

# INTERNATIONAL STANDARD FOR THERAPEUTIC USE EXEMPTIONS (ISTUE)

## Explanatory notes on the changes to the 2021 ISTUE

The purpose of the International Standard for Therapeutic Use Exemptions (ISTUE) is to ensure that the process of granting TUEs is harmonized across sports and countries.

The following changes were made to the current ISTUE:

### **A. Article 4.0 Obtaining a TUE**

A slight restructuring of Articles 4.0 and 4.1 provides a more logical order. It is also intended to clarify the application of Articles 4.1 and 4.2, to avoid any confusion.

A new introductory paragraph and comment to 4.0 describes when a TUE is necessary and clarifies that Athletes using prohibited substances or methods prior to becoming subject to anti-doping rules do not require a retroactive TUE for that period.

### **B. Article 4.1 – General**

New introductory paragraph describes a retroactive TUE.

### **C. Article 4.1c**

The Article was clarified to allow Anti-Doping Organizations (ADOs) to prioritize disciplines, not only sports, and therefore not permit or require advance TUE applications in that respect.). This is consistent with the International Standard for Testing and Investigations (ISTI).

### **D. Comment to Article 4.1**

It was emphasized that fulfillment of one of the retroactive exceptions alone does not allow for the grant of a TUE; rather, the Athlete's application must still be evaluated under Article 4.2.

### **E. Comment to Article 4.3**

An extra example was added to help ADOs in the decision process.

### **F. Article 5.4**

An ADO's requirement to send WADA information on the TUE process has been removed. The ADOs must still publish this on their website and WADA will monitor this as part of our auditing and compliance processes.

**G. Article 5.5c, 6.2, 6.4, 6.5**

In preparation for the new ADAMS TUE module (expected in 2023) the wording in applicable Articles has been updated to reflect the use of on-line TUE applications.

**H. Article 7.1a**

It was clarified that once an athlete's TUE is automatically recognized there is no further action to be taken by either the athlete or the ADO. The TUE will not be subject to further review by the ADO following automatic recognition.

**I. Comment to Article 7.1a**

The emphasis has changed from encouraging automatic recognition to reminding International Federations and Major Event Organizers to diligently select ADOs and/or substances for which they will automatically recognize TUEs.

**J. Article 7.1b**

The Article was edited to reflect the reality that the recognition process should proceed via ADAMS.

**K. Comment to Article 7.1b**

A new comment was created to clarify that recognition must be solely based on the Article 4.2 conditions. Disagreement with the duration of a TUE is not, on its own, a reason to deny recognition.