WORLD ANTI-DOPING AGENCY

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WORLD ANTI-DOPING CODE

INTERNATIONAL STANDARD

RESULTS MANAGEMENT

2021

International Standard for *Results Management*

The World Anti-Doping *Code International Standard* for *Results Management* is a mandatory *International Standard* developed as part of the World Anti-Doping Program. It was developed in consultation with *Signatories,* public authorities, and other relevant stakeholders.

The *International Standard* for *Results Management* was first adopted and approved by the *WADA* Executive Committee at the World Conference on Doping in Sport in Katowice on 7 November 2019 and came into effect January 2021.

This version of the *International Standard* for *Results Management* incorporates minor revisions to align the *International Standard* for *Results Management* with a number of other WADA regulatory documents. It was approved by the WADA Executive Committee on 20 May 2021 and has been effective since this date.

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PART ONE: INTRODUCTION, *CODE* PROVISIONS, *INTERNATIONAL STANDARD* PROVISIONS AND DEFINITIONS

1.0 Introduction and Scope

The *International Standard* for *Results Management* is a mandatory *International Standard* developed as part of the World Anti-Doping Program.

The purpose of the *International Standard* for *Results Management* is to set out the core responsibilities of *Anti-Doping Organizations* with respect to *Results Management*. In addition to describing certain general principles of *Results Management* (section 4), this *International Standard* also sets out the core obligations applicable to the various phases of *Results Management* from the initial review and notification of potential anti-doping rule violations (section 5), through *Provisional Suspensions* (section 6), the assertion of anti-doping rule violations and proposal of *Consequences* (section 7), the Hearing Process (section 8) until the issuance and notification of the decision (section 9) and appeal (section 10).

Notwithstanding the mandatory nature of this *International Standard* and the possibility that departures by *Anti-Doping Organizations* may give rise to compliance consequences under the *International Standard* for *Code* Compliance by *Signatories*, departures from this *International Standard* shall not invalidate analytical results or other evidence of an anti-doping rule violation and shall not constitute a defense to an anti-doping rule violation, except as expressly provided for under *Code* Article 3.2.3.

Terms used in this *International Standard* that are defined terms from the *Code* are italicized. Terms that are defined in this or another *International Standard* are underlined.

2.0 *Code* Provisions

The following articles in the *Code* are directly relevant to the *International Standard* for *Results Management*; they can be obtained by referring to the *Code* itself:

- *Code* Article 2 Anti-Doping Rule Violations
- *Code* Article 3 Proof of Doping
- *Code* Article 5 *Testing* and Investigations
- *Code* Article 7 *Results Management*: Responsibility, Initial Review, Notice and *Provisional Suspensions*
- *Code* Article 8 *Results Management*: Right to a Fair Hearing and Notice of Hearing Decision
- *Code* Article 9 Automatic *Disqualification* of Individual Results
- *Code* Article 10 Sanctions on Individuals
- *Code* Article 11 *Consequences* to Teams

- *Code* Article 13 *Results Management*: Appeals
- *Code* Article 14 Confidentiality and Reporting
- *Code* Article 15 Implementation of Decisions
- *Code* Article 20 Additional Roles and Responsibilities of *Signatories* and *WADA*

3.0 Definitions and Interpretation

3.1 Defined Terms from the *Code* that are used in the *International Standard* for *Results Management*

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

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

***Adverse Analytical Finding*:** A report from a *WADA*-accredited laboratory or other *WADA*-approved laboratory that, consistent with the *International Standard* for Laboratories, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

***Adverse Passport Finding*:** A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

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

***Athlete*:** Any *Person* who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each *National Anti-Doping Organization*). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of "*Athlete*". In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over

whom an *Anti-Doping Organization* has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the *Code* must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and *Education*, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

[Comment to Athlete: Individuals who participate in sport may fall in one of five categories: 1) International-Level Athlete, 2) National-Level Athlete, 3) individuals who are not International or National-Level Athletes but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Athlete, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen to, exercise authority. All International and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.]

***Athlete Biological Passport*:** The program and methods of gathering and collating data as described in the *International Standard* for *Testing* and Investigations and *International Standard* for Laboratories.

***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 *WADA*-accredited laboratory or other *WADA*-approved laboratory which requires further investigation as provided by the *International Standard* for Laboratories or related *Technical Documents* prior to the determination of an *Adverse Analytical Finding*.

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

***CAS*:** The Court of Arbitration for Sport.

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

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

***Consequences of Anti-Doping Rule Violations* ("*Consequences*"):** An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred on account of an anti-doping rule

violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14.1; (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

***Contaminated Product*:** A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

***Delegated Third Parties*:** Any *Person* to which an *Anti-Doping Organization* delegates any aspect of *Doping Control* or anti-doping *Education* programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping educational programs for the *Anti-Doping Organization*, or individuals serving as independent contractors who perform *Doping Control* services for the *Anti-Doping Organization* (e.g., non-employee *Doping Control* Officers or chaperones). This definition does not include *CAS.*

***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 and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management* and investigations or proceedings relating to violations of Article 10.14 (Status During *Ineligibility* or *Provisional Suspension*).

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

***Financial Consequences*:** See *Consequences of Anti-Doping Rule Violations* above.

***In-Competition*:** The period commencing at 11:59 p.m. on the day before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

[Comment to In-Competition: Having a universally accepted definition for In-Competition provides greater harmonization among Athletes across all sports, eliminates or reduces confusion among Athletes about the relevant timeframe for In-Competition Testing, avoids inadvertent Adverse Analytical Findings in between Competitions during an Event and assists

in preventing any potential performance enhancement benefits from substances prohibited Out-of-Competition being carried over to the Competition period.]

***Ineligibility*:** See *Consequences of Anti-Doping Rule Violations* above.

***Institutional Independence*:** Hearing panels on appeal shall be fully *Independent Institutionally* from the *Anti-Doping Organization* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

***International Event*:** An *Event* or *Competition* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major *Event* Organization, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

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

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

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

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

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

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

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

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

***Operational Independence*:** This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

***Out-of-Competition*:** Any period which is not *In-Competition*.

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

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

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

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

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

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

***Provisional Hearing*:** For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 10 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

[Comment to Provisional Hearing: A Provisional Hearing is only a preliminary proceeding which may not involve a full review of the facts of the case. Following a Provisional Hearing, the Athlete remains entitled to a subsequent full hearing on the merits of the case. By contrast, an "expedited hearing," as that term is used in Article 7.4.3, is a full hearing on the merits conducted on an expedited time schedule.]

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

***Publicly Disclose*:** See *Consequences of Anti-Doping Rule Violations* above.

***Registered Testing Pool*:** The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.5 and the *International Standard* for *Testing* and Investigations.

***Results Management*:** The process encompassing the timeframe between notification as per Article 5 of the *International Standard* for *Results Management*, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, Whereabouts Failure), such pre-notification steps expressly provided for in Article 5 of the *International Standard* for *Results Management*, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

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

[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood Samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

***Signatories*:** Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23.

***Specified Method*:** See Article 4.2.2.

***Specified Substance*:** See Article 4.2.2.

***Substance of Abuse*:** See Article 4.2.3.

***Substantial Assistance*:** For purposes of Article 10.7.1, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding

described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

***Tampering*:** Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

[Comment to Tampering: For example, this Article would prohibit altering identification numbers on a Doping Control form during Testing, breaking the B bottle at the time of "B" Sample analysis, altering a Sample by the addition of a foreign substance, or intimidating or attempting to intimidate a potential witness or a witness who has provided testimony or information in the Doping Control process. Tampering includes misconduct which occurs during the Results Management and hearing process. See Article 10.9.3.3. However, actions taken as part of a Person's legitimate defense to an anti-doping rule violation charge shall not be considered Tampering. Offensive conduct towards a Doping Control official or other Person involved in Doping Control which does not otherwise constitute Tampering shall be addressed in the disciplinary rules of sport organizations.]

***Target Testing*:** Selection of specific *Athletes* for *Testing* based on criteria set forth in the *International Standard* for *Testing* and Investigations.

***Technical Document*:** A document adopted and published by *WADA* from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

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

***Therapeutic Use Exemption (TUE)*:** A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to use a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 and the *International Standard* for *Therapeutic Use Exemptions* are met.

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

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

3.2 Defined Terms from the *International Standard* for *Testing* and Investigations

***Doping Control* Officer (or DCO):** An official who has been trained and authorized by the *Sample* Collection Authority to carry out the responsibilities given to DCOs in the *International Standard* for *Testing* and Investigations.

Expert: The Expert(s) and/or Expert Panel, with knowledge in the concerned field, chosen by the *Anti-Doping Organization* and/or *Athlete* Passport Management Unit, are responsible for providing an evaluation of the Passport. The Expert must be external to the *Anti-Doping Organization*.

For the Haematological Module, the Expert panel should consist of at least three (3) Experts who have qualifications in one or more of the fields of clinical and Laboratory haematology, sports medicine or exercise physiology, as they apply to blood doping. For the Steroidal Module, the Expert panel should be composed of at least three (3) individuals with qualifications in the fields of Laboratory steroid analysis, steroid doping and metabolism and/or clinical endocrinology. For both modules, an Expert panel should consist of Experts with complementary knowledge such that all relevant fields are represented. The Expert panel may include a pool of at least three (3) appointed Experts and any additional ad hoc Expert(s) who may be required upon request of any of the appointed Experts or by the *Athlete* Passport Management Unit of the *Anti-Doping Organization*.

***Sample* Collection Authority:** The organization that is responsible for the collection of *Samples* in compliance with the requirements of the *International Standard* for *Testing* and Investigations, whether (1) the *Testing* Authority itself; or (2) a *Delegated Third Party* to whom the authority to conduct *Testing* has been granted or sub-contracted. The *Testing* Authority always remains ultimately responsible under the *Code* for compliance with the requirements of the *International Standard* for *Testing* and Investigations relating to collection of *Samples*.

***Sample* Collection Session:** All of the sequential activities that directly involve the *Athlete* from the point that initial contact is made until the *Athlete* leaves the *Doping Control* Station after having provided their *Sample(s)*.

***Testing* Authority:** The *Anti-Doping Organization* that authorizes *Testing* on *Athletes* it has authority over. It may authorize a *Delegated Third Party* to conduct *Testing* pursuant to the authority of and in accordance with the rules of the *Anti-Doping Organization.* Such authorization shall be documented. The *Anti-Doping Organization* authorizing *Testing* remains the *Testing* Authority and ultimately responsible under the *Code* to ensure the *Delegated Third Party* conducting the *Testing* does so in compliance with the requirements of the *International Standard* for *Testing* and Investigations.

Unsuccessful Attempt Report: A detailed report of an unsuccessful attempt to collect a *Sample* from an *Athlete* in a *Registered Testing Pool* or *Testing* pool setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the *Athlete* (including details of any contact made with third parties), and any other relevant details about the attempt.

Whereabouts Filing: Information provided by or on behalf of an *Athlete* in a *Registered Testing Pool* (or *Testing* pool if applicable) that sets out the *Athlete's* whereabouts during the following quarter, in accordance with Article 4.8.

3.3 Defined Terms from the *International Standard* for Laboratories

***Athlete* Passport Management Unit (APMU):** A unit composed of a *Person* or *Persons* that is responsible for the timely management of *Athlete Biological Passports* in *ADAMS* on behalf of the Passport Custodian.

Confirmation Procedure (CP): An Analytical Testing Procedure that has the purpose of confirming the presence and/or, when applicable, confirming the concentration/ratio/score and/or establishing the origin (exogenous or endogenous) of one or more specific *Prohibited Substances*, *Metabolite(s)* of a *Prohibited Substance*, or *Marker(s)* of the *Use* of a *Prohibited Substance* or *Prohibited Method* in a *Sample*.

Independent Witness: A *Person*, invited by the *Testing* Authority, the Laboratory or *WADA* to witness parts of the Analytical Testing process. The Independent Witness shall be independent of the *Athlete* and his/her representative(s), the Laboratory, the *Sample* Collection Authority, the *Testing* Authority / *Results Management* Authority or *WADA*, as applicable. The Independent Witness may be indemnified for his/her service.

Laboratory(ies): (A) *WADA*-accredited laboratory(ies) applying Test Methods and processes to provide evidentiary data for the detection and/or identification of *Prohibited Substances* or *Prohibited Methods* on the *Prohibited List* and, if applicable, quantification of a Threshold Substance in *Samples* of urine and other biological matrices in the context of *Doping Control* activities.

Laboratory Documentation Package: The material produced by the Laboratory to support an analytical result such as an *Adverse Analytical Finding* as set forth in the *WADA Technical Document* for Laboratory Documentation Packages (TD LDOC).

Limit of Quantification (LOQ): Analytical parameter of assay technical performance. Lowest concentration of an Analyte in a *Sample* that can be quantitatively determined with acceptable precision and accuracy (i.e. acceptable Measurement Uncertainty) under the stated test conditions

Threshold Substance: An exogenous or endogenous *Prohibited Substance*, *Metabolite* or *Marker* of a *Prohibited Substance* for which the identification and quantitative determination (*e.g.* concentration, ratio, score) in excess of a pre-determined *Decision Limit*, or, when applicable, the establishment of an exogenous origin, constitutes an *Adverse Analytical Finding*. Threshold Substances are identified as such in the *Technical Document* on Decision Limits (TD DL).

3.4 Defined Term from the *International Standard* for *Therapeutic Use Exemptions*

Therapeutic: Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

3.5 Defined Term from the *International Standard* for Protection of Privacy and Personal Information

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

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

3.6 Defined Terms Specific to the *International Standard* for *Results Management*

Adaptive Model: A mathematical model designed to identify unusual longitudinal results from *Athlete*s. The model calculates the probability of a longitudinal profile of *Marker* values assuming that the *Athlete* has a normal physiological condition.

***Athlete Biological Passport* Documentation Package:** The material compiled by the *Athlete* Passport Management Unit to support an *Adverse Passport Finding* such as, but not limited to, analytical data, Expert Panel comments, evidence of confounding factors as well as other relevant supporting information.

***Athlete* Passport Management Unit Report:** A report maintained by the Athlete Passport Management Unit, available in the *Athlete*'s Passport in *ADAMS*, that provides a comprehensive summary of the Expert(s) review(s) and recommendations for effective and appropriate follow-up *Testing* by the Passport Custodian.

Expert Panel: The Experts, with knowledge in the concerned field, chosen by the *Anti-Doping Organization* and/or *Athlete* Passport Management Unit, who are responsible for providing an evaluation of the Passport. For the Haematological Module, Experts should have knowledge in one or more of the fields of clinical haematology (diagnosis of blood pathological conditions), sports medicine or exercise physiology. For the Steroidal Module, the Experts should have knowledge in Laboratory analysis, steroid doping and/or endocrinology. For both modules, an Expert Panel should consist of Experts with complementary knowledge such that all relevant fields are represented. The Expert Panel may include a pool of at least three appointed Experts and any additional ad hoc Expert(s) who may be required upon request of any of the appointed Experts or by the *Athlete* Passport Management Unit of the *Anti-Doping Organization*.

Failure to Comply: A term used to describe anti-doping rule violations under *Code* Articles 2.3 and/or 2.5.

Filing Failure: A failure by the *Athlete* (or by a third party to whom the *Athlete* has delegated the task) to make an accurate and complete Whereabouts Filing that enables the *Athlete* to be located for *Testing* at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the *International Standard* for *Testing* and Investigations and Annex B.2 of the *International Standard* for *Results Management*.

Hearing Process: The process encompassing the timeframe between the referral of a matter to a hearing panel or tribunal until the issuance and notification of a decision by the hearing panel (whether at first instance or on appeal).

Missed Test: A failure by the *Athlete* to be available for *Testing* at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the *International Standard* for *Testing* and Investigations and Annex B.2 of the *International Standard* for *Results Management*.

Passport: A collation of all relevant data unique to an individual *Athlete* that may include longitudinal profiles of *Markers*, heterogeneous factors unique to that particular *Athlete* and other relevant information that may help in the evaluation of *Markers.*

Passport Custodian: The *Anti-Doping Organization* responsible for *Result Management* of the *Athlete*'s Passport and for sharing any relevant information associated to that *Athlete's* Passport with other *Anti-Doping Organization(s)*.

***Results Management* Authority:** The *Anti-Doping Organization* responsible for conducting *Results Management* in a given case.

Whereabouts Failure: A Filing Failure or a Missed Test.

3.7 Interpretation

3.7.1 The official text of the *International Standard* for *Results Management* shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

3.7.2 Like the *Code*, the *International Standard* for *Results Management* has been drafted giving consideration to the principles of proportionality, human rights, and other applicable legal principles. It shall be interpreted and applied in that light.

3.7.3 The comments annotating various provisions of the *International Standard* for *Results Management* shall be used to guide its interpretation.

3.7.4 Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the *International Standard* for *Results Management*.

3.7.5 Where the term "days" is used in the *International Standard* for *Results Management*, it shall mean calendar days unless otherwise specified.

3.7.6 The Annexes to the *International Standard* for *Results Management* have the same mandatory status as the rest of the *International Standard*.

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PART TWO: *RESULTS MANAGEMENT* – GENERAL PRINCIPLES

4.0 General Principles

4.1 Confidentiality of *Results Management*

Save for disclosures, including *Public Disclosure*, that are required or permitted under *Code* Article 14 or this *International Standard*, all processes and procedures related to *Results Management* are confidential.

4.2 Timeliness

In the interest of fair and effective sport justice, anti-doping rule violations should be prosecuted in a timely manner. Irrespective of the type of anti-doping rule violation involved, and save for cases involving complex issues or delays not in the control of the *Anti-Doping Organization* (e.g. delays attributable to the *Athlete* or other *Person*), *Anti-Doping Organizations* should be able to conclude *Results Management* (including the Hearing Process at first instance) within six (6) months from the notification as per Article 5 below.

[Comment to Article 4.2: The six (6) months' period is a guideline, which may lead to consequences in terms of compliance for the Results Management Authority only in case of severe and/or repeated failure(s).]

PART THREE: *RESULTS MANAGEMENT* – PRE-ADJUDICATION

5.0 First *Results Management* Phase

This Article 5 sets out the procedures applicable for the first *Results Management* phase as follows: *Adverse Analytical Findings* (Article 5.1), *Atypical Findings* (Article 5.2) and other matters (Article 5.3), which include potential Failures to Comply (Article 5.3.1.1), Whereabouts Failures (Article 5.3.1.2) and *Athlete Biological Passport* findings (Article 5.3.1.3). The notification requirements in respect of matters falling under the scope of Article 5.3 are described under Article 5.3.2.

[Comment to Article 5: Where the anti-doping rules of a Major Event Organization provide for an expedited resolution of the limited Results Management, the anti-doping rules of the Major Event Organization may provide that there will be only one notification to the Athlete or other Person. The content of the notification letter should reflect the provisions of Article 5 mutatis mutandis.]

5.1 *Adverse Analytical Findings*

5.1.1 Initial Review

Upon receipt of an *Adverse Analytical Finding*, the *Results Management* Authority shall conduct a review to determine whether (a) an applicable *TUE* has been granted or will be granted as provided in the *International Standard* for *Therapeutic Use Exemptions* (Article 5.1.1.1), (b) there is any apparent departure from the *International Standard* for *Testing* and Investigations or *International Standard* for Laboratories that caused the *Adverse Analytical Finding* (Article 5.1.1.2) and/or (c) it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route (Article 5.1.1.3).

5.1.1.1 *Therapeutic Use Exemption*

5.1.1.1.1 The *Results Management* Authority shall consult the *Athlete's* records in *ADAMS* and with other *Anti-Doping Organizations* that might have approved a *TUE* for the *Athlete* (e.g., the *National Anti-Doping Organization* or the International Federation) to determine whether a *TUE* exists.

[Comment to Article 5.1.1.1.1: As per the Prohibited List and the Technical Document for Decision Limits for the Confirmatory Quantification of Threshold Substances, the detection in an Athlete's Sample at all times or In-Competition, as applicable, of any quantity of certain Threshold Substances (identified in the Prohibited List), in conjunction with a diuretic or masking agent, will be considered as an Adverse Analytical Finding unless the Athlete has an approved TUE for that substance in addition to the one granted for the diuretic or masking agent. Therefore, in the event of such detection, the Results Management Authority shall also determine whether the Athlete has an approved TUE for the detected Threshold Substance.]

5.1.1.1.2 If the initial review reveals that the *Athlete* has an applicable *TUE,* then the *Results Management* Authority shall conduct such follow up review as necessary to determine if the specific requirements of the *TUE* have been complied with.

5.1.1.2 Apparent Departure from *International Standard* for *Testing* and Investigations and/or *International Standard* for Laboratories

The *Results Management* Authority must review the *Adverse Analytical Finding* to determine if there has been any departure from the *International Standard* for *Testing* and Investigations and/or the *International Standard* for Laboratories. This may include a review of the Laboratory Documentation Package produced by the Laboratory to support the *Adverse Analytical Finding* (if available at the time of the review) and relevant *Doping Control* form(s) and *Testing* documents.

5.1.1.3 Apparent Ingestion through Permitted Route

If the *Adverse Analytical Finding* involves a *Prohibited Substance* permitted through (a) specific route(s) as per the *Prohibited List*, the *Results Management* Authority shall consult any relevant available documentation (e.g. *Doping Control* form) to determine whether the *Prohibited Substance* appears to have been administered through a permitted route and, if so, shall consult an expert to determine whether the *Adverse Analytical Finding* is compatible with the apparent route of ingestion.

[Comment to Article 5.1.1.3: For the sake of clarity, the outcome of the initial review shall not prevent an Athlete from arguing that his Use of the Prohibited Substance came from a permitted route at a later stage of Results Management.]

5.1.2 Notification

5.1.2.1 If the review of the *Adverse Analytical Finding* does not reveal an applicable *TUE* or entitlement to the same as provided in the *International Standard* for *Therapeutic Use Exemptions*, a departure from the *International Standard* for *Testing* and Investigations or the *International Standard* for Laboratories that caused the *Adverse Analytical Finding* or that it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through an authorized route, the *Results Management* Authority shall promptly notify the *Athlete* of:

a) The *Adverse Analytical Finding*;

[Comment to Article 5.1.2.1 a): In the event that the Adverse Analytical Finding relates to salbutamol, formoterol, human chorionic gonadotrophin or another Prohibited Substance subject to specific Results Management requirements in a Technical Document, the Results Management Authority shall in addition comply with Article 5.1.2.2. The

Athlete shall be provided with any relevant documentation, including a copy of the Doping Control form and the Laboratory results.]

b) The fact that the *Adverse Analytical Finding* may result in an anti-doping rule violation of *Code* Article 2.1 and/or Article 2.2 and the applicable *Consequences*;

[Comment to Article 5.1.2.1 b): The Results Management Authority should always refer to both Code Articles 2.1 and 2.2 in the notification and charge letter (Article 7) to an Athlete if the matter relates to an Adverse Analytical Finding. The Results Management Authority shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists and take such information into account in determining the applicable Consequences.]

c) The *Athlete's* right to request the analysis of the "B" *Sample* or, failing such request, that the "B" *Sample* analysis may be deemed irrevocably waived;

[Comment to Article 5.1.2.1 c): The Results Management Authority may still request the "B" Sample analysis even if the Athlete does not request the "B" Sample analysis or expressly or impliedly waives their right to analysis of the "B" Sample. The Results Management Authority may provide in its anti-doping rules that the costs of the "B" Sample analysis shall be covered by the Athlete.]

d) The opportunity for the *Athlete* and/or the *Athlete's* representative to attend the "B" *Sample* opening and analysis in accordance with the *International Standard* for Laboratories;

e) The *Athlete's* right to request copies of the "A" *Sample* Laboratory Documentation Package which includes information as required by the *International Standard* for Laboratories;

[Comment to Article 5.1.2.1 e): This request shall be made to the Results Management Authority and not the Laboratory directly.

The Results Management Authority may provide in its anti-doping rules that the costs relating to the issuance of the Laboratory Documentation Package(s) shall be covered by the Athlete.]

f) The opportunity for the *Athlete* to provide an explanation within a short deadline;

g) The opportunity for the *Athlete* to provide *Substantial Assistance* as set out under *Code* Article 10.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of *Ineligibility*

under *Code* Article 10.8.1 (if applicable) or to seek to enter into a case resolution agreement under *Code* Article 10.8.2; and

h) Any matters relating to *Provisional Suspension* (including the possibility for the *Athlete* to accept a voluntary *Provisional Suspension*) as per Article 6 (if applicable).

5.1.2.2 In addition, in the event that the *Adverse Analytical Finding* relates to the *Prohibited Substances* set out below, the *Results Management* Authority shall:

a) Salbutamol or Formoterol: draw the attention of the *Athlete* in the notification letter that the *Athlete* can prove, through a controlled pharmacokinetic study, that the *Adverse Analytical Finding* was the consequence of a Therapeutic dose by inhalation up to the maximum dose indicated under class S3 of the *Prohibited List.* The *Athlete's* attention shall in addition be drawn to the key guiding principles for a controlled pharmacokinetic study and they shall be provided with a list of Laboratories, which could perform the controlled pharmacokinetic study. The *Athlete* shall be granted a deadline of seven (7) days to indicate whether they intend to undertake a controlled pharmacokinetic study, failing which the *Results Management* Authority may proceed with the *Results Management*;

b) Urinary human chorionic gonadotrophin: follow the procedures set out at Article 6 of the 2019 *Technical Document* for the Reporting & Management of Urinary Human Chorionic Gonadotrophin (hCG) and Luteinizing Hormone (LH) Findings in Male *Athletes* (TD2019CG/LH) or any subsequent version of the *Technical Document*;

c) Other *Prohibited Substance* subject to specific *Results Management* requirements in a *Technical Document* or other document issued by *WADA*: follow the procedures set out in the relevant *Technical Document* or other document issued by *WADA*.

5.1.2.3 The *Results Management* Authority shall also indicate the scheduled date, time and place for the "B" *Sample* analysis for the eventuality that the *Athlete* or *Results Management* Authority chooses to request an analysis of the "B" *Sample*; it shall do so either in the notification letter described in Article 5.1.2.1 or in a subsequent letter promptly after the *Athlete* (or the *Results Management* Authority) has requested the "B" *Sample* analysis.

[Comment to Article 5.1.2.3: As per Article 5.3.6.2.3 of the International Standard for Laboratories, the "B" Sample confirmation should be performed as soon as possible following the reporting of the "A" Sample Adverse Analytical Finding.

The timing of the "B" Sample confirmation analysis may be strictly fixed in the short term with no postponement possible, when circumstances so justify it.

This can notably and without limitation be the case in the context of Testing during or immediately before or after Major Events, or when the further postponement of the "B" Sample analysis could significantly increase the risk of Sample degradation.]

5.1.2.4 If the *Athlete* requests the "B" *Sample* analysis but claims that they and/or their representative is not available on the scheduled date indicated by the *Results Management* Authority, the *Results Management* Authority shall liaise with the Laboratory and propose (at least) two (2) alternative dates.

[Comment to Article 5.1.2.4: The alternative dates should take into account: (1) the reasons for the Athlete's unavailability; and (2) the need to avoid any degradation of the Sample and ensure timely Results Management.]

5.1.2.5 If the *Athlete* and their representative claim not to be available on the alternative dates proposed, the *Results Management* Authority shall instruct the Laboratory to proceed regardless and appoint an Independent Witness to verify that the "B" *Sample* container shows no signs of *Tampering* and that the identifying numbers match that on the collection documentation.

[Comment to Article 5.1.2.5: An Independent Witness may be appointed even if the Athlete has indicated that they will be present and/or represented.]

5.1.2.6 If the results of the "B" *Sample* analysis confirm the results of the "A" *Sample* analysis, the *Results Management* Authority shall promptly notify the *Athlete* of such results and shall grant the *Athlete* a short deadline to provide or supplement their explanations. The *Athlete* shall also be afforded the possibility to admit the anti-doping rule violation to potentially benefit from a one-year reduction in the period of *Ineligibility* under *Code* Article 10.8.1, if applicable, and/or to voluntarily accept a *Provisional Suspension* as per *Code* Article 7.4.4.

5.1.2.7 Upon receipt of any explanation from an *Athlete*, the *Results Management* Authority may, without limitation, request further information and/or documents from the *Athlete* within a set deadline or liaise with third parties in order to assess the validity of the explanation.

[Comment to Article 5.1.2.7: If the positive finding involves a Prohibited Substance subject to a permitted route (e.g. by inhalation, by transdermal or by ophthalmic Use) and the Athlete alleged that the positive finding came from the permitted route, the Results Management Authority should assess the credibility of the explanation by contacting third parties (including scientific experts) before deciding not to move forward with Results Management.]

5.1.2.8 Any communication provided to the *Athlete* under this Article 5.1.2 shall simultaneously be provided by the *Results Management* Authority to the *Athlete's National Anti-Doping Organization(s)*, International Federation and *WADA* and shall promptly be reported into *ADAMS*.

[Comment to Article 5.1.2.8: To the extent not already set out in the communication to the Athlete, this notification shall include the following information (if applicable): the Athlete's name, country, sport and discipline within the sport, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the Laboratory and other information as required by the International Standard for Testing and Investigations.]

5.2 *Atypical Findings*

5.2.1 Upon receipt of an *Atypical Finding*, the *Results Management* Authority shall conduct a review to determine whether: (a) an applicable *TUE* has been granted or will be granted as provided in the *International Standard* for *Therapeutic Use Exemptions* (see Article 5.1.1.1 by analogy); (b) there is any apparent departure from the *International Standard* for *Testing* and Investigations or *International Standard* for Laboratories that caused the *Atypical Finding* (see Article 5.1.1.2 by analogy) and/or (c) it is apparent that the ingestion of the *Prohibited Substance* was through a permitted route (see Article 5.1.1.3 by analogy). If that review does not reveal an applicable *TUE*, an apparent departure that caused the *Atypical Finding* or an ingestion through a permitted route, the *Results Management* Authority shall conduct the required investigation.

[Comment to Article 5.2.1 : If the Prohibited Substance involved is subject to specific Results Management requirements in a Technical Document, the Results Management Authority shall also follow the procedures set out therein.

In addition, the Results Management Authority may contact WADA to determine which investigative steps should be undertaken. These investigative steps may be provided for by WADA in a specific notice or other document.]

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

a) If the *Results Management* Authority determines that the "B" *Sample* should be analyzed prior to the conclusion of its investigation, the *Results Management* Authority may conduct the "B" *Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 5.1.2.1 c) to e) and Article 5.1.2.3;

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

c) If the *Atypical Finding* is, in the opinion of qualified medical or expert personnel, likely to be connected to a serious pathology that requires urgent medical attention.

5.2.3 If after the investigation is completed the *Results Management* Authority decides to pursue the *Atypical Finding* as an *Adverse Analytical Finding,* then the procedure shall follow the provisions of Article 5.1 mutatis mutandis.

5.3 Matters not Involving an *Adverse Analytical Finding* or *Atypical Finding*

5.3.1 Specific cases

5.3.1.1 Report of a potential Failure to Comply

The pre-adjudication phase of *Results Management* of a possible Failure to Comply shall take place as provided in Annex A – Review of a Possible Failure to Comply.

5.3.1.2 Whereabouts Failures

The pre-adjudication phase of *Results Management* of potential Whereabouts Failures shall take place as provided in Annex B – *Results Management* for Whereabouts Failures.

5.3.1.3 *Athlete Biological Passport* Findings

The pre-adjudication phase of *Results Management* of *Atypical Passport Findings* or Passports submitted to an Expert by the *Athlete* Passport Management Unit when there is no *Atypical Passport Finding* shall take place as provided in Annex C – *Results Management* Requirements and Procedures for the *Athlete Biological Passport*.

5.3.2 Notification for specific cases and other anti-doping rule violations under Article

5.3.2.1 At such time as the *Results Management* Authority considers that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s), the *Results Management* Authority shall promptly notify the *Athlete* of:

a) The relevant anti-doping rule violation(s) and the applicable *Consequences*;

b) The relevant factual circumstances upon which the allegations are based;

c) The relevant evidence in support of those facts that the *Results Management* Authority considers demonstrate that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s);

d) The *Athlete* or other *Person*'s right to provide an explanation within a reasonable deadline;

e) The opportunity for the *Athlete* or other *Person* to provide *Substantial Assistance* as set out in *Code* Article 10.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of *Ineligibility* in *Code* Article 10.8.1 (if applicable) or seek to enter into a case resolution agreement in *Code* Article 10.8.2; and

f) Any matters relating to *Provisional Suspension* (including the possibility for the *Athlete* or other *Person* to accept a voluntary *Provisional Suspension*) as per Article 6 (if applicable).

5.3.2.2 Upon receipt of the *Athlete's* or other *Person's* explanation, the *Results Management* Authority may, without limitation, request further information and/or documents from the *Athlete* or other *Person* within a set deadline or liaise with third parties in order to assess the validity of the explanation.

5.3.2.3 The communication provided to the *Athlete* or o*ther Person* shall simultaneously be provided by the *Results Management* Authority to the *Athlete's* or *other Person's National Anti-Doping Organization(s)*, International Federation and *WADA* and shall promptly be reported into *ADAMS*.

[Comment to Article 5.3.2.3: To the extent not already set out in the communication to the Athlete or other Person, this notification shall include the following information (if applicable): the Athlete's or other Person's name, country, sport and discipline within the sport.]

5.4 Decision Not to Move Forward

If at any point during *Results Management* up until the charge under Article 7, the *Results Management* Authority decides not to move forward with a matter, it must notify the *Athlete* or other *Person* (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*) and give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under *Code* Article 13.2.3.

6.0 *Provisional Suspensions*

6.1 Scope

6.1.1 In principle, a *Provisional Suspension* means that an *Athlete* or other *Person* is barred temporarily from participating in any capacity in any *Competition* or activity as per *Code* Article 10.14.1 prior to the final decision at a hearing pursuant to Article 8.

6.1.2 Where the *Results Management* Authority is the ruling body of an *Event* or is responsible for team selection, the rules of such *Results Management* Authority shall provide that the *Provisional Suspension* is limited to the scope of the *Event*, respectively team selection. Upon notification under Article 5, the International Federation of the *Athlete* or other *Person* shall be responsible for *Provisional Suspension* beyond the scope of the *Event*.

6.2 Imposition of a *Provisional Suspension*

6.2.1 Mandatory *Provisional Suspension*

6.2.1.1 As per *Code* Article 7.4.1, *Signatories* identified in the provision shall adopt rules providing that when an *Adverse Analytical Finding* or *Adverse Passport Finding* (upon completion of the *Adverse Passport Finding* review process) is received for a *Prohibited Substance* or a *Prohibited Method* other than a *Specified Substance* or *Specified Method*, a *Provisional Suspension* shall be imposed promptly upon or after the review and notification required by *Code* Article 7.2.

[Comment to Article 6.2.1.1: The review and notification required by Code Article 7.2 is set out in Article 5.]

6.2.1.2 A mandatory *Provisional Suspension* may be eliminated if: (i) the *Athlete* demonstrates to the hearing panel that the violation is likely to have involved a *Contaminated Product*, or (ii) the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of *Ineligibility* under *Code* Article 10.2.4.1. A hearing body's decision not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

6.2.2 Optional *Provisional Suspension*

As per *Code* Article 7.4.2, a *Signatory* may adopt rules, applicable to any *Event* for which the *Signatory* is the ruling body or to any team selection process for which the *Signatory* is responsible or where the *Signatory* is the applicable International Federation or has *Results Management* Authority over the alleged anti-doping rule violation, permitting *Provisional Suspensions* to be imposed for anti-doping rule violations not covered by *Code* Article 7.4.1 prior to analysis of the *Athlete's* "B" *Sample* or final hearing as described in *Code* Article 8. The optional *Provisional Suspension* may also be lifted at the discretion of the *Results Management* Authority at any time prior to the hearing panel decision under Article 8, unless provided otherwise.

[Comment to Article 6.2.2: Whether or not to impose an optional Provisional Suspension is a matter for the Results Management Authority to decide in its discretion, taking into account all the facts and evidence. The Results Management Authority should keep in mind that if an Athlete continues to compete after being notified and/or charged in respect of an anti-doping rule violation and is subsequently found to have committed an anti-doping rule violation, any results, prizes and titles achieved and awarded in that timeframe may be subject to Disqualification and forfeited.

Nothing in this provision prevents provisional measures (including a lifting of the Provisional Suspension upon request of the Athlete or other Person) being ordered by the hearing panel.]

6.2.3 General Provisions

6.2.3.1 Notwithstanding Articles 6.2.1 and 6.2.2, a *Provisional Suspension* may not be imposed unless the rules of the *Anti-Doping Organization* provide the *Athlete* or other *Person* with: (a) an opportunity for a *Provisional Hearing*, either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with *Code* Article 8 on a timely basis after imposition of a *Provisional Suspension*. The rules of the *Anti-Doping Organization* shall also provide for an opportunity for an expedited appeal against the imposition of a *Provisional Suspension*, or the decision not to impose a *Provisional Suspension*, in accordance with *Code* Article 13.

6.2.3.2 A *Provisional Suspension* shall start on the date on which it is notified (or deemed to be notified) by the *Results Management* Authority to the *Athlete* or other *Person*.

6.2.3.3 The period of *Provisional Suspension* shall end with the final decision of the hearing panel conducted under Article 8, unless earlier lifted in accordance with this Article 6. However, the period of *Provisional Suspension* shall not exceed the maximum length of the period of *Ineligibility* that may be imposed on the *Athlete* or other *Person* based on the relevant anti-doping rule violation(s).

6.2.3.4 If a *Provisional Suspension* is imposed based on an "A" *Sample Adverse Analytical Finding* and a subsequent "B" *Sample* analysis does not confirm the "A" *Sample* analysis result, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of *Code* Article 2.1.

[Comment to Article 6.2.3.4: The Results Management Authority may nonetheless decide to maintain and/or re-impose a Provisional Suspension on the Athlete based on another anti-doping rule violation notified to the Athlete, e.g. a violation of Code Article 2.2.]

6.2.3.5 In circumstances where the *Athlete* (or the *Athlete's* team as may be provided in the rules of the applicable *Major Event Organization* or International Federation) has been removed from an *Event* based on a violation of *Code* Article 2.1 and the subsequent "B" *Sample* analysis does not confirm the "A" *Sample* finding, if, without otherwise affecting the *Event*, it is still possible for the *Athlete* or team to be reinstated, the *Athlete* or team may continue to take part in the *Event*.

6.3 Voluntary *Provisional Suspension*

6.3.1 As per *Code* Article 7.4.4, *Athletes* on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of ten (10) days from the report of the "B" *Sample* (or waiver of the "B" *Sample*) or ten (10) days from notification of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notification. Other *Persons* on their own initiative may

voluntarily accept a *Provisional Suspension* if done so within ten (10) days from notification of the anti-doping rule violation. Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 6.2.1 or 6.2.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

6.4 Notification

6.4.1 Unless already notified under another provision of this *International Standard*, any imposition of a *Provisional Suspension* notified to the *Athlete* or other *Person* or voluntary acceptance of a *Provisional Suspension*, or lifting of either, shall promptly be notified by the *Results Management* Authority to the *Athlete's or other Person's National Anti-Doping Organization(s)*, International Federation and *WADA* and shall promptly be reported into *ADAMS*.

[Comment to Article 6.4.1: To the extent not already set out in the communication to the Athlete or other Person, this notification shall include the following information (if applicable): the Athlete's or other Person's name, country, sport and discipline within the sport.]

7.0 Charge

7.1 If, after receipt of the *Athlete* or other *Person*'s explanation or expiry of the deadline to provide such explanation, the *Results Management* Authority is (still) satisfied that the *Athlete* or other *Person* has committed (an) anti-doping rule violation(s), the *Results Management* Authority shall promptly charge the *Athlete* or other *Person* with the anti-doping rule violation(s) they are asserted to have breached. In this letter of charge, the *Results Management* Authority:

a) Shall set out the provision(s) of its anti-doping rules asserted to have been violated by the *Athlete* or other *Person*;

[Comment to Article 7.1 a): The Results Management Authority is not limited by the anti-doping rules violation(s) set out in the notification under Article 5. In its discretion, the Results Management Authority may decide to assert further anti-doping rule violation(s) in its notice of charge.

Notwithstanding the above, whereas it is a Results Management Authority's duty to set out all and any asserted anti-doping rule violations against an Athlete or other Person in the notice of charge, a failure to formally charge an Athlete with an anti-doping rule violation that is, in principle, an integral part of a more specific (asserted) anti-doping rule violation (e.g. a Use violation (Code Article 2.2) as part of a Presence violation (Code Article 2.1), or a Possession violation (Code Article 2.6) as part of an asserted Administration violation (Code Article 2.8)) shall not prevent a hearing panel from finding that the Athlete or other Person committed a violation of the subsidiary anti-doping rule violation in the event that they are not found to have committed the explicitly asserted anti-doping rule violation.]

b) Shall provide a detailed summary of the relevant facts upon which the assertion is based, enclosing any additional underlying evidence not already provided in the notification under Article 5;

[Comment to Article 7.1 b): The Results Management Authority shall, however, not be prevented from relying on other facts and/or adducing further evidence not contained in either the notification letter under Article 5 or the charge letter under Article 7 during the Hearing Process at first instance and/or on appeal.]

c) Shall indicate the specific *Consequences* being sought in the event that the asserted anti-doping rule violation(s) is/are upheld and that such *Consequences* shall have binding effect on all *Signatories* in all sports and countries as per *Code* Article 15;

[Comment to Article 7.1 c): The Consequences of an anti-doping rule violation set out in the letter of charge shall include as a minimum the relevant period of Ineligibility and Disqualification. The Results Management Authority shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists and take such information into account in determining the relevant Consequences. The proposed Consequences shall in all circumstances be compatible with the provisions of the Code and shall be appropriate based on the explanations given by the Athlete or other Person or the facts as established by the Results Management Authority. For these purposes, it is expected that the Results Management Authority will review the explanations given by the Athlete or other Person and assess their credibility (for example, by checking the authenticity of documentary evidence and the plausibility of the explanation from a scientific perspective) before proposing any Consequences. If the Results Management phase is substantially delayed by the review, the Results Management Authority shall inform WADA, setting out the reasons for the substantial delay.]

d) Shall grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended only in exceptional cases) to the *Athlete* or other *Person* to admit the anti-doping rule violation asserted and to accept the proposed *Consequences* by signing, dating and returning an acceptance of *Consequences* form, which shall be enclosed with the letter;

e) For the eventuality that the *Athlete* or other *Person* does not accept the proposed *Consequences*, shall already grant to the *Athlete* or other *Person* a deadline provided for in the *Results Management* Authority's anti-doping rules (which shall not be of more than twenty (20) days from receipt of the letter of charge and may be extended only in exceptional cases) to challenge in writing the *Results Management* Authority's assertion of an anti-doping rule violation and/or proposed *Consequences*, and/or make a written request for a hearing before the relevant hearing panel;

f) Shall indicate that if the *Athlete* or other *Person* does not challenge the *Results Management* Authority's assertion of an anti-doping rule violation or proposed *Consequences* nor request a hearing within the prescribed deadline, the *Results Management* Authority shall be entitled to deem that the *Athlete* or other *Person* has waived their right to a hearing and admitted the anti-doping rule violation as well as accepted the *Consequences* set out by the *Results Management* Authority in the letter of charge;

g) Shall indicate that the *Athlete* or other *Person* may be able to obtain a suspension of *Consequences* if they provide *Substantial Assistance* under *Code* Article 10.7.1, may admit the anti-doping rule violation(s) within twenty (20) days from receipt of the letter of charge and potentially benefit from a one-year reduction in the period of *Ineligibility* under *Code* Article 10.8.1 (if applicable) and/or seek to enter into a case resolution agreement by admitting the anti-doping rule violation(s) under *Code* Article 10.8.2; and

h) Shall set out any matters relating to *Provisional Suspension* as per Article 6 (if applicable).

7.2 The notice of charge notified to the *Athlete* or other *Person* shall simultaneously be notified by the *Results Management* Authority to the *Athlete's National Anti-Doping Organization(s)*, International Federation and *WADA* and shall promptly be reported into *ADAMS*.

[Comment to Article 7.2: To the extent not already set out in the notice of charge, this notification shall contain the following information (wherever applicable): Athlete's or other Person's name, country, sport and discipline within the sport, and, for a violation of Code Article 2.1, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the Laboratory and other information as required by the International Standard for Testing and Investigations, and, for any other anti-doping rule violation, the anti-doping rule(s) violated and the basis for the asserted violation(s).]

7.3 In the event that the *Athlete* or other *Person* either (i) admits the anti-doping rule violation and accepts the proposed *Consequences* or (ii) is deemed to have admitted the violation and accepted the *Consequences* as per Article 7.1 f), the *Results Management* Authority shall promptly issue the decision and notify it in accordance with Article 9.

7.4 If, after the *Athlete* or other *Person* has been charged, the *Results Management* Authority decides to withdraw the charge, it must notify the *Athlete* or other *Person* and give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under *Code* Article 13.2.3.

7.5 Subject to Article 7.6, in the event that the *Athlete* or other *Person* requests a hearing, the matter shall be referred to the *Results Management* Authority's hearing panel and be dealt with pursuant to Article 8.

[Comment to Article 7.5: Where a Results Management Authority has delegated the adjudication part of Results Management to a Delegated Third Party, the matter shall be referred to the Delegated Third Party.]

7.6 Single hearing before *CAS*

7.6.1 Pursuant to *Code* Article 8.5, anti-doping rule violations asserted against *International-Level Athletes*, *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other *Person*, the *Results Management* Authority and *WADA*, be heard in a single hearing directly at *CAS* under *CAS* appellate procedures, with no requirement for a prior hearing, or as otherwise agreed by the parties.

7.6.2 If the *Athlete* or other *Person* and the *Results Management* Authority agree to proceed with a single hearing before *CAS*, it shall be the responsibility of the *Results Management* Authority to liaise in writing with *WADA* to determine whether it agrees to

the proposal. Should *WADA* not agree (in its entire discretion), then the case shall be heard by the *Results Management* Authority's hearing panel at first instance.

[Comment to Article 7.6.2: In the event that all relevant parties agree to refer the case to the CAS as a single instance, the Results Management Authority shall promptly notify any other Anti-Doping Organization with a right of appeal upon initiating the proceedings so that the latter may seek to intervene in the proceedings (if they wish to). The final decision rendered by the CAS shall not be subject to any appeal, save to the Swiss Federal Tribunal.]

PART FOUR: *RESULTS MANAGEMENT* – ADJUDICATION

8.0 Hearing Process

8.1 The rules of the *Results Management* Authority shall confer jurisdiction on hearing panels to hear and determine whether an *Athlete* or other *Person* subject to its anti-doping rules has committed an anti-doping rule violation and, if applicable, to impose the relevant *Consequences***.** The *Results Management* Authority (or a *Delegated Third Party* upon delegation under *Code* Article 20) shall bring forward the charge before the hearing panel.

[Comment to Article 8.1: Results Management Authorities may also delegate the adjudication part of Results Management to Delegated Third Parties.

It is not a Code requirement that a hearing should take place in person. Hearings may also take place remotely by the participants joining together using technology. There are no restrictions as to the technology that can or should be used, but include means such as conference calling, video conferencing technology or other online communication tools. Depending on the circumstances of a case, it may also be fair or necessary – for example, where all the facts are agreed and the only issue is as to the Consequences – to conduct a hearing "in writing", based on written materials without an oral hearing.]

8.2 For the purposes of Article 8.1, a wider pool of hearing panel members shall be established, from which the hearing panels for specific cases shall be nominated. Appointment to the pool must be made based on anti-doping experience, including legal, sports, medical and/or scientific expertise. All members of the pool shall be appointed for a period of no less than two (2) years (which may be renewable).

[Comment to Article 8.2: The number of potential hearing panel members appointed to the wider pool depends on the number of affiliates and the anti-doping history (including the number of anti-doping rule violations committed in the past years) of the Anti-Doping Organization. At the very least, the number of potential hearing panel members shall be sufficient to ensure that Hearing Processes are timely conducted and provide for replacement possibilities in the event of a conflict of interest.]

8.3 The applicable rules shall provide for an independent person or body to determine in their discretion the size and composition of a particular hearing panel to adjudicate an individual case. At least one appointed hearing panel member must have a legal background.

[Comment to Article 8.3: For example, the independent person may be a designated chairperson of the pool. The relevant rules should also provide for a mechanism for the event that the independent person or body has a conflict of interest (e.g. the chairperson may be replaced by a designated vice-chairperson in the event of a conflict of interest, or by the most senior hearing panel member with no conflict of interest, where there is no vice-chairperson or both the chairperson and vice-chairperson are in a situation of conflict).

The size and composition of the hearing panel may vary depending on the nature of the charge and the evidence put forward. The hearing panel may be composed of a single adjudicator. The chairperson of the pool can be appointed (or appoint themselves if applicable) to sit as

single adjudicator or hearing panel member. If a single adjudicator is appointed, they shall have a legal background.]

8.4 Upon appointment to a hearing panel, each hearing panel member shall sign a declaration that there are no facts or circumstances known to him/her which might call into question their impartiality in the eyes of any of the parties, other than any circumstances disclosed in the declaration. If such facts or circumstances arise at a later stage of the Hearing Process, the relevant hearing panel member shall promptly disclose them to the parties.

[Comment to Article 8.4: For example, any member who is in any way connected with the case and/or the parties – such as family or close personal/professional ties and/or an interest in the outcome of the case and/or having expressed an opinion as to the outcome of the particular case – must openly disclose on the declaration all circumstances that might interfere with the impartial performance of their functions. To assess whether a hearing panel member is impartial, the Results Management Authority may take into account the principles set out in the IBA Guidelines on Conflicts of Interest in International Arbitration as updated from time to time available at https://www.ibanet.org.]

8.5 The parties shall be notified of the identity of the hearing panel members appointed to hear and determine the matter and be provided with their declaration at the outset of the Hearing Process. The parties shall be informed of their right to challenge the appointment of any hearing panel member if there are grounds for potential conflicts of interest within seven (7) days from the ground for the challenge having become known. Any challenge shall be decided upon by an independent person from the wider pool of hearing panel members or by an independent institution.

[Comment to Article 8.5: For example, the independent person may be a designated chairperson of the pool. The relevant rules should also provide for a mechanism for the event that the independent person is the person subject to the challenge or is one of the other members of that particular hearing panel (e.g. the designated independent person may be replaced in these circumstances by a vice-chairperson or other designated senior hearing panel member).]

8.6 The rules governing the activities of the *Results Management* Authority shall guarantee the *Operational Independence* of hearing panel members.

[Comment to Article 8.6: As per the Code definition, Operational Independence means that (1) board members, staff members, commission members, consultants and officials of the Results Management Authority or its affiliates (e.g. member federation or confederation), as well as any person involved in the investigation and pre-adjudication of the matter, cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that Results Management Authority and (2) that hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the Results Management Authority or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.]

8.7 *Anti-Doping Organizations* shall provide adequate resources to ensure that hearing panels are able to fulfil their tasks efficiently and independently and otherwise in accordance with this Article 8.

[Comment to Article 8.7: All agreed fees and reasonable expenses of the hearing panels shall be timely paid by the Results Management Authority.]

8.8 The Hearing Process shall respect, at a minimum, all of the following principles:

a) The hearing panel must remain fair, impartial and *Operationally Independent* at all times;

b) The Hearing Process shall be accessible and affordable;

[Comment to Article 8.8 b): Procedural fees, if any, shall be set at a level that does not prevent the accused Person from accessing the hearing. When necessary, the Results Management Authority and/or the relevant hearing panel should consider establishing a legal aid mechanism in order to ensure such access.]

c) The Hearing Process shall be conducted within a reasonable time;

[Comment to Article 8.8 c): All decisions shall be issued and notified promptly after the hearing in person or, if no hearing in person is requested, after the parties have filed their written submissions. Save in complex matters, this timeframe should not exceed two (2) months.]

d) The right to be informed in a fair and timely manner of the asserted anti-doping rule violation(s), the right to be represented by counsel at the *Athlete* or other *Person's* own expense, the right of access to and to present relevant evidence, the right to submit written and oral submissions, the right to call and examine witnesses, and the right to an interpreter at the hearing at the *Athlete* or other *Person's* own expense; and

[Comment to Article 8.8 d): In principle, where the hearing is in person, it should be composed of an opening phase, where the parties are given an opportunity to briefly present their case, an evidentiary phase, where the evidence is assessed and witnesses and experts (if any) are heard, and a closing phase, where all parties are given an opportunity to present their final arguments in light of the evidence.]

e) The right for the *Athlete* or the other *Person* to request a public hearing. The *Results Management* Authority may also request a public hearing provided that the *Athlete* or the other *Person* has provided his/her written consent to the same.

[Comment to Article 8.8 e): However, the request may be denied by the hearing panel in the interest of morals, public order, national security, where the interests of Minors or the protection of the private life of the parties so require, where publicity would prejudice the interests of justice or where the proceedings are exclusively related to questions of law.]

8.9 Hearing Processes held in connection with *Events* may be conducted by an expedited process as permitted by the rules of the relevant *Anti-Doping Organization* and the hearing panel.

9.0 Decisions

9.1 Content

9.1.1 *Results Management* decisions or adjudications by *Anti-Doping Organizations* must not purport to be limited to a particular geographic area or sport and shall address and determine the following issues:

a) Jurisdictional basis and applicable rules;

b) Detailed factual background;

[Comment to Article 9.1.1 b): For instance, where the violation is based on an Adverse Analytical Finding, the decision shall set out inter alia the date and place of the Sample Collection Session, the type of Sample collection (blood or urine), whether the control was Out-of-Competition or In-Competition, the Prohibited Substance detected, the WADA-accredited Laboratory that performed the analysis, if the "B" Sample analysis was requested and/or performed as well as the results of the analysis. For any other violation, a full and detailed description of the facts shall be made.]

c) Anti-doping rule violation(s) committed;

[Comment to Article 9.1.1 c): Where the violation is based on an Adverse Analytical Finding, the decision shall inter alia set out that there was no departure from the International Standards, or that the alleged departure(s) did or did not cause the Adverse Analytical Finding and demonstrate that the violation of Code Article 2 is made out (see Code Article 2.1.2). For any other violation, the hearing panel shall assess the evidence presented and explain why it considers that the evidence presented by the Results Management Authority meets or does not meet the required standard of proof. In case the hearing panel considers that the anti-doping rule violation(s) is/are established, it shall expressly indicate the anti-doping rule(s) violated.]

d) Applicable *Consequences*; and

[Comment to Article 9.1.1 d): The decision shall identify the specific provisions on which the sanction, including any reduction or suspension, is based and provide reasons justifying the imposition of the relevant Consequences. In particular, where the applicable rules grant discretion to the hearing panel (e.g. for Specified Substances or Specified Methods or Contaminated Products under Code Article 10.6.1.1 and 10.6.1.2), the decision shall explain why the period of Ineligibility imposed is appropriate. The decision shall also indicate the start date of the period of Ineligibility (if any) and provide justifications in the event that this date is earlier than the date of the decision (see Code Article 10.13.1). The decision shall also indicate the period of Disqualification, with justification in the event that certain results are not Disqualified for reasons of fairness (Code Article 10.10 of the Code), and any forfeiture of medals or prizes. The decision shall also set if (and to what extent) any period of Provisional Suspension is credited against any period of

Ineligibility ultimately imposed, and set out any other relevant Consequences based on the applicable rules, including Financial Consequences. As per Code Article 7.5.1, Major Event Organizations shall, however, not be required to determine Ineligibility or Financial Consequences beyond the scope of their Event.]

e) Appeal routes and deadline to appeal for the *Athlete* or other *Person*.

[Comment to Article 9.1.1 e): The decision shall indicate whether the Athlete is an International-Level Athlete for the purposes of the appeal route under Code Article 13. If this information is not available to the hearing panel, the hearing panel shall request the Results Management Authority to liaise with the relevant Anti-Doping Organization (e.g. the International Federation of the Athlete). The decision shall then set out the appropriate appeal route (including the address to which any appeal should be sent to) and the deadline to appeal.]

[Comment to Article 9.1.1: Results Management decisions include Provisional Suspension, save that a Results Management decision on Provisional Suspension shall not be required to determine whether an anti-doping rule violation was committed.]

9.1.2 A *Results Management* decision or adjudication by a *Major Event Organization* in connection with one of its *Events* may be limited in its scope but shall address and determine, at a minimum, the following issues: (i) whether an anti-doping rule violation was committed, the factual basis for such determination, and the specific *Code* Articles violated, and (ii) applicable *Disqualifications* under *Code* Articles 9 and 10.1, with any resulting forfeiture of medals, points and prizes.

[Comment to Article 9.1.2: With the exception of Results Management decisions by Major Event Organizations, each decision by an Anti-Doping Organization should address whether an anti-doping rule violation was committed and all Consequences flowing from the violation, including any Disqualifications other than Disqualification under Code Article 10.1 (which is left to the ruling body for an Event). Pursuant to Code Article 15, such decision and its imposition of Consequences shall have automatic effect in every sport in every country. For example, for a determination that an Athlete committed an anti-doping rule violation based on an Adverse Analytical Finding for a Sample taken In-Competition, the Athlete's results obtained in the Competition would be Disqualified under Code Article 9 and all other competitive results obtained by the Athlete from the date the Sample was collected through the duration of the period of Ineligibility are also Disqualified under Code Article 10.10; if the Adverse Analytical Finding resulted from Testing at an Event, it would be the Major Event Organization's responsibility to decide whether the Athlete's other individual results in the Event prior to Sample collection are also Disqualified under Code Article 10.1.]

9.2 Notification

Decisions shall be promptly notified by the *Results Management* Authority to the *Athlete* or other *Person* and to other *Anti-Doping Organizations* with a right of appeal under *Code* Article 13.2.3 and shall promptly be reported into *ADAMS*. Where the decision is not in English or

French, the *Results Management* Authority shall provide an English or French summary of the decision and of the supporting reasons as well as a searchable version of the decision.

9.2.1 An *Athlete* or other *Person* subject to a period of *Ineligibility* shall be made aware by the *Results Management* Authority of their status during *Ineligibility*, including the *Consequences* of a violation of the prohibition of participation during *Ineligibility*, pursuant to *Code* Article 10.14. The *Results Management* Authority shall ensure that the period of *Ineligibility* is duly respected within its sphere of competence. The *Athlete* or other *Person* should also be made aware that they may still provide *Substantial Assistance*.

9.2.2 An *Athlete* subject to a period of *Ineligibility* should also be made aware by the *Results Management* Authority that they remain subject to *Testing* during the period of *Ineligibility*.

9.2.3 Where, further to notification of the decision, an *Anti-Doping Organization* with a right of appeal requests a copy of the full case file pertaining to the decision, it shall be provided promptly by the *Results Management* Authority.

[Comment to Article 9.2.5: The case file shall contain all documents relating to the case. For an analytical case, it shall include at a minimum the Doping Control form, Laboratory results and/or Laboratory Documentation Package(s) (if issued), any submissions and exhibits and/or correspondence of the parties and all other documents relied upon by the hearing body. The case file should be sent by email in an organized manner with a table of contents.]

9.2.4 If the decision concerns an *Adverse Analytical Finding* or *Atypical Finding*, and after any deadline to appeal has elapsed and no appeal has been filed against the decision, the *Results Management* Authority shall promptly notify the relevant Laboratory that the matter has been finally disposed of.

10.0 Appeals

10.1 The rules governing appeal rights and avenues are set out at *Code* Article 13.

10.2 With respect to national appellate instances within the meaning of *Code* Article 13.2.2:

a) The appointment of hearing panel members and the Hearing Process on appeal are governed by Article 8 mutatis mutandis. In addition to being fair, impartial and *Operationally Independent*, a hearing panel on appeal shall also be *Institutionally Independent*;

[Comment to Article 10.2 a): For the purposes of this provision, hearing panels on appeal shall be fully Institutionally Independent from the Results Management Authority. They must therefore not in any way be administered by, connected or subject to the Results Management Authority.]

b) The appeal decision rendered by an appeal body shall comply with the requirements of Article 9.1;

c) The appeal decision shall promptly be notified by the *Results Management* Authority to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal the prior instance decision under *Code* Article 13.2.3;

d) The further notification requirements at Article 9.2 shall apply mutatis mutandis.

10.3 With respect to appeals before *CAS*:

a) The appeal procedure shall be governed by the Code of Sports-related Arbitration;

b) All parties to any *CAS* appeal must ensure that *WADA* and any other party, which would have had a right of appeal and is not a party to the *CAS* appeal, has been given timely notice of the appeal;

c) No settlement embodied in an arbitral award rendered by consent of the parties as per R56 of the Code of Sports-related Arbitration shall be entered into by an *Anti-Doping Organization* without *WADA*'s written approval. Where the parties to the *CAS* proceedings are envisaging settling the matter by way of a settlement embodied in an arbitral award rendered by consent of the parties, the *Anti-Doping Organization* that is a party to the proceedings shall immediately notify *WADA* and provide it with all necessary information in this respect;

d) Any *Anti-Doping Organization* that is a party to an appeal before *CAS* shall promptly provide the *CAS* award to the other *Anti-Doping Organizations* that would have been entitled to appeal under *Code* Article 13.2.3; and

e) The requirements of Articles 9.2.2 to 9.2.4 shall apply mutatis mutandis.

11.0 Violation of the Prohibition Against Participation During *Ineligibility*

11.1 In the event that an *Athlete* or other *Person* is suspected to have violated the prohibition against participation during *Ineligibility* pursuant to *Code* Article 10.14, the *Results Management* relating to this potential violation shall comply with the principles of this *International Standard* mutatis mutandis.

[Comment to Article 11.1: In particular, the Athlete or other Person shall receive a notification letter in accordance with Article 5.3.2 mutatis mutandis, a letter of charge in accordance with Article 7 mutatis mutandis and be afforded the right to a hearing as per Article 8.]

ANNEX A – REVIEW OF A POSSIBLE FAILURE TO COMPLY

A.1 Responsibility

A.1.1 The *Results Management* Authority or *Testing* Authority (as applicable) is responsible for ensuring that:

a) When the possible Failure to Comply comes to its attention, it notifies *WADA*, and instigates review of the possible Failure to Comply based on all relevant information and documentation;

b) The *Athlete* or other *Person* is informed of the possible Failure to Comply in writing and has the opportunity to respond in accordance with Article 5.3.2 of the *International Standard* for *Results Management*;

c) The review is conducted without unnecessary delay and the evaluation process is documented; and

d) If it decides not to move forward with the matter, its decision is notified in accordance with Article 5.4 of the *International Standard* for *Results Management.*

A.1.2 The DCO is responsible for providing a detailed written report of any possible Failure to Comply.

A.2 Requirements

A.2.1 Any potential Failure to Comply shall be reported by the DCO to the *Results Management* Authority (or *Testing* Authority as applicable) and/or followed up by the *Testing* Authority and reported to the *Results Management* Authority as soon as practicable.

A.2.2 If the *Results Management* Authority determines that there has been a potential Failure to Comply, the *Athlete* or other *Person* shall be promptly notified in accordance with Article 5.3.2 of the *International Standard* for *Results Management* and further *Results Management* shall be conducted as per Article 5 *et seq*. of the *International Standard* for *Results Management.*

A.2.3 Any additional necessary information about the potential Failure to Comply shall be obtained from all relevant sources (including the *Athlete* or other *Person*) as soon as possible and recorded.

A.2.4 The *Results Management* Authority (and *Testing* Authority as applicable) shall establish a system for ensuring that the outcomes of its reviews into potential Failures to Comply are considered for *Results Management* action and, if applicable, for further planning and *Target Testing*.

ANNEX B – *RESULTS MANAGEMENT* FOR WHEREABOUTS FAILURES

B.1 Determining a Potential Whereabouts Failure

B.1.1 Three (3) Whereabouts Failures by an *Athlete* within any 12-month period amount to an anti-doping rule violation under *Code* Article 2.4. The Whereabouts Failures may be any combination of Filing Failures and/or Missed Tests declared in accordance with Article B.3 and adding up to three (3) in total.

[Comment to Article B.1.1: While a single Whereabouts Failure will not amount to an anti-doping rule violation under Code Article 2.4, depending on the facts, it could amount to an anti-doping rule violation under Code Article 2.3 (Evading Sample Collection) and/or Code Article 2.5 (Tampering or Attempted Tampering with Doping Control).]

B.1.2 The 12-month period referred to in *Code* Article 2.4 starts to run on the date that an *Athlete* commits the first Whereabouts Failure being relied upon in support of the allegation of a violation of *Code* Article 2.4. If two (2) more Whereabouts Failures occur during the ensuing 12-month period, then *Code* Article 2.4 anti-doping rule violation is committed, irrespective of any *Samples* successfully collected from the *Athlete* during that 12-month period. However, if an *Athlete* who has committed one (1) Whereabouts Failure does not go on to commit a further two (2) Whereabouts Failures within the 12-months, at the end of that 12-month period, the first Whereabouts Failure "expires" for purposes of *Code* Article 2.4, and a new 12-month period begins to run from the date of their next Whereabouts Failure.

B.1.3 For purposes of determining whether a Whereabouts Failure has occurred within the 12-month period referred to in *Code* Article 2.4:

a) A Filing Failure will be deemed to have occurred (i) where the *Athlete* fails to provide complete information in due time in advance of an upcoming quarter, on the first day of that quarter, and (ii) where any information provided by the *Athlete* (whether in advance of the quarter or by way of update) transpires to be inaccurate, on the (first) date on which such information can be shown to be inaccurate; and

b) A Missed Test will be deemed to have occurred on the date that the *Sample* collection was unsuccessfully attempted.

B.1.4 Whereabouts Failures committed by the *Athlete* prior to retirement as defined in Article 4.8.7.3 of the *International Standard* for *Testing* and Investigations may be combined, for purposes of *Code* Article 2.4, with Whereabouts Failures committed by the *Athlete* after the *Athlete* again becomes available for *Out-of-Competition Testing*.

[Comment to Article B.1.4: For example, if an Athlete committed two (2) Whereabouts Failures in the six (6) months prior to their retirement, then if they commit another Whereabouts Failure in the first six (6) months in which they are again available for Out-of-Competition Testing, that amounts to a Code Article 2.4 anti-doping rule violation.]

B.2 Requirements for a Potential Filing Failure or Missed Test

B.2.1 An *Athlete* may only be declared to have committed a Filing Failure where the *Results Management* Authority establishes each of the following:

a) That the *Athlete* was duly notified: (i) that they had been designated for inclusion in a *Registered Testing Pool*; (ii) of the consequent requirement to make Whereabouts Filing; and (iii) of the *Consequences* of any Failure to Comply with that requirement;

b) That the *Athlete* failed to comply with that requirement by the applicable deadline;

[Comment to Article B.2.1(b): An Athlete fails to comply with the requirement to make Whereabouts Filing (i) where they do not make any such filing, or where they fail to update the filing as required by Article 4.8.8.6 of the International Standard for Testing and Investigations; or (ii) where they make the filing or update but do not include all of the required information in that filing or update (e.g. they do not include the place where they will be staying overnight for each day in the following quarter, or for each day covered by the update, or omit to declare a regular activity that they will be pursuing during the quarter, or during the period covered by the update); or (iii) where they include information in the original filing or the update that is inaccurate (e.g., an address that does not exist) or insufficient to enable the Anti-Doping Organization to locate them for Testing (e.g., "running in the Black Forest").]

c) In the case of a second or third Filing Failure, that they were given notice, in accordance with Article B.3.2(d), of the previous Filing Failure, and (if that Filing Failure revealed deficiencies in the Whereabouts Filing that would lead to further Filing Failures if not rectified) was advised in the notice that in order to avoid a further Filing Failure they must file the required Whereabouts Filing (or update) by the deadline specified in the notice (which must be within 48 hours after receipt of the notice) and yet failed to rectify that Filing Failure by the deadline specified in the notice; and

[Comment to Article B.2.1(c): All that is required is to give the Athlete notice of the first Filing Failure and an opportunity to avoid a subsequent one, before a subsequent Filing Failure may be pursued against them. In particular, it is not necessary to complete the Results Management process with respect to the first Filing Failure before pursuing a second Filing Failure against the Athlete.]

d) That the *Athlete's* failure to file was at least negligent. For these purposes, the *Athlete* will be presumed to have committed the failure negligently upon proof that they were notified of the requirements yet did not comply with them. That presumption may only be rebutted by the *Athlete* establishing that no negligent behavior on their part caused or contributed to the failure.

B.2.2 While *Code* Article 5.2 specifies that every *Athlete* must submit to *Testing* at any time and place upon request by an *Anti-Doping Organization* with *Testing* Authority over them, in addition, an *Athlete* in a *Registered Testing Pool* must specifically be present and available for *Testing* on any given day during the 60-minute time slot specified for that day in their Whereabouts Filing, at the location that the *Athlete* has specified for that time slot in such filing. Where this requirement is not met by the *Athlete*, it shall be pursued as an apparent

Missed Test. If the *Athlete* is tested during such a time slot, the *Athlete* must remain with the DCO until the *Sample* collection has been completed, even if this takes longer than the 60-minute time slot. A failure to do so shall be pursued as an apparent violation of *Code* Article 2.3 (refusal or failure to submit to *Sample* collection).

B.2.3 To ensure fairness to the *Athlete*, where an unsuccessful attempt has been made to test an *Athlete* during one of the 60-minute time slots specified in their Whereabouts Filing, any subsequent unsuccessful attempt to test that *Athlete* (by the same or any other *Anti-Doping Organization*) during one of the 60-minute time slots specified in their Whereabouts Filing may only be counted as a Missed Test (or, if the unsuccessful attempt was because the information filed was insufficient to find the *Athlete* during the time slot, as a Filing Failure) against that *Athlete* if that subsequent attempt takes place after the *Athlete* has received notice, in accordance with Article B.3.2(d), of the original unsuccessful attempt.

[Comment to Article B.2.3: All that is required is to give the Athlete notice of one Missed Test or Filing Failure before a subsequent Missed Test or Filing Failure may be pursued against them. In particular, it is not necessary to complete the Results Management process with respect to the first Missed Test or Filing Failure before pursuing a second Missed Test or Filing Failure against the Athlete.]

B.2.4 An *Athlete* may only be declared to have committed a Missed Test where the *Results Management* Authority can establish each of the following:

a) That when the *Athlete* was given notice that they had been designated for inclusion in a *Registered Testing Pool*, they were advised that they would be liable for a Missed Test if they were unavailable for *Testing* during the 60-minute time slot specified in their Whereabouts Filing at the location specified for that time slot;

b) That a DCO attempted to test the *Athlete* on a given day in the quarter, during the 60-minute time slot specified in the *Athlete's* Whereabouts Filing for that day, by visiting the location specified for that time slot;

c) That during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the *Athlete*, short of giving the *Athlete* any advance notice of the test;

[Comment to Article B.2.4(c): Due to the fact that the making of a telephone call is discretionary rather than mandatory, and is left entirely to the absolute discretion of the Sample Collection Authority, proof that a telephone call was made is not a requisite element of a Missed Test, and the lack of a telephone call does not give the Athlete a defense to the assertion of a Missed Test.]

d) That Article B.2.3 does not apply or (if it applies) was complied with; and

e) That the *Athlete's* non-availability for *Testing* at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the *Athlete* will be presumed to have been negligent upon proof of the matters set out at sub-Articles B.2.4 (a) to (d). That presumption may only be rebutted by the *Athlete* establishing that

no negligent behavior on their part caused or contributed to their failure (i) to be available for *Testing* at such location during such time slot, and (ii) to update their most recent Whereabouts Filing to give notice of a different location where they would instead be available for *Testing* during a specified 60-minute time slot on the relevant day.

B.3 *Results Management* for a Potential Whereabouts Failure

B.3.1 In accordance with *Code* Articles 7.1.6, the *Results Management* Authority in relation to potential Whereabouts Failures shall be the International Federation or the *National Anti-Doping Organization* with whom the *Athlete* in question files their whereaboutsinformation.

[Comment to Article B.3.1: If an Anti-Doping Organization that receives an Athlete's Whereabouts Filing (and so is their Results Management Authority for whereabouts purposes) removes the Athlete from its Registered Testing Pool after recording one or two Whereabouts Failures against them, then if the Athlete is put in another Anti-Doping Organization's Registered Testing Pool, and that other Anti-Doping Organization starts receiving their Whereabouts Filing, then, that other Anti-Doping Organization becomes the Results Management Authority in respect of all Whereabouts Failures by that Athlete, including those recorded by the first Anti-Doping Organization. In that case, the first Anti-Doping Organization shall provide the second Anti-Doping Organization with full information about the Whereabouts Failure(s) recorded by the first Anti-Doping Organization in the relevant period, so that if the second Anti-Doping Organization records any further Whereabouts Failure(s) against that Athlete, it has all the information it needs to bring proceedings against them, in accordance with Article B.3.4, for violation of Code Article 2.4.]

B.3.2 When a Whereabouts Failure appears to have occurred, *Results Management* shall proceed as follows:

a) If the apparent Whereabouts Failure has been uncovered by an attempt to test the *Athlete*, the *Testing* Authority shall timely obtain an Unsuccessful Attempt Report from the DCO. If the *Testing* Authority is different from the *Results Management* Authority, it shall provide the Unsuccessful Attempt Report to the *Results Management* Authority without delay, and thereafter it shall assist the *Results Management* Authority as necessary in obtaining information from the DCO in relation to the apparent Whereabouts Failure.

b) The *Results Management* Authority shall timely review the file (including any Unsuccessful Attempt Report filed by the DCO) to determine whether all of the Article B.2.1 requirements (in the case of a Filing Failure) or all of the Article B.2.4 requirements (in the case of a Missed Test) are met. It shall gather information as necessary from third parties (e.g., the DCO whose test attempt uncovered the Filing Failure or triggered the Missed Test) to assist it in this task.

c) If the *Results Management* Authority concludes that any of the relevant requirements have not been met (so that no Whereabouts Failure should be declared), it shall so advise *WADA*, the International Federation or *National Anti-Doping Organization* (as applicable), and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13.

d) If the *Results Management* Authority concludes that all of the relevant requirements as set out in B.2.1 (Filing Failure) and B.2.4 (Missed Test) have been met, it should notify the *Athlete* within fourteen (14) days of the date of the apparent Whereabouts Failure. The notice shall include sufficient details of the apparent Whereabouts Failure to enable the *Athlete* to respond meaningfully, and shall give the *Athlete* a reasonable deadline to respond, advising whether they admit the Whereabouts Failure and, if they do not admit to the Whereabouts Failure, then an explanation as to why not. The notice should also advise the *Athlete* that three (3) Whereabouts Failures in any 12-month period is a *Code* Article 2.4 anti-doping rule violation, and should note whether they had any other Whereabouts Failures recorded against them in the previous twelve (12) months. In the case of a Filing Failure, the notice must also advise the *Athlete* that in order to avoid a further Filing Failure they must file the missing whereabouts information by the deadline specified in the notice, which must be within 48 hours after receipt of the notice.

e) If the *Athlete* does not respond within the specified deadline, the *Results Management* Authority shall record the notified Whereabouts Failure against them.

If the *Athlete* does respond within the deadline, the *Results Management* Authority shall consider whether their response changes its original decision that all of the requirements for recording a Whereabouts Failure have been met.

i. If so, it shall so advise the *Athlete*, *WADA*, the International Federation or *National Anti-Doping Organization* (as applicable), and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13.

ii. If not, it shall so advise the *Athlete* (with reasons) and specify a reasonable deadline by which they may request an administrative review of its decision. The Unsuccessful Attempt Report shall be provided to the *Athlete* at this point if it has not been provided to them earlier in the process.

f) If the *Athlete* does not request an administrative review by the specified deadline, the *Results Management* Authority shall record the notified Whereabouts Failure against them. If the *Athlete* does request an administrative review before thedeadline, it shall be carried out, based on the papers only, by one or more person not previously involved in the assessment of the apparent Whereabouts Failure. The purpose of the administrative review shall be to determine anew whether or not all of the relevant requirements for recording a Whereabouts Failure are met.

g) If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, the *Results Management* Authority shall so advise the *Athlete*, *WADA*, the International Federation or *National Anti-Doping Organization* (as applicable), and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13. On the other hand, if the conclusion is that all of the requirements for recording a Whereabouts Failure are met, it shall notify the *Athlete* and shall record the notified Whereabouts Failure against them.

B.3.3 The *Results Management* Authority shall promptly report a decision to record a Whereabouts Failure against an *Athlete* to *WADA* and all other relevant *Anti-Doping Organizations*, on a confidential basis, via *ADAMS.*

[Comment to Article B.3.3: For the avoidance of doubt, the Results Management Authority is entitled to notify other relevant Anti-Doping Organizations (on a strictly confidential basis) of the apparent Whereabouts Failure at an earlier stage of the Results Management process, where it considers it appropriate (for test planning purposes or otherwise). In addition, an Anti-Doping Organization may publish a general statistical report of its activities that discloses in general terms the number of Whereabouts Failures that have been recorded in respect of Athletes under its jurisdiction during a particular period, provided that it does not publish any information that might reveal the identity of the Athletes involved. Prior to any proceedings under Code Article 2.4, an Anti-Doping Organization should not Publicly Disclose that a particular Athlete does (or does not) have any Whereabouts Failures recorded against them (or that a particular sport does, or does not, have Athletes with Whereabouts Failures recorded against them).]

B.3.4 Where three (3) Whereabouts Failures are recorded against an *Athlete* within any 12-month period, the *Results Management* Authority shall notify the *Athlete* and other *Anti-Doping Organizations* in accordance with Article 5.3.2 of the *International Standard* for *Results Management* alleging violation of *Code* Article 2.4 and proceed with *Results Management* in accordance with Article 5 et seq. of the *International Standard* for *Results Management*. If the *Results Management* Authority fails to bring such proceedings against an *Athlete* within 30-days of *WADA* receiving notice of the recording of that *Athlete's* third Whereabouts Failure in any 12-month period, then the *Results Management* Authority shall be deemed to have decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at *Code* Article 13.2.

B.3.5 An *Athlete* asserted to have committed a *Code* Article 2.4 anti-doping rule violation shall have the right to have such assertion determined at a full evidentiary hearing in accordance with *Code* Article 8 and Articles 8 and 10 of the *International Standard* for *Results Management*. The hearing panel shall not be bound by any determination made during the *Results Management* process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden shall be on the *Anti-Doping Organization* bringing the proceedings to establish all of the requisite elements of each alleged Whereabouts Failure to the comfortable satisfaction of the hearing panel. If the hearing panel decides that one (or two) Whereabouts Failure(s) have been established to the required standard, but that the other alleged Whereabouts Failure(s) has/have not, then no *Code* Article 2.4 anti-doping rule violation shall be found to have occurred. However, if the *Athlete* then commits one (or two, as applicable) further Whereabouts Failure(s) within the relevant 12-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the hearing panel in the previous proceedings (in accordance with *Code* Article 3.2.3) and the Whereabouts Failure(s) subsequently committed by the *Athlete*.

[Comment to Article B.3.5: Nothing in Article B.3.5 is intended to prevent the Anti-Doping Organization challenging an argument raised on the Athlete's behalf at the hearing on the basis that it could have been but was not raised at an earlier stage of the Results Management process.]

B.3.6 A finding that an *Athlete* has committed a *Code* Article 2.4 anti-doping rule violation has the following *Consequences*: (a) imposition of a period of *Ineligibility* in accordance with *Code* Article 10.3.2 (first violation) or *Code* Article 10.9 (subsequent violation(s)); and (b) in accordance with *Code* Article 10.10 (*Disqualification*, unless fairness requires otherwise) of all individual results obtained by the *Athlete* from the date of the *Code* Article 2.4 anti-doping rule violation through to the date of commencement of any *Provisional Suspension* or *Ineligibility* period, with all of the resulting *Consequences*, including forfeiture of any medals, points and prizes. For these purposes, the anti-doping rule violation shall be deemed to have occurred on the date of the third Whereabouts Failure found by the hearing panel to have occurred. The impact of any *Code* Article 2.4 anti-doping rule violation by an individual *Athlete* on the results of any team for which that *Athlete* has played during the relevant period shall be determined in accordance with *Code* Article 11.

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ANNEX C – *RESULTS MANAGEMENT* REQUIREMENTS AND PROCEDURES FOR THE *ATHLETE BIOLOGICAL PASSPORT*

C.1 Administrative Management

C.1.1 The requirements and procedures described in this Annex apply to all modules of the *Athlete Biological Passport* except where expressly stated or implied by the context.

C.1.2 These processes shall be administered and managed by an *Athlete* Passport Management Unit on behalf of the Passport Custodian. The *Athlete* Passport Management Unit will initially review profiles to facilitate targeting recommendations for the Passport Custodian when appropriate or refer to the Experts as required. Management and communication of the biological data, *Athlete* Passport Management Unit reporting and Expert reviews shall be recorded in *ADAMS* and be shared by the Passport Custodian with other *Anti-Doping Organizations* with *Testing* Authority over the *Athlete* to coordinate further Passport *Testing* as appropriate. A key element for *Athlete Biological Passport* management and communication is the *Athlete* Passport Management Unit report in *ADAMS*, which provides an overview of the current status of the *Athlete's* Passport including the latest targeting recommendations and a summary of the Expert reviews.

C.1.3 This Annex describes a step-by-step approach to the review of an *Athlete's* Passport:

a) The review begins with the application of the Adaptive Model.

b) In case of an *Atypical Passport Finding* or when the *Athlete* Passport Management Unit considers that a review is otherwise justified, an Expert conducts an initial review and returns an evaluation based on the information available at that time.

c) In case of a "Likely doping" initial review, the Passport is then subjected to a review by three (3) Experts including the Expert who conducted the initial review.

d) In case of a "Likely doping" consensus of the three (3) Experts, the process continues with the creation of an *Athlete Biological Passport* Documentation Package.

e) An *Adverse Passport Finding* is reported by the *Athlete* Passport Management Unit to the Passport Custodian if the Experts' opinion is maintained after review of all information available at that stage, including the *Athlete Biological Passport* Documentation Package.

f) The *Athlete* is notified of the *Adverse Passport Finding* and offered the opportunity to provide explanations.

g) If after review of the explanations provided by the *Athlete*, the Experts maintain their unanimous conclusion that it is highly likely that the *Athlete Used* a *Prohibited Substance* or a *Prohibited Method*, an anti-doping rule violation is asserted against the *Athlete* by the Passport Custodian.

C.2 Initial Review Phase

C.2.1 Review by the Adaptive Model

C.2.1.1. In *ADAMS*, the Adaptive Model automatically processes data on the biological *Markers* of the *Athlete Biological Passport*. These *Markers* include primary *Markers* that are defined as the most specific to doping and secondary *Markers* that provide supporting evidence of doping in isolation or in combination with other *Markers*. The Adaptive Model predicts for an individual an expected range within which a series of *Marker* values falls assuming a normal physiological condition. Outliers correspond to those values outside of the 99%-range, from a lower limit corresponding to the 0.5th percentile to an upper limit corresponding to the 99.5th percentile (1:100 chance or less that this result is due to normal physiological variation). A specificity of 99% is used to identify both haematological and steroidal *Atypical Passport Findings*. In the case of sequence deviations (sequence *Atypical Passport Findings*), the applied specificity is 99.9% (1:1000 chance or less that this is due to normal physiological variation).

C.2.1.2. An *Atypical Passport Finding* is a result generated by the Adaptive Model in *ADAMS* which identifies either a primary *Marker(s)* value(s) as being outside the *Athlete's* intra-individual range or a longitudinal profile of a primary *Marker* values (sequence deviations) as being outside expected ranges, assuming a normal physiological condition. An *Atypical Passport Finding* requires further attention and review.

C.2.1.3. The *Athlete* Passport Management Unit may also submit a Passport to the Expert when there is no *Atypical Passport Finding* (see C.2.2.4 below).

C.2.1.4. *Atypical Passport Finding* – Haematological Module

C.2.1.4.1. For the Haematological Module, the Adaptive Model automatically processes in *ADAMS* two primary *Markers*, haemoglobin concentration (HGB) and stimulation index OFF-score (OFFS), and two secondary *Markers,* the reticulocyte percentage (RET%) and the Abnormal Blood Profile Score (ABPS). An *Atypical Passport Finding* is generated when a HGB and /or OFFS value of the last test falls outside the expected intra-individual ranges. Furthermore, the longitudinal profile composed of (up to) the last five valid HGB and/or OFFS values is also considered as an *Atypical Passport Finding* when deviating from the expected ranges, as determined by the Adaptive Model (sequence *Atypical Passport Finding*). An *Atypical Passport Finding* is only generated by the Adaptive Model based on values of the primary *Markers* HGB and OFFS or the sequence thereof.

C.2.1.4.2. In case of an *Atypical Passport Finding* the *Athlete* Passport Management Unit shall advise the *Results Management A*uthority (or *Testing* Authority as applicable) in the *Athlete* Passport Management Unit report, or via the Passport Custodian where appropriate, on whether the *Sample,* or any accompanying urine *Sample*, should be

subjected to analysis for Agents Affecting Erythropoiesis. The *Athlete* Passport Management Unit should also provide recommendations for Agents Affecting Erythropoiesis analysis when the Adaptive Model detects an abnormality in the secondary *Markers* RET% and/or ABPS.

C.2.1.5. *Atypical Passport Finding* – Steroidal Module

C.2.1.5.1 For the Steroidal Module, the Adaptive Model automatically processes in *ADAMS* one primary *Marker*, the T/E ratio, and four (4) secondary *Markers*, the ratios A/T, A/Etio, 5αAdiol/5βAdiol and 5βAdiol/E.

C.2.1.5.2 Ratios coming from a *Sample* that showed signs of heavy microbial degradation, and ratios for which one or both of the concentrations were not measured accurately by the Laboratory as established in the *Technical Document* for Endogenous Anabolic Androgenic Steroids (TDEAAS), shall not be processed by the Adaptive Model. In the case where the Laboratory reports a confounding factor that may otherwise cause an alteration in the steroid profile, such as the presence of ethanol glucuronide in the *Sample*, the *Athlete* Passport Management Unit shall evaluate whether the steroid profile can still be considered as valid and processed by the Adaptive Model and the *Sample* be subjected to a Confirmation Procedure (see TDEAAS).

C.2.1.5.3 An *Atypical Passport Finding* is generated when a value of the T/E ratio falls outside the expected intra-individual ranges. In addition, the "*longitudinal steroid profile*" composed of (up to) the last five (5) valid values of the T/E ratio is also considered as atypical when deviating from the expected ranges, as determined by the Adaptive Model (sequence *Atypical Passport Finding*).

C.2.1.5.4 In the case of a "*longitudinal steroidal profile*", an *Atypical Passport Finding* caused by an atypically high T/E value will trigger an *Atypical Passport Finding* Confirmation Procedure Request notification through *ADAMS* as established in the TDEAAS. When the Adaptive Model determines an abnormality in any of the other ratios of the "*steroid profile*" (A/T, A/Etio, 5αAdiol/5βAdiol and 5βAdiol/E), the *Athlete* Passport Management Unit should advise the *Results Management* Authority (or *Testing* Authority as applicable) in the *Athlete* Passport Management Unit report, or via the Passport Custodian where appropriate, on whether the *Sample* should be subjected to a Confirmation Procedure.

C.2.1.5.5 A *Sample* may also be subjected to a Confirmation Procedure in the absence of an *Atypical Passport Finding* where the Passport includes other elements otherwise justifying further analyses. The *Athlete* Passport Management Unit should advise the *Results Management* Authority (or *Testing* Authority as applicable) in the *Athlete* Passport Management Unit report, or via the Passport Custodian where

appropriate, on whether the *Sample* should be subjected to a Confirmation Procedure.

C.2.1.6. Departure from *WADA Athlete Biological Passport* requirements

C.2.1.6.1 If there is a departure from *WADA Athlete Biological Passport* requirements for *Sample* collection, transport and analysis, the biological *Marker* result obtained from this *Sample* affected by the non-conformity shall not be considered in the Adaptive Model calculations (for example, RET% can be affected but not HGB under certain transportation conditions).

C.2.1.6.2 A *Marker* result which is not affected by the non-conformity can still be considered in the Adaptive Model calculations. In such case, the *Athlete* Passport Management Unit shall provide the specific explanations supporting the inclusion of the result(s). In all cases, the *Sample* shall remain recorded in the *Athlete's* Passport. The Experts may include all results in their review provided that their conclusions may be validly supported when taking into account the effects of the non-conformity.

C.2.2 The Initial Expert Review

C.2.2.1 A Passport generating an *Atypical Passport Finding,* or for which a review is otherwise justified, shall be sent by the *Athlete* Passport Management Unit to an Expert for review in *ADAMS*. This should take place within seven (7) days following the generation of the *Atypical Passport Finding* in *ADAMS*. The review of the Passport shall be conducted based on the Passport and other basic information (e.g. *Competition* schedules), which may be available, such that the Expert is blinded to the identity of the *Athlete*.

[Comment to Article C.2.2.1: If a result rendered by a Laboratory represents an Atypical Passport Finding caused by an atypically high T/E value, the Sample will undergo a Confirmation Procedure, including GC/C/IRMS analysis. If the result of the GC/C/IRMS Confirmation Procedure is negative or inconclusive then the Athlete Passport Management Unit shall seek an Expert review. An Athlete Passport Management Unit or Expert review is not required when the GC/C/IRMS Confirmation Procedure renders an Adverse Analytical Finding (AAF).]

C.2.2.2 If a Passport has been recently reviewed by an Expert and the Passport Custodian is in the process of executing a specific multi-*Sample Testing* strategy on the *Athlete*, the *Athlete* Passport Management Unit may delay the review of a Passport generating an *Atypical Passport Finding* triggered by one of the *Samples* collected in this context until completion of the planned series of tests. In such situations, the *Athlete* Passport Management Unit shall clearly indicate the reason for delaying the review of the Passport in the *Athlete* Passport Management Unit report.

C.2.2.3 If the first and unique result in a Passport is flagged as an *Atypical Passport Finding* by the Adaptive Model, the *Athlete* Passport Management Unit may recommend the collection of an additional *Sample* before initiating the initial Expert review.

C.2.2.4 Review in the absence of an *Atypical Passport Finding*

C.2.2.4.1 A Passport may also be sent for Expert review in the absence of an *Atypical Passport Finding* where the Passport includes other elements otherwise justifying a review.

These elements may include, without limitation:

a) Data not considered in the Adaptive Model;

b) Any abnormal levels and/or variations of *Marker(s)*;

c) Signs of hemodilution in the haematological Passport;

d) Steroid levels in urine below the corresponding Limit of Quantification of the assay;

e) Intelligence in relation to the *Athlete* concerned.

C.2.2.4.2 An Expert review initiated in the above-mentioned situations may result in the same *Consequences* as an Expert review triggered by an *Atypical Passport Finding*.

C.2.2.5 Expert Evaluation

C.2.2.5.1 When evaluating a Passport, an Expert weighs the likelihood that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* against the likelihood that the Passport is the result of a normal physiological or pathological condition in order to provide one of the following opinions: "Normal", "Suspicious", "Likely doping" or "Likely medical condition". For a "Likely doping" opinion, the Expert shall come to the conclusion that the likelihood that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* outweighs the likelihood that the Passport is the result of a normal physiological or pathological condition.

[Comment to Article C.2.2.5.1: When evaluating competing propositions, the likelihood of each proposition is evaluated by the Expert based on the evidence available for that proposition. It is acknowledged that it is the relative likelihoods (i.e., likelihood ratio) of the competing propositions that ultimately determine the Expert's opinion. For example, where the Expert is of the view that a Passport is highly likely the result of the Use of a Prohibited Substance or Prohibited Method, it is necessary for a "Likely doping" evaluation that the Expert consider that it is unlikely that it may be the result of a normal physiological or pathological condition. Similarly,

where the Expert is of the view that a Passport is likely the result of the Use of a Prohibited Substance or Prohibited Method, it is necessary for a "Likely doping" evaluation that the Expert consider that it is highly unlikely that it may be the result of a normal physiological or pathological condition.]

C.2.2.5.2 To reach a conclusion of "Likely doping" in the absence of an *Atypical Passport Finding*, the Expert shall come to the opinion that it is highly likely that the Passport is the result of the *Use* of a *Prohibited Substance* or *Prohibited Method* and that it is highly unlikely that the Passport is the result of a normal physiological or pathological condition.

C.2.3 Consequences of the Initial Review

Depending on the outcome of the initial review, the *Athlete* Passport Management Unit will take the following action:

Expert Evaluation	***Athlete* Passport Management Unit Action**
"Normal"	Continue normal *Testing* plan.
"Suspicious"	Provide recommendations to the Passport Custodian for *Target Testing*, *Sample* analysis and/or requesting further information as required.
"Likely doping"	Send to a panel of three (3) Experts, including the initial Expert, as per section C.2 of this Annex C.
"Likely medical condition"	Inform the *Athlete* as soon as possible via the Passport Custodian (or send to other Experts).

[Comment to Article C.2.3: The Athlete Biological Passport is a tool to detect the possible Use of Prohibited Substance(s) or Prohibited Method(s) and it is not intended as a health check or for medical monitoring. It is important that the Passport Custodian educate the Athletes to ensure that they undergo regular health monitoring and not rely on the Athlete Biological Passport for this purpose. Nevertheless, the Passport Custodian should inform the Athlete in case the Passport indicates a likely pathology as determined by the Experts.]

C.3 Review by Three (3) Experts

C.3.1 In the event that the opinion of the appointed Expert in the initial review, pending other explanation to be provided at a later stage, is that of "Likely doping", the Passport shall then be sent by the *Athlete* Passport Management Unit to two (2) additional Experts for review. This should take place within seven (7) days after the reporting of the initial review. These additional reviews shall be conducted without knowledge of the initial review. These three

(3) Experts now constitute the Expert Panel, composed of the Expert appointed in the initial review and these two (2) other Experts.

C.3.2 The review by the three (3) Experts must follow the same procedure, where applicable, as presented in section C.2.2 of this Annex. The three (3) Experts shall each provide their individual reports in *ADAMS*. This should take place within seven (7) days after receipt of the request.

C.3.3 The *Athlete* Passport Management Unit is responsible for liaising with the Experts and for advising the Passport Custodian of the subsequent Expert assessment. The Experts can request further information, as they deem relevant for their review, notably information related to medical conditions, *Competition* schedule and/or *Sample(s)* analysis results. Such requests are directed via the *Athlete* Passport Management Unit to the Passport Custodian.

C.3.4 A unanimous opinion among the three (3) Experts is necessary in order to proceed further towards declaring an *Adverse Passport Finding*, which means that all three (3) Experts render an opinion of "Likely doping". The conclusion of the Experts must be reached with the three (3) Experts assessing the *Athlete's* Passport with the same data.

[Comment to Article C.3.4: The three (3) Expert opinions cannot be accumulated over time based on different data.]

C.3.5 To reach a conclusion of "Likely doping" in the absence of an *Atypical Passport Finding*, the Expert Panel shall come to the unanimous opinion that it is highly likely that the Passport is the result of the *Use* of a *Prohibited Substance* or *Method* and that there is no reasonably conceivable hypothesis under which the Passport is the result of a normal physiological condition and highly unlikely that it is the result of pathological condition.

C.3.6 In the case when two (2) Experts evaluate the Passport as "Likely doping" and the third Expert as "Suspicious" asking for more information, the *Athlete* Passport Management Unit shall confer with the Expert Panel before they finalize their opinion. The group can also seek advice from an appropriate outside Expert, although this must be done while maintaining strict confidentiality of the *Athlete's* Personal Information.

C.3.7 If no unanimity can be reached among the three (3) Experts, the *Athlete* Passport Management Unit shall report the Passport as "Suspicious", update the *Athlete* Passport Management Unit report, and recommend that the Passport Custodian pursue additional *Testing* and/or gather intelligence on the *Athlete* (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate.

C.4 Conference Call, Compilation of the *Athlete Biological Passport* Documentation Package and Joint Expert Report

C.4.1 If a unanimous opinion of "Likely doping" is rendered by all three (3) Experts, the *Athlete* Passport Management Unit shall declare a "Likely doping" evaluation in the *Athlete* Passport Management Unit report in *ADAMS* and should organize a conference call with the Expert Panel to initiate the next steps for the case, including proceeding with the compilation of the *Athlete Biological Passport* Documentation Package (see *Technical Document* for *Athlete* Passport Management Units) and drafting of the joint Expert report. In preparation for this

conference call, the *Athlete* Passport Management Unit should coordinate with the Passport Custodian to compile any potentially relevant information to share with the Experts (e.g. suspicious analytical findings, relevant intelligence and relevant pathophysiological information).

C.4.2 Once completed, the *Athlete Biological Passport* Documentation Package shall be sent by the *Athlete* Passport Management Unit to the Expert Panel, who will review it and provide a joint Expert report to be signed by all three (3) Experts. The conclusion within the joint Expert report shall be reached without interference from the Passport Custodian. If necessary, the Expert Panel may request complementary information from the *Athlete* Passport Management Unit.

C.4.3 At this stage, the identity of the *Athlete* is not mentioned but it is accepted that specific information provided may allow to identify the *Athlete*. This shall not affect the validity of the process.

C.5 Issuing an *Adverse Passport Finding*

C.5.1 If the Expert Panel confirms their unanimous position of "likely doping", the *Athlete* Passport Management Unit shall declare an *Adverse Passport Finding* in *ADAMS* that includes a written statement of the *Adverse Passport Finding*, the *Athlete Biological Passport* Documentation Package and the joint Expert report.

C.5.2 After reviewing the *Athlete Biological Passport* Documentation Package and joint Expert report, the Passport Custodian shall:

a) Notify the *Athlete* of the *Adverse Passport Finding* in accordance with Article 5.3.2;

b) Provide the *Athlete* the *Athlete Biological Passport* Documentation Package and the joint Expert report;

c) Invite the *Athlete* to provide their own explanation, in a timely manner, of the data provided to the Passport Custodian.

C.6 Review of Explanation from *Athlete* and Disciplinary Proceedings

C.6.1 Upon receipt of any explanation and supporting information from the *Athlete,* which should be received within the specified deadline, the *Athlete* Passport Management Unit shall forward it to the Expert Panel for review with any additional information that the Expert Panel considers necessary to render its opinion in coordination with both the Passport Custodian and the *Athlete* Passport Management Unit. At this stage, the review is no longer anonymous. The Expert Panel shall reassess or reassert the case and reach one of the following conclusions:

a) Unanimous opinion of "Likely doping" by the Experts based on the information in the Passport and any explanation provided by the *Athlete*; or

b) Based on the available information, the Experts are unable to reach a unanimous opinion of "Likely doping" set forth above.

[Comment to Article C.6.1: Such a reassessment shall also take place when the Athlete does not provide any explanation.]

C.6.2 If the Expert Panel expresses the opinion set forth in section C.6.1(a), then the Passport Custodian shall be informed by the *Athlete* Passport Management Unit, shall charge the *Athlete* in accordance with Article 7 and continue with *Results Management* in accordance with the *International Standard*.

C.6.3 If the Expert Panel expresses the opinion set forth in section C.6.1(b), the *Athlete* Passport Management Unit shall update the *Athlete* Passport Management Unit report and recommend the Passport Custodian to pursue additional *Testing* and/or gather intelligence on the *Athlete* (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate. The Passport Custodian shall notify the *Athlete* and *WADA* of the outcome of the review.

C.7 Passport Re-setting

C.7.1 In the event the *Athlete* has been found to have committed an anti-doping rule violation based on the Passport, the *Athlete's* Passport shall be reset by the Passport Custodian at the start of the relevant period of *Ineligibility* and a new Biological Passport ID shall be assigned in *ADAMS*. This maintains the *Athlete's* anonymity for potential *Athlete* Passport Management Unit and Expert Panel reviews conducted in the future.

C.7.2 When an *Athlete* is found to have committed an anti-doping rule violation on any basis other than the *Athlete Biological Passport*, the haematological and/or Steroidal Passport will remain in effect, except in those cases where the *Prohibited Substance* or *Prohibited Method* caused an alteration of the haematological or steroidal *Markers*, respectively (e.g. for *AAF* reported for anabolic androgenic steroids, which may affect the *Markers* of the steroid profile, or for the *Use* of Erythropoiesis Stimulating Agents or blood transfusions, which would alter the haematological *Markers*). The Passport Custodian shall consult with their *Athlete* Passport Management Unit following an *Adverse Analytical Finding* to determine whether a Passport reset is warranted. In such instances, the *Athlete's* profile(s) would be reset from the time of the beginning of the sanction.