

SIGNATORY EXPERT GROUP

Terms of Reference

Purpose

To review applications by potential Signatories and providing opinions/recommendations to WADA Management (and the WADA Executive Committee) as set out in the Policy for acceptance of new World Anti-Doping Code Signatories (the “**Policy**”).

Objectives/Key Activities

- 1) Upon referral by WADA Management, review applications by potential Signatories as per the Policy;
- 2) Assess independently whether the criteria for acceptance of new Signatories as defined in the Policy are met;
- 3) Provide written reasons for any determination that the relevant criteria are not met;
- 4) In case of disagreement with WADA Management, provide an opinion to the WADA Executive Committee to assist it in determining whether the relevant criteria are met;
- 5) Assist WADA Management with any other specific queries it may have.

Reporting Structure

The Signatory Expert Group, through its Chair, reports as and when necessary to the WADA Executive Committee.

Composition

The Signatory Expert Group will be composed of three members (including a Chair).

WADA Management will propose a Chair of the Signatory Expert Group to the WADA Executive Committee for appointment. The candidate shall be vetted by the Nominations Committee. His/her appointment is for a period of three years, which can be renewed once. The Chair must meet WADA’s general standard of independence (as outlined in the WADA Foundation Board Bylaws on Independence) and have extensive expertise in sports administration.

The two other members of the Signatory Expert Group shall be appointed by each of the WADA constituents (*viz.* the Olympic Movement and Public Authorities) on a case-by-case basis. For that purpose, upon receiving a new application, WADA Management will inform the two constituents accordingly and both shall indicate the name of their member/representative for a given application within 30 calendar days from information by WADA Management. The same member may be appointed by each constituency on multiple applications without any limitations,

provided, however, that this member may not be appointed on any new application six years after his first appointment. It will be each member's role to ensure that the perspectives of the constituency that they are nominated by are properly understood and taken into account in the Signatory Expert Group's deliberations. However, these members are and must remain independent as per the WADA Foundation Board Bylaws on Independence and must base their position on their assessment of what is in the best interest of clean athletes and the fight against doping.

In addition, WADA Management will propose for appointment by the WADA Executive Committee a substitute Chair to chair the Signatory Expert Group in case the Chair has a conflict of interest (see below). The substitute Chair shall be vetted by the Nominations Committee. The substitute Chair's term shall be for a renewable period of three years and he/she shall be subject to the same requirements as the Chair.

Conflicts of Interest

The members of the Signatory Expert Group are bound by the Conflict of Interest policy approved by the WADA Foundation Board, which is modified from time to time.

In case of a conflict of interest in relation to a specific application, the member shall disclose it immediately. If the conflict concerns the Chair, he/she shall thereafter not take part, and be replaced by the substitute Chair, in any discussions and/or deliberations related to that application. In case the substitute Chair is also conflicted, WADA Management will promptly propose for appointment by the WADA Executive Committee a specific Chair to handle the application at stake. This person shall be subject to all the same requirements of the Chair in terms of independence and conflicts of interest.

If the conflict concerns another member of the Signatory Expert Group, that member shall be replaced by the constituency who appointed him/her within 30 calendar days from disclosure by the member of his/her conflict of interest.

Working Norms

Upon receipt of an application from WADA Management, the Signatory Expert Group shall review it promptly and provide its opinion as to whether the relevant criteria are met within 30 calendar days from receipt, save in exceptional circumstances and subject to the paragraphs below. If it disagrees with WADA Management, the Signatory Expert Group shall provide written reasons within the same timeframe. Meetings of the Signatory Expert Group shall be either in person or via teleconference, videoconference, or other electronic means that permit all members to communicate properly with each other.

Where an application is submitted to the Signatory Expert Group for a second consideration after consultation of an applicant under Section 3 of the Policy, the Signatory Expert Group shall again review the matter promptly and, in case it maintains its disagreement with WADA Management, shall promptly provide brief reasons in writing for the benefit of the WADA Executive Committee.

Exceptionally, the Chair, upon consultation with WADA Management, may seek assistance from other third-party experts where needed. At any point, the Signatory Expert Group may also consult WADA Management before providing its opinion.

The Signatory Expert Group will seek to operate on the basis of consensus. If, however, a consensus cannot be reached, a vote will be taken by majority. In such case, the opinion of the Signatory Expert Group will in principle follow the majority.

However, in truly exceptional circumstances, the member in minority – if (s)he does not agree that one or more of the criteria is met – may decide to refer the matter to the WADA Executive Committee for a decision. (S)he shall have five calendar days from the vote of the Signatory Expert Group to announce to WADA Management that the matter will be referred to the WADA Executive Committee, failing which this right will be deemed waived. (S)he shall then provide detailed written explanations to the WADA Executive Committee for why the criterion/criteria is/are not met in his/her view within thirty days from the announcement in principle. The other members of the Signatory Expert Group, as well as WADA Management, shall be given an opportunity to provide their comments on the written explanations before the WADA Executive Committee makes a decision on whether the relevant criterion/criteria is/are met. The member in minority and the other members of the Signatory Expert Group may be asked to appear before the WADA Executive Committee to further explain their positions.

The decision of the WADA Executive Committee shall be binding on the Signatory Expert Group. For the avoidance of doubt, where the matter is referred to the WADA Executive Committee following second consideration of the Signatory Expert Group and the WADA Executive Committee considers that the relevant criterion/criteria is/are not met, the application shall be considered rejected by the WADA Executive Committee without any need to refer the matter to the WADA Executive Committee again as per Section 3 of the Policy.

Confidentiality

All members are required to sign a confidentiality agreement upon appointment.

Communications and Media

All members must read and agree to comply with WADA's Media Relations policy. If a member should receive a request for an interview in relation to their role in WADA or WADA's work in the fight against doping in sport, they should first consult with the WADA Media Relations Senior Manager or (if absent), with the WADA Communications Director.

Funding Support

WADA shall provide the necessary administrative and operational resources for meetings.