Rule 35.17. An Athlete who refuses or fails to submit to Sample collection on account of the fact that he has retired or has chosen not to compete for any other reason, but who has not provided the IAAF with notice under this Rule, shall have committed an anti-doping rule violation in accordance with Rule 32.2(c).

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) For the purposes of Rule 32.2(a) (Presence of a Prohibited Substance or Prohibited Method), Samples shall be analysed only in WADA-accredited laboratories or as otherwise approved by WADA. In the case of Samples collected by the IAAF pursuant to Rule 35.7, Samples shall be sent only to WADA-accredited laboratories (or, where applicable, to haematological laboratories or mobile testing units) which are approved by the IAAF.

Purpose of Collection and Analysis of Samples

(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

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monitoring programme) and/or to assist in profiling relevant parameters in an Athlete's urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes. Relevant profile information may be used to direct Target Testing or to support an anti-doping rule violation under Rule 32.2, or both.

Research on Samples

- (c) No Sample may be used for any purpose other than as described in Rule 36.1(b) without the Athlete's written consent. Samples used (with the Athlete's consent) for purposes other than Rule 36.1(b) shall have any means of identification removed such that they cannot be traced back to a particular Athlete.

Standards for Sample Analysis and Reporting

- (d) Laboratories shall analyse Samples and report results in conformity with the International Standard for Laboratories. Compliance with the International Standard for Laboratories (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the International Standard for Laboratories have been properly performed. The International Standard for Laboratories shall include any Technical Documents issued pursuant to the International Standard for Laboratories.
2. All Samples provided by Athletes in Doping Controls conducted at International Competitions shall immediately become the property of the IAAF.
 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 IAAF 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 IAAF when deciding whether a Sample has given rise to an Adverse Analytical Finding or other anti-doping rule violation.
 5. A Sample collected under Rule 36.2 may be re-analysed for the purpose of Rule 36.1(b) at any time exclusively at the direction of the IAAF or WADA (with the consent of the IAAF). All other Samples collected in Athletics may be re-analysed exclusively at the direction of the Testing Authority or the IAAF (with the consent of

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the Testing Authority) or WADA. The circumstances and conditions for re-testing Samples shall conform with the requirements of the International Standard for Laboratories.

6. 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 or Atypical Finding in encoded form in a report signed by an authorised representative of the Laboratory, sent either to the IAAF, in the case of an IAAF Test, or to the relevant Member in the case of a national Test (with a copy to the IAAF). In the case of a national test, the Member shall inform the IAAF of the Adverse Analytical Finding or Atypical Finding or Use 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. Upon receipt of an A Sample Adverse Analytical or Atypical Finding or upon evidence of another anti-doping rule violation under these Anti-Doping Rules, the matter shall be subject to the results management process set out below.
2. In the case of an International-Level Athlete, the results management process shall be conducted by the IAAF Anti-Doping Administrator and, in all other cases, it shall be conducted by the relevant person or body of the Athlete or other Person's National Federation. The relevant person or body of the Athlete or other Person's National Federation shall keep the IAAF 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.
For the purposes of this Rule and Rule 38, references hereafter to the IAAF Anti-Doping Administrator shall, where applicable, be references to the relevant person or body of the Member (or of the body to whom the Member has delegated results management responsibility) and references to an Athlete shall, where applicable, be references to any Athlete Support Personnel or other Person.
3. Upon receipt of an A Sample Adverse Analytical Finding, the IAAF Anti-Doping Administrator shall conduct a review to determine whether:

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- (a) the Adverse Analytical Finding is consistent with an applicable TUE; or
 - (b) there is any apparent departure from the Anti-Doping Regulations or the International Standard for Laboratories that caused the Adverse Analytical Finding.
4. If the initial review of an Adverse Analytical Finding under Rule 37.3 above does not reveal an applicable TUE or a departure from the Anti-Doping Regulations or the International Standard for Laboratories that caused the Adverse Analytical Finding, the IAAF Anti-Doping Administrator shall promptly notify the Athlete of:
- (a) the Adverse Analytical Finding;
 - (b) the Anti-Doping Rule that has been violated;
 - (c) the time limit within which the Athlete is to provide the IAAF, either directly or through his National Federation, with an explanation for the Adverse Analytical Finding;
 - (d) the Athlete's right to request promptly 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 the organisation responsible for initiating the test;
 - (e) the scheduled date, time and place for the B Sample analysis if requested by the IAAF or the Athlete which shall normally be no later than 7 days 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 opportunity for the Athlete and/or his representative to attend the B sample opening procedure and analysis at the scheduled date, time and place, if such analysis is requested; and
 - (g) the Athlete's right to request copies of the A and B Sample laboratory documentation package which includes the information required by the International Standard for Laboratories.

The IAAF Anti-Doping Administrator shall send the relevant Member and WADA a copy of the above notification to the Athlete. If the IAAF Anti-Doping Administrator decides not to

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bring forward the Adverse Analytical Finding as an anti-doping rule violation, it shall so notify the Athlete, Member and WADA.

5. As provided in the International Standards, in certain circumstances, laboratories are directed to report the presence of Prohibited Substances which may also be produced endogenously, as Atypical Findings subject to further investigation. Upon receipt of the A Sample Atypical Finding, the IAAF Anti-Doping Administrator shall conduct an initial review to determine whether (a) the Atypical Finding is consistent with an applicable TUE that has been granted as provided in the International Standard for Therapeutic Use Exemptions or (b) there is any apparent departure from the Anti-Doping Regulations or International Standard for Laboratories that caused the Atypical Finding. If the initial review does not reveal an applicable TUE or departure from the Anti-Doping Regulations or International Standard for Laboratories that caused the Atypical Finding, the IAAF Anti-Doping Administrator shall conduct the investigation required by the International Standards. After the investigation is completed, WADA shall be notified whether or not the Atypical Finding will be brought forward as an Adverse Analytical Finding. If the Atypical Finding is to be brought forward as an Adverse Analytical Finding, the Athlete shall be notified as in Rule 37.4. The IAAF Anti-Doping Administrator will not provide notice of an Atypical Finding until he has completed his investigation and decided whether the IAAF will bring the Atypical Finding forward unless one of the following circumstances exist:
- (a) if the IAAF Anti-Doping Administrator determines the B Sample should be analysed prior to the conclusion of his investigation under Rule 37.5, the IAAF may conduct the B Sample analysis after notifying the Athlete, with such notice to include a description of the Atypical Finding and the information where applicable described in Rule 37.4(b)-(g) above;
 - (b) if the IAAF Anti-Doping Administrator receives a request, either from a Major Event Organisation shortly before one of its international competitions or a request from a sports body responsible for meeting an imminent deadline for selecting team members for an international competition, to disclose whether any Athlete identified on a list provided by the Major Event Organisation or sports body has a pending Atypical Finding, the IAAF Anti-Doping Administrator shall so identify any such Athlete after first providing notice of the Atypical Finding to the Athlete.

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6. An Athlete may accept an A Sample Adverse Analytical Finding by waiving his right to the B Sample analysis. The IAAF 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 the IAAF. An Athlete shall remain provisionally suspended (see Rule 38.2) 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 upon request to the IAAF Anti-Doping Administrator, together 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 IAAF 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 IAAF Anti-Doping Administrator shall promptly notify the Athlete regarding the results of the follow-up investigation and whether or not the IAAF asserts, or continues to assert, that an anti-doping rule has been violated.
10. In the case of any anti-doping rule violation where there is no Adverse Analytical or Atypical Finding, the IAAF Anti-Doping Administrator shall conduct any follow up investigation as may be required under applicable anti-doping policies and rules adopted pursuant to the Code or which he otherwise 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 National Federation, within a time limit set by the IAAF Anti-Doping Administrator, to provide an explanation in response to the anti-doping rule violation asserted.
11. 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 or other Persons who are alleged to have committed anti-doping rule violations may be publicly disclosed only after notice has been provided to the Athlete or other Person in

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- accordance with Rule 37.4 or 37.10 and, in normal circumstances, no earlier than the imposition of a Provisional Suspension in accordance with Rule 38.2 or Rule 38.3
12. The IAAF Anti-Doping Administrator may at any time require a Member to investigate a possible violation of these Anti-Doping Rules by one or more Athlete or other Person within the Member's jurisdiction (where appropriate, acting in conjunction with the National Anti-Doping Organisation in the Country or Territory of the Member concerned and/or other relevant national authority or body). A failure or refusal by the Member to conduct such an investigation at the IAAF's request or to produce a written report on such investigation within a reasonable time period as stipulated by the IAAF Anti-Doping Administrator may lead to the imposition of sanctions on the Member in accordance with Rule 44.
13. Results management in respect of an apparent Missed Test or Filing Failure by an Athlete in the Registered Testing Pool shall be conducted by the IAAF in accordance with the procedures set out in the Anti-Doping Regulations. Results management in respect of an apparent Missed Test or Filing Failure by an Athlete in a national registered testing pool as a result of an attempt to test the Athlete by or on behalf of the IAAF shall be conducted by the IAAF in accordance with the Anti-Doping Regulations. Results management in respect of an apparent Missed Test or Filing Failure by an Athlete in a national registered testing pool as a result of an attempt to test the Athlete by or on behalf of another Anti-Doping Organisation shall be conducted by that other Anti-Doping Organisation in accordance with the International Standard for Testing.
14. The results management process from a test conducted by the IOC or by any other international sports organisation body conducting testing at an international competition over which the IAAF has no exclusive control (e.g. the Commonwealth Games or the Pan American Games) shall be managed, as far as determining an Athlete's sanction beyond disqualification from the International Competition in question, by the IAAF in accordance with these Anti-Doping Rules.

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 an Adverse Analytical Finding is received from the Athlete or his National Federation within the time limit set by the IAAF Anti-Doping Administrator in Rule 37.4(c), the Athlete, other than in the case of an Adverse Analytical Finding for a Specified Substance, shall be suspended, suspension at this time being provisional pending resolution of the Athlete's case by his National Federation. In the case of an International-Level Athlete, the Athlete shall be suspended by the IAAF Anti-Doping Administrator. In all other cases, the National Federation of the Athlete shall impose the relevant suspension by written notification to the Athlete. Alternatively, the Athlete may accept a voluntary suspension provided that this is confirmed in writing to his National Federation. In the case of an Adverse Analytical Finding for a Specified Substance, or in the case of any anti-doping rule violation other than an Adverse Analytical Finding, the IAAF Anti-Doping Administrator may provisionally suspend the Athlete pending resolution of the Athlete's case by his National Federation. A Provisional Suspension shall be effective from the date of notification to the Athlete in accordance with these Anti-Doping Rules.
3. In any case where the Member imposes a Provisional Suspension or an Athlete accepts a voluntary suspension, the Member shall confirm this fact to the IAAF immediately and the Athlete shall thereafter be subject to the disciplinary procedures set out below. A voluntary suspension shall be effective only from the date of receipt of the Athlete's written confirmation of such by the IAAF. If, contrary to the above paragraph, the Member fails, in the opinion of the IAAF Anti-Doping Administrator, to impose a Provisional Suspension as required, the IAAF Anti-Doping Administrator shall himself impose such a Provisional Suspension. Once the Provisional Suspension is imposed by the IAAF Anti-Doping Administrator, it shall notify the suspension to the Member which must then 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 in accordance with Rule 38.9.

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5. If a Provisional Suspension is imposed (or voluntarily accepted) based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis (if requested by the IAAF or the Athlete) does not confirm the A Sample analysis, then the Athlete shall not be subject to any further Provisional Suspension on account of a violation of Rule 32.2(a) (Presence of a Prohibited Substance or its Metabolites or Markers). In circumstances where the Athlete (or the Athlete's team as may be) has been removed from a Competition based on a violation of Rule 32.2(a) and the subsequent B Sample does not confirm the A Sample finding, if, without otherwise affecting the Competition, it is still possible for the Athlete or team to be reinserted, the Athlete or team may continue to take part in the Competition.
6. If an Athlete or other Person retires while a results management process is underway, the organisation with results management responsibility under these Anti-Doping Rules retains jurisdiction to complete its results management process. If an Athlete or other Person retires before any results management process has begun, the organisation which would have had results management jurisdiction under these Anti-Doping Rules over the Athlete or other Person at the time the Athlete or other Person committed an anti-doping rule violation, has jurisdiction to conduct results management.

Hearing

7. Every Athlete shall have the right to request a hearing before the relevant tribunal of his National Federation before any sanction is determined in accordance with these Anti-Doping Rules. When an Athlete has obtained affiliation status abroad under Rule 4.3 above, he shall have the right to request a hearing either before the relevant tribunal of his original National Federation or before the relevant tribunal of the Member whose affiliation has been obtained. The hearing process shall respect the following principles: a timely hearing; a fair and impartial hearing panel; the right to be represented by counsel at the Athlete or other Person's own expense; the right to be informed in a fair and timely manner of the asserted anti-doping rule violation; the right to respond to the asserted anti-doping rule violation and resulting Consequences; the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept evidence by telephone or written submission); the Athlete or other Person's right to an interpreter at the hearing, with the hearing panel to determine the identity and responsibility for the cost of the interpreter; and a timely,

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- written, reasoned decision specifically including an explanation of the reason(s) for any period of Ineligibility.
8. 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 his National Federation or other relevant body 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 IAAF by the Member within 5 working days.
 9. If a hearing is requested by an Athlete, it shall be convened without delay and the hearing held within 3 months of the date of notification of the Athlete's request to the Member. Members shall keep the IAAF fully informed as to the status of all cases pending hearing and of all hearing dates as soon as they are fixed. The IAAF shall have the right to attend all hearings as an observer. However, the IAAF's attendance at a hearing, or any other involvement in a case, shall not affect its right to appeal the Member's decision to CAS pursuant to Rule 42. If the completion of the hearing process is delayed beyond 3 months, the IAAF may elect, if the Athlete is an International-Level Athlete, to bring the case directly to a single arbitrator appointed by CAS. The case shall be handled in accordance with CAS rules (those applicable to the appeal arbitration procedure without reference to any time limit for appeal). The hearing shall proceed at the responsibility and expense of the Member and the decision of the single arbitrator shall be subject to appeal to CAS in accordance with Rule 42. A failure by a Member to hold a hearing for an Athlete within 3 months under this Rule may further result in the imposition of a sanction under Rule 44.
 10. The Athlete may elect to forego a hearing by acknowledging in writing a violation of these Anti-Doping Rules and accepting Consequences consistent with Rule 40 as proposed by the Member. Where an Athlete accepts Consequences consistent with Rule 40 and no hearing occurs, the Member shall submit to the IAAF a reasoned decision explaining the action that has been taken. A decision by a Member arising from an Athlete's acceptance of Consequences under these Anti-Doping Rules may be appealed in accordance with Rule 42.
 11. The Athlete's hearing shall take place before the relevant tribunal constituted or otherwise authorised by the Member. Where a Member delegates the conduct of a hearing to any body, committee or tribunal

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- (whether within or outside the Member), or where for any other reason, any national body, committee or tribunal outside of the Member is responsible for affording an Athlete his hearing under these Rules, the decision of that body, committee or tribunal shall be deemed, for the purposes of Rule 42, to be the decision of the Member and the word "Member" in such Rule shall be so construed.
12. 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. The Member or other prosecuting authority shall have the burden of proving the anti-doping rule violation to the comfortable satisfaction of the tribunal (see Rule 33.1).
13. If the relevant tribunal of the Member considers that an anti-doping rule violation has not been committed, this decision shall be notified to the IAAF 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 42.15. 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.
14. If the relevant tribunal of the Member 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 /special circumstances in his case justifying a reduction of the sanction otherwise applicable under Rule 40.

Exceptional /Special Circumstances

15. All decisions taken under these Anti-Doping Rules regarding exceptional /special 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 /special circumstances, the following principles shall be applied:
- (a) 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)).
 - (b) exceptional circumstances will exist only in cases where the circumstances are truly exceptional and not in the vast majority of cases.

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- (c) taking into consideration the Athlete's personal duty in Rule 38.15(a), the following will not normally 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.
 - (d) exceptional circumstances may however exist where an Athlete or other Person has provided Substantial Assistance to the IAAF, his National Federation, an Anti-Doping Organisation, criminal authority or professional disciplinary body resulting in the IAAF, National Federation, Anti-Doping Organisation, criminal authority or professional disciplinary body discovering or establishing an anti-doping rule violation by another Person or resulting in a criminal or disciplinary body discovering or establishing a criminal offence or breach of professional rules by another Person.
 - (e) special circumstances may exist in the case of an Adverse Analytical Finding for a Specified Substance where the Athlete can establish how the Specified Substance entered his body or came into his Possession and that such Specified Substance was not intended to enhance the Athlete's sport performance or mask the use of a performance enhancing substance.
16. The determination of exceptional /special circumstances in cases involving International-Level Athletes shall be made by the Doping Review Board (see Rule 38.20).
17. If an Athlete seeks to establish that there are exceptional /special 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 38.15, whether, in its view, the circumstances in the Athlete's case may be exceptional /special. In a case under Rule 32.2(a), the Athlete must in any event be able to demonstrate how the Prohibited Substance entered his body in order to have the period of Ineligibility reduced.
18. If, having examined the evidence presented, the relevant tribunal considers that there are no exceptional /special circumstances in the Athlete's case, it shall impose the sanction prescribed in Rule 40. The

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Member shall notify the IAAF and the Athlete in writing of the relevant tribunal's decision, within 5 working days of the decision being made.

19. If, having examined the evidence presented, the relevant tribunal considers that there are circumstances in the Athlete's case which may be exceptional /special, if the case involves an International-Level Athlete, it shall:
- (a) refer the matter to the Doping Review Board (via the General Secretary), 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 National Federation 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 Doping Review Board's determination on exceptional / special circumstances.

The Athlete's provisional suspension shall remain in place pending the receipt of the Doping Review Board's determination on exceptional /special circumstances.

20. Upon receipt of a reference from the relevant tribunal, the Doping Review Board shall examine the question of exceptional /special 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) 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 38.15, shall make a determination on whether there are exceptional /special 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 40.5(a)) or No Significant Fault or No Significant Negligence on the Athlete's part (see Rule 40.5(b)) or Substantial Assistance by the Athlete resulting in discovering or establishing an anti-doping rule violation or a criminal offence or breach of professional rules by another Person (see Rule 40.5(c)), or

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- whether the special circumstances for a reduction of sanction for Specified Substances are met (see Rule 40.4). This determination shall be conveyed to the Member in writing by the General Secretary.
21. If the Doping Review Board's determination is that there are no exceptional /special circumstances in the case, the determination shall be binding on the relevant tribunal, which shall impose the sanction prescribed in Rule 40. 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.
 22. If the Doping Review Board's determination is that there are exceptional/special circumstances in the case, the relevant tribunal shall decide the Athlete's sanction in accordance with Rule 40.4 or 40.5, consistent with the Doping Review Board's categorisation of the exceptional /special circumstances in Rule 38.20. The Member shall notify the IAAF and the Athlete of the relevant tribunal's decision in writing, within 5 working days of the decision being made.
 23. The Athlete shall have the right to seek a review of the Doping Review Board's determination on exceptional /special circumstances to CAS. In all cases, the standard of review of the Doping Review Board's determination on the question of exceptional / special circumstances shall be as set out in Rule 42.21.
 24. In cases which do not involve International-Level Athletes, the relevant tribunal shall consider, having strict regard to the principles set out in Rule 38.15, whether there are exceptional / special circumstances in the Athlete's case and decide upon the Athlete's sanction accordingly. The Member shall notify the IAAF and the Athlete of the relevant tribunal's decision in writing, within 5 working days of the decision being made. If the relevant tribunal concludes that there are exceptional /special circumstances in an Athlete's case, it shall set out the full factual basis for such conclusion as part of its written decision.

RULE 39

Automatic Disqualification of Individual Results

An anti-doping rule violation in connection with an In-Competition test automatically leads to disqualification from the Event in question, with all resulting consequences for the Athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money.

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RULE 40
Sanctions on Individuals***Disqualification of Results in the Competition during which an Anti-Doping Rule Violation Occurs***

1. An anti-doping rule violation occurring during or in connection with a Competition shall lead to the disqualification of all of the Athlete's results from the Competition, with all resulting consequences for the Athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money, except as provided below.
If the Athlete establishes that he bears No Fault or Negligence for the violation, the Athlete's individual results in the other Events shall not be disqualified unless the Athlete's results in Events other than the Event in which the Anti-Doping Rule violation occurred were likely to have been affected by the Athlete's anti-doping rule violation.

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

2. The period of Ineligibility imposed for a violation of Rules 32.2(a) (Presence of a Prohibited Substance or its Metabolites or Markers), 32.2(b) (Use or Attempted Use of a Prohibited Substances or Prohibited Method) or 32.2(f) (Possession of Prohibited Substances and Prohibited Methods), unless the conditions for eliminating or reducing the period of Ineligibility as provided in Rules 40.4 and 40.5, or the conditions for increasing the period of Ineligibility as provided in Rule 40.6 are met, shall be as follows:
First Violation: Two (2) years' Ineligibility.

Ineligibility for Other Anti-Doping Rule Violations

3. The period of Ineligibility for anti-doping rule violations other than as provided in Rule 40.2 shall be as follows:
 - (a) For violations of Rule 32.2(c) (refusing or failing to submit to Sample collection) or Rule 32.2(e) (Tampering with Doping Control), the period of Ineligibility shall be two (2) years unless the conditions provided in Rule 40.5, or the conditions provided in Rule 40.6, are met.
 - (b) For violations of Rule 32.2(g) (Trafficking or Attempted Trafficking) or Rule 32.2(h) (Administration or Attempted Administration of a Prohibited Substance or Prohibited Method), the period of Ineligibility imposed shall be a minimum of four (4) years up to lifetime Ineligibility unless the conditions in Rule 40.5 are met. An Anti-Doping Rule violation involving a Minor

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shall be considered a particularly serious violation and, if committed by Athlete Support Personnel for violations other than Specified Substances referenced in Rule 34.5, shall result in lifetime Ineligibility for such Athlete Support Personnel. In addition, significant violations of Rules 32.2(g) or 32.2(h) which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

- (c) For violations of Rule 32.2(d) (Filing Failures and/or Missed Tests), the period of Ineligibility shall be at a minimum one (1) year and at a maximum two (2) years based on the Athlete's degree of fault.

Elimination or Reduction of Period of Ineligibility for Specified Substances under Specific Circumstances

4. Where an Athlete or other Person can establish how a Specified Substance entered his body or came into his Possession and that such Specified Substance was not intended to enhance the Athlete's sport performance or mask the Use of a performance enhancing substance, the period of Ineligibility in Rule 40.2 shall be replaced with the following:

First Violation: At a minimum, a reprimand and no period of Ineligibility from future Competitions and, at a maximum, two (2) years' Ineligibility.

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

This Article applies only in those circumstances where the hearing panel is comfortably satisfied by the objective circumstances of the case that the Athlete in taking a Prohibited Substance did not intend to enhance his sport performance.

Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

5. (a) *No Fault or Negligence:* If an Athlete or other Person establishes in an individual case that he bears No Fault or Negligence, the otherwise applicable period of Ineligibility shall be eliminated. When a Prohibited Substance or its Markers or Metabolites is

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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 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 Rule 40.7.

- (b) *No Significant Fault or Negligence*. If an Athlete or other Person establishes in an individual case that he bears No Significant Fault or Negligence, then the otherwise applicable period of Ineligibility may be reduced, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Rule may be no less than eight (8) years. When a Prohibited Substance or its Markers or Metabolites 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 the period of Ineligibility reduced.
- (c) *Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations*. The relevant tribunal of a Member may, prior to a final appellate decision under Rule 42 or the expiration of the time to appeal (where applicable in the case of an International-Level Athlete having referred the matter to the Doping Review Board for its determination under Rule 38.16) suspend a part of the period of Ineligibility imposed in an individual case where the Athlete or other Person has provided Substantial Assistance to the IAAF, his National Federation, an Anti-Doping Organisation, criminal authority or professional disciplinary body resulting in the IAAF, National Federation or Anti-Doping Organisation discovering or establishing an anti-doping rule violation by another Person or resulting in a criminal or disciplinary body discovering or establishing a criminal offence or the breach of professional rules by another Person. After a final appellate decision under Rule 42 or the expiration of time to appeal, an Athlete or other Person's period of Ineligibility may only be suspended by a Member if the Doping Review Board so determines and WADA agrees. If the Doping

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Review Board determines that there has been no Substantial Assistance, the determination shall be binding on the Member and there shall be no suspension of Ineligibility. If the Doping Review Board determines that there has been Substantial Assistance, the Member shall decide on the period of Ineligibility that shall be suspended. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the Athlete or other Person and the significance of the Substantial Assistance provided by the Athlete or other Person to the effort to eliminate doping in Athletics. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Rule must be no less than eight (8) years. If the Member suspends any part of the period of Ineligibility under this Rule, the Member shall promptly provide a written justification for its decision to the IAAF and any other party having a right to appeal the decision. If the Member subsequently reinstates any part of the suspended period of Ineligibility because the Athlete or other Person has failed to provide the Substantial Assistance which was anticipated, the Athlete or other Person may appeal the reinstatement.

- (d) *Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence.* Where an Athlete or other Person voluntarily admits the commission of an anti-doping rule violation before having received notice of a Sample collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Rule 32.2(a), before receiving first notice of the admitted violation pursuant to Rule 37) and that admission is the only reliable evidence of the violation at the time of the admission, then the period of Ineligibility may be reduced but not below one-half of the period of Ineligibility otherwise applicable.
- (e) *Where an Athlete or Other Person Establishes Entitlement to Reduction in Sanction under more than one Provision of this Rule.* Before applying any reduction or suspension under Rules 40.5(b), (c) or (d), the otherwise applicable period of Ineligibility shall be determined in accordance with Rules 40.2, 40.3, 40.4 and 40.6. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under two

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or more of Rules 40.5(b), (c) or (d), then the period of Ineligibility may be reduced or suspended but not below one-quarter of the otherwise applicable period of Ineligibility.

Aggravating Circumstances which may Increase the Period of Ineligibility

6. If it is established in an individual case involving an anti-doping rule violation other than violations under Rule 32.2(g) (Trafficking or Attempted Trafficking) and Rule 32.2(h) (Administration or Attempted Administration) that aggravating circumstances are present which justify the imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased up to a maximum of four (4) years unless the Athlete or other Person can prove to the comfortable satisfaction of the hearing panel that he did not knowingly commit the anti-doping rule violation.
- (a) Examples of aggravating circumstances which may justify the imposition of a period of Ineligibility greater than the standard sanction are: the Athlete or other Person committed the anti-doping rule violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit anti-doping rule violations; the Athlete or other Person used or possessed multiple Prohibited Substances or Prohibited Methods or used or possessed a Prohibited Substance or Prohibited Method on multiple occasions; a normal individual would be likely to enjoy performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of Ineligibility; the Athlete or other Person engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an anti-doping rule violation. For the avoidance of doubt, the examples of aggravating circumstances referred to above are not exclusive and other aggravating factors may also justify the imposition of a longer period of Ineligibility.
- (b) An Athlete or other Person can avoid the application of this Rule by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation (which means no later than the date of the deadline given to provide a written explanation in accordance with Rule 37.4(c) and, in all events, before the Athlete competes again).

Multiple Violations

7. (a) *Second Anti-Doping Rule Violation*: For an Athlete or other Person's first anti-doping rule violation, the period of Ineligibility is set out in Rules 40.2 and 40.3 (subject to elimination, reduction or suspension under Rules 40.4 or 40.5 or to an increase under Rule 40.6). For a second anti-doping rule violation, the period of Ineligibility shall be within the range set out in the table below:

2nd violation \ 1st violation	RS	FFMT	NSF	St	AS
RS	1-4	2-4	2-4	4-6	8-10
FFMT	1-4	4-8	4-8	6-8	10-life
NSF	1-4	4-8	4-8	6-8	10-life
St	2-4	6-8	6-8	8-life	life
AS	4-5	10-life	10-life	life	life
TRA	8-life	life	life	life	life

Definitions for the purpose of the second Anti-Doping Rule violation table:

RS (Reduced Sanction for Specified Substance under Rule 40.4): the anti-doping rule violation was or should be sanctioned by a reduced sanction under Rule 40.4 because it involved a Specified Substance and the other conditions of Rule 40.4 have been met)

FFMT (Filing Failures and/or Missed Tests): the anti-doping rule violation was or should be sanctioned under Rule 40.3(c) (Filing Failures and/or Missed Tests)

NSF (Reduced Sanction for No Significant Fault or Negligence): the anti-doping rule violation was or should be sanctioned under Rule 40.5(b) because No Significant Fault or Negligence under Rule 40.5(b) was proved by the Athlete.

St (Standard Sanction under Rule 40.2 or 40.3(a)): the anti-doping rule violation was or should be sanctioned by the standard sanction under Rule 40.2 or Rule 40.3(a).

AS (Aggravated Sanction): the anti-doping rule violation was or should be sanctioned by an aggravated sanction under Rule 40.6 because the conditions set out in Rule 40.6 were established.

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TRA (Trafficking or Administration): the anti-doping rule violation was or should be sanctioned by a sanction under Rule 40.3(b) for Trafficking or Administration.

- (b) *Application of Rules 40.5(c) and Rule 40.5(d) to Second Anti-Doping Violation.* Where an Athlete or other Person who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of Ineligibility under Rule 40.5(c) or Rule 40.5(d), the hearing panel shall first determine the otherwise applicable period of Ineligibility within the range established in the table in Rule 40.7(a) and then apply the appropriate suspension or reduction of the period of Ineligibility. The remaining period of Ineligibility, after applying any suspension or reduction under Rule 40.5(c) and Rule 40.5(d) must be at least one quarter of the otherwise applicable period of Ineligibility.
- (c) *Third Anti-Doping Rule Violation.* A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfils the condition for elimination or reduction of the period of Ineligibility under Rule 40.4 or involves a violation of Rule 32.2(d) (Filing Failures and/or Missed Tests). In these particular cases, the period of Ineligibility shall be from eight (8) years to a lifetime ban.
- (d) *Additional Rules for Certain Potential Multiple Violations.*
- (i) For the purposes of imposing sanctions under Rule 40.7, an anti-doping rule violation will only be considered a second violation if it can be established that the Athlete or other Person committed the second anti-doping rule violation after the Athlete or other Person received notice pursuant to Rule 37 (Results Management) or after reasonable efforts were made to give notice of the first anti-doping rule violation; if this cannot be established, the violations shall be considered together as one single first violation and the sanction imposed shall be based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances (Rule 40.6).
- (ii) If, after the resolution of a first anti-doping rule violation, facts are discovered involving an anti-doping rule violation by the Athlete or other Person which occurred prior to notification of the first violation, then an additional sanction shall be imposed based on the sanction that could have been

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imposed if the two violations would have been adjudicated at the same time. Results in all events dating back to the earlier anti-doping rule violation will be Disqualified as provided in Rule 40.8. To avoid the possibility of a finding of aggravating circumstances (Rule 40.6) on account of the earlier-in-time but later-discovered violation, the Athlete or other Person must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he is first charged (which means no later than the deadline to provide a written explanation in accordance with Rule 37.4(c) and, in all events, before the Athlete competes again). The same rule shall also apply when facts are discovered involving another prior violation after the resolution of a second anti-doping rule violation.

- (e) *Multiple Anti-Doping Rule Violations during Eight (8) Year Period.* For the purposes of Rule 40.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

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

8. In addition to the automatic disqualification of the results in the Competition which produced the positive sample under Rules 39 and 40, all other competitive results obtained from the date the positive Sample was collected (whether In-Competition or Out-of-Competition) or other anti-doping rule violation occurred through to the commencement of any Provisional Suspension or Ineligibility period shall be Disqualified with all of the resulting Consequences for the Athlete including the forfeiture of any titles, awards, medals, points and prize and appearance money.
9. The following shall apply to prize money forfeited under Rule 40.8:
- (a) *Allocation of Forfeited Prize Money.* where prize money has not already been paid to the Ineligible Athlete, it shall be re-allocated to the Athlete(s) who placed behind the Ineligible Athlete in the relevant Event(s) or Competition(s). Where prize money has already been paid to the Ineligible Athlete, it shall be re-allocated to the Athlete(s) who placed behind the Ineligible Athlete in the relevant Event(s) or Competition(s) only if and when all the forfeited prize money has been repaid by the Ineligible Athlete to the relevant person or entity; and
- (b) as a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the Ineligible Athlete

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must first repay all prize money forfeited under Rule 40.8 above (see Rule 40.12).

Commencement of Period of Ineligibility

10. Except as provided below, the period of Ineligibility shall start on the date of the hearing decision providing for Ineligibility or, if the hearing is waived, on the date the 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.

- (a) *Timely Admission*, where the Athlete promptly admits the anti-doping rule violation in writing after being confronted (which means no later than the date of the deadline given to provide a written explanation in accordance with Rule 37.4(c) and, in all events, before the Athlete competes again), the period of Ineligibility may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Rule is applied, the Athlete or other Person shall serve at least one-half of the period of Ineligibility going forward from the date the Athlete or other Person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction or the date the sanction is otherwise imposed.
- (b) If a Provisional Suspension is imposed and respected by the Athlete, then the Athlete shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed.
- (c) If an Athlete voluntarily accepts a Provisional Suspension in writing (pursuant to Rule 38.2) and thereafter refrains from competing, the Athlete shall receive credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. In accordance with Rule 38.3, a voluntary suspension is effective upon the date of its receipt by the IAAF.
- (d) No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional Suspension regardless of whether the Athlete elected not to compete or was not selected to compete.

Status during Ineligibility

11. (a) *Prohibition against Participation during Ineligibility:* no Athlete or other Person who has been declared Ineligible may, during the period of Ineligibility, participate in any capacity in any Competition or activity, other than in authorised anti-doping education or rehabilitation programmes, which are authorised or organised by the IAAF or any Area Association or Member (or any Club or other member organisation of a Member) or Signatory (or Signatory's member or a club or other member organisation of a Signatory's member) or in competitions authorised or organised by any professional league or any international or national-level organisation. An Athlete subject to a period of Ineligibility shall remain subject to Testing. An Athlete or other Person subject to a period of Ineligibility of more than four (4) years may, after completing four years of the period of Ineligibility, participate in local sport events in a sport other than Athletics but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points towards) a national championship or international competition.
- (b) *Violation of the Prohibition of Participation during Ineligibility:* where an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Rule 40.11(a), the results of such participation shall be Disqualified and the period of Ineligibility which was originally imposed shall start over again as at the date of the violation. The new period of Ineligibility may be reduced under Rule 40.5(b) if the Athlete or other Person establishes he bears No Significant Fault or Negligence for violating the prohibition against participation. The determination of whether an Athlete or other Person has violated the prohibition against participation and whether a reduction under Rule 40.5(b) is appropriate shall be made by the body whose results management led to the imposition of the initial period of Ineligibility.
- (c) *Withholding of Financial Support during Ineligibility:* in addition, for any anti-doping rule violation not involving a reduced sanction for a Specified Substance as described in Rule 40.4, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld.

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Return to Competition following Ineligibility

12. As a condition to regaining eligibility at the end of a specified period of Ineligibility, an Athlete or other Person must comply with the following requirements:

- (a) *Repayment of Prize Money*: the Athlete must repay any and all prize money that he has received in relation to performances in Competitions from the date of the Sample collection that resulted in an Adverse Analytical Finding or other anti-doping rule violation, or from the date of the commission of any other anti-doping rule violation, going forward; and
- (b) *Reinstatement Testing*: the Athlete must, during any period of Provisional Suspension or Ineligibility, make himself available for Out-of-Competition testing by the IAAF, his National Federation and any other organisation having authority to conduct Testing under these Anti-Doping Rules, and must, if requested, provide current and accurate whereabouts information for such purpose. Where an International-level Athlete has been rendered ineligible for one (1) year or more, a minimum of four (4) reinstatement tests must be conducted, three (3) Out-of-Competition tests and one (1) for the full range of Prohibited Substances and Prohibited Methods immediately prior to the end of the Ineligibility period. These reinstatement tests shall be at the Athlete's cost and shall be conducted with at least three (3) months between each test. The IAAF shall be responsible for the conduct of the reinstatement tests, in accordance with the Anti-Doping Rules and Regulations, but tests by any competent Testing body may be relied upon by the IAAF to satisfy this requirement, provided the Samples collected have been analysed by a WADA-accredited laboratory. Where an Athlete competing in Running events, Race Walking events or Combined events has been found guilty of an anti-doping rule violation under the Rules, at least his last two reinstatement tests shall be analysed for erythropoiesis-stimulating agents and their releasing factors. The results of all reinstatement tests, together with copies of the relevant doping control forms, must be sent to the IAAF prior to the Athlete returning to competition. If any reinstatement Testing carried out pursuant to this Rule results in an Adverse Analytical Finding or other anti-doping rule violation, this will constitute a separate anti-doping rule violation and the Athlete will be subject to disciplinary proceedings and further sanction, as appropriate.

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- (c) Once the period of an Athlete's Ineligibility has expired, provided that he has complied with the requirements of Rule 40.12, he shall become automatically re-eligible and no application by the Athlete or his National Federation to the IAAF shall be necessary.

RULE 41

Sanctions on Teams

1. Where the Athlete who has committed an anti-doping rule violation competed as 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 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 money unless the Athlete establishes that he bears No Fault or Negligence for the violation and that his participation in the relay was not likely to have been affected by the anti-doping rule violation.
2. Where the Athlete who has committed an anti-doping rule violation competed as 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 disqualified. 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 unless the Athlete establishes that he bears No Fault or Negligence for the violation and that his participation in the team was not likely to have been affected by the anti-doping rule violation.
3. In addition to the disqualification of results in Rule 40.8
 - (a) the results of any relay team in which the Athlete competed from the date the positive Sample was collected or other violation occurred through to the commencement of any Provisional Suspension or Ineligibility period shall be disqualified, with all

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- resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize money; and
- (b) the results of any team other than a relay team in which the Athlete competed from the date the positive Sample was collected or other violation occurred through to the commencement of any Provisional Suspension or Ineligibility period shall not be automatically disqualified but the result of the Athlete committing the anti-doping rule 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 disqualified.

RULE 42
Appeals***Decisions subject to Appeal***

1. Unless specifically stated otherwise, all decisions made under these Anti-Doping Rules may be appealed in accordance with the provisions set out below. All such decisions shall remain in effect while under appeal unless the appellate body orders otherwise or unless otherwise determined in accordance with these Rules (see Rule 42.15). Before an appeal is commenced, any post-decision review provided in these Anti-Doping Rules must be exhausted (except where WADA has a right of appeal and no other party has appealed a final decision under the applicable rules, in which case WADA may appeal such decision directly to CAS without having to exhaust any other remedies).

Appeals from Decisions regarding Anti-Doping Rule Violations or Consequences

2. The following is a non-exhaustive list of decisions regarding anti-doping rule violations and Consequences that may be appealed under these Rules: 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 failing to impose Consequences for an anti-doping rule violation in accordance with these Rules; a determination by the Doping Review Board under Rule 38.21 that there are no exceptional / special circumstances in an International-Level

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Athlete's case justifying an elimination or reduction of sanction; a decision of a Member confirming the acceptance by an Athlete or other Person of Consequences for an anti-doping rule violation; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Rule 40.11 whether or not an Athlete or other Person has violated the prohibition of participation during Ineligibility; a decision that a Member lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; a decision not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation or a decision not to go forward with an anti-doping rule violation after an investigation under Rule 37.10; the decision of a single CAS arbitrator in a case referred to CAS in accordance with Rule 38.9; any other decision regarding anti-doping rule violations or Consequences that the IAAF considers to be erroneous or procedurally unsound.

3. *Appeals Involving International-Level Athletes:* in cases involving International-Level Athletes or their Athlete Support Personnel, the decision of the relevant body of the Member may be appealed exclusively to CAS in accordance with the provisions set out below.
4. *Appeals which do not Involve International-Level Athletes:* in cases which do not involve International-Level Athletes or their Athlete Support Personnel, the decision of the relevant body of the Member may (unless Rule 42.8 applies) be appealed to an independent and impartial body in accordance with rules established by the Member. The rules for such appeal shall respect the following principles:
 - a timely hearing;
 - a fair, impartial and independent hearing panel;
 - the right to be represented by counsel at the Person's own expense;
 - the right to have an interpreter at the hearing at the Person's own expense; and
 - a timely, written, reasoned decision.The decision of the national level appeal body may be appealed in accordance with Rule 42.7.
5. *Parties Entitled to Appeal:* in any case involving an International-Level Athlete or his Athlete Support Personnel, the following parties shall have the right to appeal to CAS:
 - (a) the Athlete or other Person who is the subject of the decision being appealed;
 - (b) the other party to the case in which the decision was rendered;
 - (c) the IAAF;

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- (d) the National Anti-Doping Organisation of the Athlete or other Person's country of residence or where the Athlete or other Person is a national or licence holder;
 - (e) the IOC (where the decision may have an effect in relation to the Olympic Games, including a decision affecting eligibility for the Olympic Games); and
 - (f) WADA.
6. In any case which does not involve an International-Level Athlete or his Athlete Support Personnel, the following parties shall have the right to appeal the decision to the national level appeal body:
- (a) the Athlete or other Person who is the subject of the decision being appealed;
 - (b) the other party to the case in which the decision was rendered;
 - (c) the Member;
 - (d) the National Anti-Doping Organisation of the Athlete or other Person's country of residence or where the Athlete or other Person is a national or licence holder; and
 - (e) WADA.
- The IAAF shall not have the right to appeal a decision to the national level appeal body but shall be entitled to attend any hearing before the national level appeal body as an observer. The IAAF's attendance at a hearing in such capacity shall not affect its right to appeal the decision of the national level appeal body to CAS in accordance with Rule 42.7.
7. In any case which does not involve an International-Level Athlete or his Athlete Support Personnel, the following parties shall have the right to appeal the decision of the national level appeal body to CAS:
- (a) the IAAF;
 - (b) the IOC (where the decision may have an effect on eligibility in relation to the Olympic Games); and
 - (c) WADA.
8. In any case which does not involve an International-Level Athlete or his Athlete Support Personnel, the IAAF, the IOC (where the decision may have an effect on eligibility in relation to the Olympic Games) and WADA shall have the right to appeal a decision of the relevant body of the Member direct to CAS in any of the following circumstances:
- (a) the Member does not have an appeal procedure in place at the national level;

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- (b) there is no appeal made to the national level appeal body of the Member by any of the parties in Rule 42.6
 - (c) the Member's rules so provide.
9. Any party filing an appeal under these Anti-Doping Rules shall be entitled to assistance from CAS to obtain all relevant information from the body whose decision is being appealed and the information shall be provided if CAS so directs.

Appeals by WADA from a Failure to Render a Timely Decision

10. Where, in a particular case under these Anti-Doping Rules, the IAAF or a Member fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if the IAAF or Member had rendered a decision finding no anti-doping rule violation. If the CAS Panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and legal fees in prosecuting the appeal shall be reimbursed by the body (the IAAF or the Member) that failed to render the decision.

Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

11. A decision by WADA reversing the grant or denial of a TUE may be appealed exclusively to CAS either by the Athlete or by the IAAF or Member (or its designated body pursuant to Rule 34.9) whose decision was reversed. A decision other than by WADA denying a TUE, which is not reversed by WADA, may be appealed by International-Level Athletes exclusively to CAS and by other Athletes to the national level appeal body described in Rule 42.4. If the national level appeal body reverses the decision to deny a TUE, that decision may be appealed by WADA to CAS. When the IAAF or a Member (either itself or through its designated body pursuant to Rule 34.9) fails to take action on a properly submitted TUE application within a reasonable time, the failure to decide may be considered as a denial for the purposes of the appeal rights provided in this Rule.

Appeals from Decisions Sanctioning Members for Failing to Comply with Anti-Doping Obligations

12. A decision by the Council pursuant to Rule 44 to sanction a Member for failing to comply with its anti-doping obligations under these Rules may be appealed by the Member exclusively to CAS.

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Time Limits for Appeals to CAS

13. Unless stated otherwise in these Rules (or the Doping Review Board determines otherwise in cases where the IAAF is the prospective appellant), the appellant shall have forty-five (45) days in which to file his statement of appeal with CAS starting from the date of communication of the written reasons of the decision to be appealed (in English or French where the IAAF is the prospective appellant) or from the last day on which the decision could have been appealed to the national level appeal body in accordance with Rule 42.8(b). Within fifteen (15) days of the deadline for filing the statement of appeal, the appellant shall file his appeal brief with CAS and, within thirty (30) days of receipt of the appeal brief, the respondent shall file his answer with CAS.
14. The filing deadline for an appeal to CAS filed by WADA shall be the later of (a) twenty-one (21) days after the last day on which any party entitled to appeal in the case could have appealed; or (b) twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

IAAF Appeal of Decisions to CAS

15. The decision as to whether the IAAF should appeal to CAS, or whether the IAAF should participate in a CAS appeal to which it is not an original party (see Rule 42.19), shall be taken by the Doping Review Board. The Doping Review Board shall, where applicable, determine at the same time whether the Athlete concerned shall be re-suspended pending the CAS decision.

Respondents to the CAS Appeal

16. As a general rule, the respondent to a CAS appeal shall be the party which has taken the decision that is subject to appeal. Where the Member has delegated the conduct of a hearing under these Rules to another body, committee or tribunal in accordance with Rule 38.11, the respondent to the CAS appeal against such decision shall be the Member.
17. Where the IAAF is appellant before CAS, it shall be entitled to join as additional respondent(s) to the appeal such other parties as it deems to be appropriate, including the Athlete, Athlete Support Personnel or other Person or entity that may be affected by the decision.
18. Where the IAAF is one of two or more respondents to an appeal before CAS, it shall seek to agree an arbitrator with the other respondent(s). If there is a disagreement as to who the appointed arbitrator should be, the IAAF's choice of arbitrator shall prevail.

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19. In any case where the IAAF is not a party to a CAS appeal, it may nevertheless decide to participate as a party in the appeal in which event it shall have full party rights under CAS rules.

The CAS Appeal

20. All appeals before CAS (save as set out in Rule 42.21) shall take the form of a re-hearing de novo of the issues raised by the case and the CAS Panel shall be able to substitute its decision for the decision of the relevant tribunal of the Member or the IAAF where it considers the decision of the relevant tribunal of the Member or the IAAF to be erroneous or procedurally unsound. The CAS Panel may in any case add to or increase the Consequences that were imposed in the contested decision.
21. Where the appeal to CAS is against the Doping Review Board's determination on exceptional /special circumstances, the hearing before CAS on the question of exceptional /special circumstances shall be limited to a review of the materials before the Doping Review Board and to its determination. The CAS Panel will only interfere with the determination of the Doping Review Board if it is satisfied:
- (a) that no factual basis existed for the Doping Review Board's determination; or
 - (b) the determination reached was significantly inconsistent with the previous body of cases considered by the Doping Review Board, which inconsistency cannot be justified by the facts of the case; or
 - (c) that the determination reached by the Doping Review Board was a determination that no reasonable review body could reach.
22. In all CAS appeals involving the IAAF, CAS and the CAS Panel shall be bound by the IAAF Constitution, Rules and Regulations (including the Anti-Doping Regulations). In the case of any conflict between the CAS rules currently in force and the IAAF Constitution, Rules and Regulations, the IAAF Constitution, Rules and Regulations shall take precedence.
23. In all CAS appeals involving the IAAF, the governing law shall be Monegasque law and the arbitrations shall be conducted in English, unless the parties agree otherwise.
24. The CAS Panel may in appropriate cases award a party its costs, or a contribution to its costs, incurred in the CAS appeal.
25. The decision of CAS shall be final and binding on all parties, and on all Members, and no right of appeal will lie from the CAS decision. The CAS decision shall have immediate effect and all Members shall take all necessary action to ensure that it is effective.

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RULE 43
Member Reporting Obligations

1. Every Member shall report to the IAAF promptly the names of Athletes who have signed a written agreement to these Anti-Doping Rules and Anti-Doping Regulations in order to be eligible to compete in International Competitions (see Rule 30.3). A copy of the signed agreement shall in each case be forwarded by the Member to the IAAF Office.
2. Every Member shall report to the IAAF and WADA promptly any TUEs that are granted in accordance with Rule 34.9(b).
3. Every Member shall report to the IAAF promptly, and in all circumstances, within 14 days of notice to it, any Adverse Analytical Finding obtained in the course of Testing carried out by that Member or in that Member's Country or Territory, together with the name of the Athlete concerned and all documents relevant to the Adverse Analytical Finding in question.
4. Every Member shall report, as part of its annual report to the IAAF to be submitted within the first three months of each year (see Article 4.9 of the Constitution), all Testing conducted by that Member or conducted in that Member's Country or Territory in the previous year (other than by the IAAF). This report shall be sorted by Athlete, identifying when the Athlete was tested, the entity conducting the Testing and whether the Testing was In-Competition or Out-of-Competition. The IAAF may choose periodically to publish such data as is received from its Members under this Rule.
5. The IAAF shall report to WADA every second year on the IAAF's compliance with the Code, including the compliance of its Members.

RULE 44
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) a failure to incorporate these Anti-Doping Rules and the Anti-Doping Regulations into its rules or regulations in accordance with Rule 30.2
 - (b) a failure to guarantee an Athlete's eligibility to compete in International Competitions by requiring the Athlete sign an

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agreement to these Anti-Doping Rules and Regulations and forwarding a copy of the signed agreement to the IAAF Office (see Rule 30.3).

- (c) a failure to comply with a decision of Council pursuant to Rule 30.6
- (d) a failure to hold a hearing for an Athlete within three months of being requested to do so (see Rule 38.9);
- (e) a failure to make diligent efforts to assist the IAAF in the collection of whereabouts information should the IAAF make such a request for assistance (see Rule 35.17) and/or a failure to verify that the whereabouts information collected on behalf of its Athletes is current and accurate (see Rule 35.19);
- (f) hindering, obstructing or otherwise Tampering with the conduct of Out-of-Competition Testing by the IAAF, another Member, WADA or any other body with Testing authority (see Rule 35.13);
- (g) a failure to report to the IAAF and WADA the grant of any TUE under Rule 34.9(b) (see Rule 43.2);
- (h) a failure to report to the IAAF an Adverse Analytical Finding obtained in the course of a Doping Control carried out by that Member, or in that Member's Country or Territory, within 14 days of notice of such a finding to the Member, together with the name of the Athlete concerned and all documents relevant to the Adverse Analytical Finding in question (see Rule 43.3);
- (i) a failure to follow the correct disciplinary procedures set out in these Anti-Doping Rules, including a failure to refer cases involving International-Level Athletes on the issue of exceptional /special circumstances to the Doping Review Board (see Rule 38.19);
- (j) a failure to sanction an Athlete for an anti-doping rule violation in accordance with the sanctions set out in these Anti-Doping Rules;
- (k) a refusal or failure to conduct an investigation at the request of the IAAF into a possible violation of these Anti-Doping Rules or to provide a written report on such investigation within the time stipulated by the IAAF (see Rule 37.12);
- (l) a failure to report to the IAAF as part of its annual report to be submitted within the first three months of the year, a list of all Doping Controls conducted by that Member or in that Member's Country or Territory in the previous year (see Rule 43.4).

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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 Congress 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 International 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.The Council may determine from time to time a schedule of sanctions to be imposed on Members for a breach of the obligations in Rule 44.2. Any such schedule, or change to such schedule, shall be notified to the Members and published on the IAAF website.
4. In any case where the Council has issued a sanction against a Member for a breach of its obligations under these Anti-Doping Rules, such a decision shall be published on the IAAF website and reported to the next Congress.

RULE 45
Recognition

1. Any final decision taken in accordance with these Anti-Doping Rules shall be recognised by the IAAF and its Members which shall take all necessary action to render such decisions effective.
2. Subject to the right of appeal provided in Rule 42, Testing and TUEs in the sport of Athletics of any Signatory which are consistent with the Anti-Doping Rules and Regulations and are within the Signatory's authority, shall be recognised and respected by the IAAF and its Members.
3. The Council may, on behalf of all Members, recognise Testing in the sport of Athletics by a body that is not a Signatory under rules and procedures different from those in the Anti-Doping Rules and Regulations, if it is satisfied that the Testing was properly carried out and that the rules of the body conducting the Testing are otherwise consistent with the Anti-Doping Rules and Regulations.
4. The Council may delegate its responsibility for the recognition of Testing under Rule 45.3 to the Doping Review Board or to such other person or body as it may deem to be appropriate.

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5. If the Council (or its appointee under Rule 45.4) decides that Testing carried out by a body in the sport of Athletics that is not a Signatory is to be recognised, then the Athlete shall be deemed to have breached the relevant IAAF Rule and will be subject to the same disciplinary procedures and sanctions as for a corresponding violation of these Anti-Doping Rules. All Members shall take all necessary action to ensure that any decision regarding an anti-doping rule violation in such a case is effective.
6. Testing, TUEs and hearing results and other final adjudications of any Signatory in a sport other than Athletics, which are consistent with the Anti-Doping Rules and Regulations and are within that Signatory's authority, shall be recognised and respected by the IAAF and its Member Federations.
7. The IAAF and its Member Federations shall recognise the same actions in Rule 45.6 of bodies which have not accepted the Code in a sport other than Athletics if the rules of those bodies are otherwise consistent with the Anti-Doping Rules and Regulations.

RULE 46
Statute of Limitations

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

RULE 47
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 the IAAF 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. These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the Signatories or Governments.

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3. The 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.
4. The Definitions in this Chapter 3 shall be considered an integral part of these Anti-Doping Rules.
5. These Anti-Doping Rules shall not apply retrospectively to matters pending before the date the Anti-Doping Rules came into force on 1 January 2009. However, anti-doping rule violations under prior IAAF Rules will continue to count as first anti-doping rule violations or second anti-doping rule violations for the purposes of determining sanctions under Rule 40 for subsequent anti-doping rule violations under these Anti-Doping Rules.
6. In case of conflict between these Anti-Doping Rules and the Code, these Anti-Doping Rules shall prevail.

Transitional Provisions

1. These Anti-Doping Rules came into full force and effect on 1 January 2009 ("the Effective Date") and shall apply in full to all Samples collected, or other anti-doping rule violations committed, on or after that date.

Non-Retroactive unless Principle of Lex Mitior Applies

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

Application to Decisions Rendered prior to these 2009 Anti-Doping Rules

3. With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date but the Athlete or other Person is still serving the period of Ineligibility as of the Effective Date, the Athlete or other Person may apply to consider a reduction in the period of Ineligibility in light of these Anti-Doping Rules. Such application in the case of International-Level Athletes shall be made to the Doping Review Board and, in all other cases, to the relevant body of the Athlete or other Person's National

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Federation. The application must be made before the period of Ineligibility has expired. The decision rendered by the Doping Review Board or other relevant body may be appealed pursuant to Rule 42. These Anti-Doping Rules shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.

Application to Specific pre-2009 Anti-Doping Rule Violations

- 4 For the purposes of applying Rule 40.7(a), where an anti-doping rule violation committed before the Effective Date involved a substance which is categorised as a Specified Substance under these Anti-Doping Rules and the period of Ineligibility imposed was less than two years, the pre-Effective Date anti-doping rule violation shall be considered as a reduced sanction (RS).