



The World Anti-Doping Code

INTERNATIONAL STANDARD FOR CODE COMPLIANCE BY SIGNATORIES

Draft Version 1.0

FOREWORD

The International Standard for Code Compliance by Signatories is a mandatory *International Standard* that forms an essential part of the World Anti-Doping Program. It was developed in consultation with *Signatories*, public authorities, and other relevant stakeholders, and was approved by the WADA Executive Committee at its meeting in [X] on [X]. It will come into effect on [X] 2018. It will apply to all cases of *Signatory* non-compliance arising or identified after that date. It will not apply retrospectively to cases of *Signatory* non-compliance already identified prior to that date.

Published by:

World Anti-Doping Agency
Stock Exchange Tower
800 Place Victoria (Suite 1700)
PO Box 120
Montreal, Quebec
Canada H4Z 1B7

URL: www.wada-ama.org

Tel: +1 514 904 9232
Fax: +1 514 904 8650

TABLE OF CONTENTS

PART ONE: INTRODUCTION, CODE PROVISIONS, INTERNATIONAL STANDARD PROVISIONS, AND DEFINITIONS	1
1.0 Introduction and Scope	1
2.0 Relevant Code Provisions	2
3.0 Relevant Provisions of the International Standard for Laboratories	16
4.0 Definitions and Interpretation	16
4.1 Defined terms from the 2015 Code that are used in the International Standard for Code Compliance by Signatories	16
4.2 Defined terms from the International Standard for Testing and Investigations that are used in the International Standard for Code Compliance by Signatories	19
4.3 Defined terms specific to the International Standard for Code Compliance by Signatories.....	19
4.4 Interpretation	22
PART TWO: STANDARDS FOR WADA'S MONITORING AND ENFORCEMENT OF CODE COMPLIANCE BY SIGNATORIES	24
5.0 Objective	24
6.0 WADA's Compliance Monitoring Program	24
6.1 Operational Oversight of Code Compliance	24
6.2 Independent Review and Recommendations.....	25
6.3 Enforcement Procedures.....	26
7.0 WADA's Support for Signatories' Efforts to Achieve/Maintain Code Compliance	26
7.1 Objective.....	26
7.2 Operational and Technical Support.....	27
8.0 Monitoring Signatories' Compliance Efforts	28
8.1 Objective.....	28
8.2 Prioritization Between Different Signatories	28
8.3 Cooperation With Other Bodies.....	29
8.4 WADA's Monitoring Tools.....	29
8.5 Code Compliance Questionnaires	31
8.6 Mandatory Information Requests	32
8.7 The Compliance Audit Program.....	33
9.0 Giving Signatories the Opportunity to Correct Non-Conformities	36
9.1 Objective.....	36
9.2 Corrective Action Reports and Corrective Action Plans.....	37
9.3 Referral to the CRC	38
9.4 Urgent Cases	39

10.0 The Process for Confirming Non-Compliance and Imposing Signatory Consequences	40
10.1 CRC Recommendation	40
10.2 Consideration by the WADA Foundation Board	40
10.3 Acceptance by the Signatory	41
10.4 Determination by the Independent Tribunal.....	41
10.5 Appeal Proceedings Before CAS.....	42
10.6 CAS as the Sole Hearing Panel	42
10.7 Recognition and Enforcement by Other Signatories	42
11.0 Determining Signatory Consequences	43
11.1 Potential Consequences for Non-Compliance with the Code	43
11.2 Principles relevant to the determination of the Signatory Consequences to be applied in a particular case	45
11.3 Other Consequences	47
12.0 Reinstatement	47
12.1 Objective.....	47
12.2 Reinstatement Conditions	47
12.3 The Reinstatement Process	49
PART FOUR: ANNEXES	50
Annex A: Categories of Non-Compliance.....	50
Annex B: Signatory Consequences	53
Annex C: Method of Calculating Fines	58

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

1.0 Introduction and Scope

Signatories to the World Anti-Doping Code (the *Code*) automatically commit to comply with a number of legal, technical and operational requirements that are set out in the *Code* and the accompanying *International Standards*. Such compliance is necessary to deliver harmonized, coordinated and effective anti-doping programs at the international and national level, so that *Athletes* and other stakeholders can experience doping-free competition on a level playing field wherever sport is played.

The *Code* makes *WADA* responsible for monitoring compliance by *Signatories* with the *Code* and the *International Standards*. The *Code* also requires *Signatories* to report on their compliance to *WADA*.

The purpose of the *International Standard* for Code Compliance by *Signatories* is to support an effective and efficient compliance effort by setting out:

- the roles and responsibilities of the different bodies involved in *WADA*'s compliance monitoring function (Part Two, Section 6);
- the support and assistance that *WADA* will offer to *Signatories* in their efforts to comply with the *Code* and the *International Standards* (Part Two, Section 7);
- the tools that *WADA* will use to monitor compliance by *Signatories* with their obligations under the *Code* and the *International Standards* (Part Two, Section 8);
- the opportunities that *WADA* will give *Signatories* to correct any Non-Conformities before any formal action is taken (Part Two, Section 9);
- the process to be followed in determining non-compliance and the consequences for such non-compliance if a *Signatory* fails to correct its Non-Conformities (Part Two, Section 10);
- the range of potential consequences that might be imposed for non-compliance, depending on the facts and circumstances of the particular case (Part Two, Section 11); and
- the procedures that *WADA* will follow to ensure that a *Signatory* that has been determined to be non-compliant is reinstated as quickly as possible once it has corrected that non-compliance (Part Two, Section 12).

The ultimate objective is to ensure that strong, Code compliant anti-doping rules and programs are applied and enforced consistently and effectively across all sports and all countries, so that clean *Athletes* can have confidence that there is fair competition on a level playing field, and public confidence in the integrity of sport can be maintained.

The desire is always to have *Signatories* address any compliance issues voluntarily. Having a *Signatory* declared non-compliant and Signatory Consequences imposed is the last resort, to be pursued only where the *Signatory* has failed, despite every encouragement, to take the necessary corrective actions within the required timelines.

In the interests of transparency and accountability, WADA may publish as much detail as it considers appropriate about its compliance monitoring program, including activities and outcomes in respect of individual *Signatories* who have been the subject of specific action under the program.

Terms used in this *International Standard* that are defined terms from the *Code* are written in italics. Terms that are defined in this or another *International Standard* (see Part One, Articles 4.2 and 4.3) are underlined.

2.0 Relevant Code Provisions

The following provisions in the *Code* are directly relevant to the *International Standard* for Code Compliance by *Signatories*:

NOTE TO READER: THE FOLLOWING PROVISIONS REFLECT THE AMENDMENTS THAT ARE PROPOSED TO BE MADE TO THE PROVISIONS OF THE 2015 CODE THAT ARE MOST RELEVANT TO SIGNATORY COMPLIANCE (NAMELY, ARTICLES 13, 20 AND 23). A TRACK-CHANGED VERSION OF THESE PROPOSED AMENDMENTS TO THE CODE CAN BE FOUND IN A SEPARATE DOCUMENT ACCOMPANYING THIS DRAFT INTERNATIONAL STANDARD FOR CODE COMPLIANCE BY SIGNATORIES. THE INTERNATIONAL STANDARD FOR CODE COMPLIANCE BY SIGNATORIES IS DESIGNED TO IMPLEMENT AND SUPPORT THE CODE PROVISIONS AS AMENDED.

PURPOSE, SCOPE AND ORGANIZATION OF THE WORLD ANTI-DOPING PROGRAM AND THE CODE

The purposes of the World Anti-Doping Code and the World Anti-Doping Program which supports it are:

- To protect the *Athletes'* fundamental right to participate in doping-free sport and thus promote health, fairness and equality for *Athletes* worldwide, and

- To ensure harmonized, coordinated and effective anti-doping programs at the international and national level with regard to detection, deterrence and prevention of doping.

PART ONE DOPING CONTROL

INTRODUCTION

Part One of the *Code* sets forth specific anti-doping rules and principles that are to be followed by organizations responsible for adopting, implementing or enforcing anti-doping rules within their authority, e.g. the International Olympic Committee, International Paralympic Committee, International Federations, *National Olympic Committees* and Paralympic Committees, *Major Event Organizations*, and *National Anti-Doping Organizations*. All such organizations are collectively referred to as *Anti-Doping Organizations*.

All provisions of the *Code* are mandatory in substance and must be followed as applicable by each *Anti-Doping Organization* and *Athlete* or other *Person*. The *Code* does not, however, replace or eliminate the need for comprehensive anti-doping rules to be adopted by each *Anti-Doping Organization*. ...

Code Article 12 Sanctions Against Sporting Bodies

Nothing in the *Code* precludes any *Signatory* or government accepting the *Code* from enforcing its own rules for the purpose of imposing sanctions on another sporting body over which the *Signatory* or a member of the *Signatory* or government has authority.

[Comment to Article 12: This Article makes it clear that the Code does not restrict whatever disciplinary rights between organizations may otherwise exist.]

Code Article 13 Appeals

13.6 Appeals from Decisions under Part Three and Part Four of the *Code*

13.6.1 The following decisions under Article 23.5.6 may be appealed exclusively to CAS within twenty-one days of receipt of the decision, in accordance with this Article 13.6: a decision by an independent tribunal that a *Signatory* is compliant or is not compliant with the *Code*; a decision by an independent tribunal imposing consequences or not imposing consequences on a *Signatory* for non-compliance with the *Code*; a decision by an independent tribunal imposing or not imposing conditions that a non-compliant *Signatory* must

satisfy in order to be reinstated; and a decision by WADA that a *Signatory* has not met the reinstatement conditions imposed.

13.6.2 The following parties shall have the right to appeal the decisions specified in Article 13.6.1 exclusively to CAS in accordance with the provisions applicable before such court: (a) the *Signatory* that is the subject of the decision being appealed; (b) WADA; and (c) the International Olympic Committee and/or the International Paralympic Committee (as applicable), where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility to attend/participate in the Olympic Games or Paralympic Games.

13.6.3 Decisions being appealed under Article 13.6.1 shall remain in effect while under appeal unless CAS orders otherwise.

[Comment to Article 13: One of the objectives of the Code is to have anti-doping matters resolved through fair and transparent internal processes with a final appeal. Anti-doping decisions by Anti-Doping Organizations against Athletes and other Persons are made transparent in Article 14. Specified Persons and organizations, including WADA, are then given the opportunity to appeal those decisions. Decisions as to non-compliance by Signatories are made transparent in Article 23.5, and again specified organizations are given the opportunity to appeal those decisions. Note that the definition of interested Persons and organizations with a right to appeal under Article 13.2 does not include Athletes, or their federations, who might benefit from having another competitor disqualified. Nor does the definition of parties with a right to appeal under Article 13.6 include Athletes or Athlete Support Personnel, or their federations, whose eligibility to compete is impacted by a Signatory's failure to comply with the Code.]

PART 3 ROLES AND RESPONSIBILITIES

All *Signatories* shall act in a spirit of partnership and collaboration in order to ensure the success of the fight against doping in sport and the respect of the *Code*.

[Comment: Responsibilities for Signatories and Athletes or other Persons are addressed in various Articles in the Code and the responsibilities listed in this part are additional to these responsibilities.]

Code Article 20 Additional Roles and Responsibilities of *Signatories*

20.1 Roles and Responsibilities of the International Olympic Committee

20.1.1 To adopt and implement anti-doping policies and rules for the Olympic Games which conform with the *Code*.

20.1.2 To require as a condition of recognition by the International Olympic Committee that International Federations and National Olympic Committees within the Olympic Movement are in compliance with the *Code*.

20.1.3 To withhold some or all Olympic funding of sport organizations that are not in compliance with the *Code*, where required under Article 23.5.

20.1.4 To take other appropriate action to discourage non-compliance with the *Code* as provided in Article 23.5.

20.1.5 To authorize and facilitate the *Independent Observer Program*.

20.1.6 To require all *Athletes* and each *Athlete Support Person* who participates as coach, trainer, manager, team staff, official, medical or paramedical personnel in the Olympic Games to agree to be bound by anti-doping rules in conformity with the *Code* as a condition of such participation.

20.1.7 To vigorously pursue all potential anti-doping rule violations within its jurisdiction including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.

20.1.8 To accept bids for the Olympic Games only from countries where the government has ratified, accepted, approved or acceded to the *UNESCO Convention* and the *National Olympic Committee*, National Paralympic Committee and *National Anti-Doping Organization* are in compliance with the *Code*.

20.1.9 To promote anti-doping education.

20.1.10 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.

20.2 Roles and Responsibilities of the International Paralympic Committee

20.2.1 To adopt and implement anti-doping policies and rules for the Paralympic Games which conform with the *Code*.

20.2.2 To require as a condition of recognition by the International Paralympic Committee, that National Paralympic Committees within the Paralympic Movement are in compliance with the *Code*.

20.2.3 To withhold some or all Paralympic funding of sport organizations that are not in compliance with the *Code*, where required under Article 23.5.

20.2.4 To take appropriate action to discourage non-compliance with the *Code* as provided in Article 23.5.

20.2.5 To authorize and facilitate the *Independent Observer Program*.

20.2.6 To require all *Athletes* and each *Athlete Support Person* who participates as coach, trainer, manager, team staff, official, medical or paramedical personnel in the Paralympic Games to agree to be bound by anti-doping rules in conformity with the *Code* as a condition of such participation.

20.2.7 To vigorously pursue all potential anti-doping rule violations within its jurisdiction including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.

20.2.8 To promote anti-doping education.

20.2.9 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.

20.3 Roles and Responsibilities of International Federations

20.3.1 To adopt and implement anti-doping policies and rules which conform with the *Code*.

20.3.2 To require as a condition of membership that the policies, rules and programs of their National Federations and other members are in compliance with the *Code*.

20.3.3 To require all *Athletes* and each *Athlete Support Person* who participates as coach, trainer, manager, team staff, official, medical or paramedical personnel in a *Competition* or activity authorized or organized by the International Federation or one of its member organizations to agree to be bound by anti-doping rules in conformity with the *Code* as a condition of such participation.

20.3.4 To require *Athletes* who are not regular members of the International Federation or one of its member National Federations to be available for *Sample* collection and to provide accurate and up-to-date whereabouts information as part of the International Federation's *Registered Testing Pool* consistent with the conditions for eligibility established by the International Federation or, as applicable, the *Major Event Organization*.

[Comment to Article 20.3.4: This would include, for example, Athletes from professional leagues.]

20.3.5 To require each of its National Federations to establish rules requiring all *Athletes* and each *Athlete Support Person* who participates as coach, trainer, manager, team staff, official, medical or paramedical personnel in a *Competition* or activity authorized or organized by a National Federation or one of its member organizations to agree to be bound by anti-doping rules and *Anti-Doping Organization* results management authority in conformity with the *Code* as a condition of such participation.

20.3.6 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their *National Anti-Doping Organization* and International Federation and to cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.

20.3.7 To take appropriate action to discourage non-compliance with the *Code* as provided in Article 23.5.

20.3.8 To authorize and facilitate the *Independent Observer Program* at *International Events*.

20.3.9 To withhold some or all funding to its member National Federations that are not in compliance with the *Code*.

20.3.10 To vigorously pursue all potential anti-doping rule violations within its jurisdiction including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping, to ensure proper enforcement of *Consequences*, and to conduct an automatic investigation of *Athlete Support Personnel* in the case of any anti-doping rule violation involving a *Minor* or *Athlete Support Person* who has provided support to more than one *Athlete* found to have committed an anti-doping rule violation.

20.3.11 To do everything possible to award World Championships only to countries where the government has ratified, accepted, approved or acceded to the *UNESCO Convention* and the *National Olympic Committee*, National Paralympic Committee and *National Anti-Doping Organization* are in compliance with the *Code*.

20.3.12 To promote anti-doping education, including requiring National Federations to conduct anti-doping education in coordination with the applicable *National Anti-Doping Organization*.

20.3.13 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.

20.3.14 To cooperate fully with *WADA* in connection with investigations conducted by *WADA* pursuant to Article 20.7.10.

20.3.15 To have disciplinary rules in place and require National Federations to have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* within the International Federation's or National Federation's authority.

20.4 Roles and Responsibilities of *National Olympic Committees* and *National Paralympic Committees*.

20.4.1 To ensure that their anti-doping policies and rules conform with the *Code*.

20.4.2 To require as a condition of membership or recognition that National Federations' anti-doping policies and rules are in compliance with the applicable provisions of the *Code*.

20.4.3 To respect the autonomy of the *National Anti-Doping Organization* in its country and not to interfere in its operational decisions and activities.

20.4.4 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their *National Anti-Doping Organization* and International Federation and to cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.

20.4.5 To require as a condition of participation in the Olympic Games and Paralympic Games that, at a minimum, *Athletes* who are not regular members of a National Federation be available for *Sample* collection and to provide whereabouts information as required by the International Standard for Testing and Investigations as soon as the *Athlete* is identified on the long list or subsequent entry document submitted in connection with the Olympic Games or Paralympic Games.

20.4.6 To cooperate with their *National Anti-Doping Organization* and to work with their government to establish a *National Anti-Doping Organization* where one does not already exist, provided that in the interim, the *National Olympic Committee* or its designee shall fulfill the responsibility of a *National Anti-Doping Organization*.

20.4.6.1 For those countries that are members of a *Regional Anti-Doping Organization*, the *National Olympic Committee*, in cooperation with the

government, shall maintain an active and supportive role with their respective *Regional Anti-Doping Organizations*.

20.4.7 To require each of its National Federations to establish rules requiring each *Athlete Support Person* who participates as a coach, trainer, manager, team staff, official, medical or paramedical personnel in a *Competition* or activity authorized or organized by a National Federation or one of its member organizations to agree to be bound by anti-doping rules and *Anti-Doping Organization* results management authority in conformity with the *Code* as a condition of such participation.

20.4.8 To withhold some or all funding, during any period of his or her *Ineligibility*, to any *Athlete* or *Athlete Support Person* who has violated anti-doping rules.

20.4.9 To withhold some or all funding to its member or recognized National Federations that are not in compliance with the *Code*.

20.4.10 To vigorously pursue all potential anti-doping rule violations within its jurisdiction including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.

20.4.11 To promote anti-doping education, including requiring National Federations to conduct anti-doping education in coordination with the applicable *National Anti-Doping Organization*.

20.4.12 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.

20.4.13 To have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* within the *National Olympic Committee's* or *National Paralympic Committee's* authority.

20.5 Roles and Responsibilities of *National Anti-Doping Organizations*.

20.5.1 To be independent in their operational decisions and activities.

20.5.2 To adopt and implement anti-doping rules and policies which conform with the *Code*.

20.5.3 To cooperate with other relevant national organizations and agencies and other *Anti-Doping Organizations*.

20.5.4 To encourage reciprocal *Testing* between *National Anti-Doping Organizations*.

20.5.5 To promote anti-doping research.

20.5.6 Where funding is provided, to withhold some or all funding, during any period of his or her *Ineligibility*, to any *Athlete* or *Athlete Support Person* who has violated anti-doping rules.

20.5.7 To vigorously pursue all potential anti-doping rule violations within its jurisdiction including investigation into whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping and to ensure proper enforcement of *Consequences*.

20.5.8 To promote anti-doping education.

20.5.9 To conduct an automatic investigation of *Athlete Support Personnel* within its jurisdiction in the case of any anti-doping rule violation by a *Minor* and to conduct an automatic investigation of any *Athlete Support Person* who has provided support to more than one *Athlete* found to have committed an anti-doping rule violation.

20.5.10 To cooperate fully with *WADA* in connection with investigations conducted by *WADA* pursuant to Article 20.7.10.

[Comment to Article 20.5: For some smaller countries, a number of the responsibilities described in this Article may be delegated by their National Anti-Doping Organization to a Regional Anti-Doping Organization.]

20.6 Roles and Responsibilities of *Major Event Organizations*.

20.6.1 To adopt and implement anti-doping policies and rules for their *Events* which conform with the *Code*.

20.6.2 To take appropriate action to discourage non-compliance with the *Code* as provided in Article 23.5.

20.6.3 To authorize and facilitate the *Independent Observer Program*.

20.6.4 To require all *Athletes* and each *Athlete Support Person* who participates as coach, trainer, manager, team staff, official, medical or paramedical personnel in the *Event* to agree to be bound by anti-doping rules in conformity with the *Code* as a condition of such participation.

20.6.5 To vigorously pursue all potential anti-doping rule violations within its jurisdiction including investigation into

whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping.

20.6.6 To do everything possible to award *Events* only to countries where the government has ratified, accepted, approved or acceded to the *UNESCO Convention* and the *National Olympic Committee*, *National Paralympic Committee* and *National Anti-Doping Organization* are in compliance with the *Code*.

20.6.7 To promote anti-doping education.

20.6.8 To cooperate with relevant national organizations and agencies and other *Anti-Doping Organizations*.

20.7 Roles and Responsibilities of *WADA*.

20.7.1 To adopt and implement policies and procedures which conform with the *Code*.

20.7.2 To provide support and guidance to *Signatories* in their efforts to comply with the *Code* and the *International Standards*, to monitor such compliance by *Signatories*, to notify *Signatories* of instances of non-compliance and explain what must be done to correct them, to secure the imposition of appropriate consequences when a *Signatory* does not correct instances of non-compliance, as well as conditions that the *Signatory* must satisfy in order to be reinstated to the list of *Code-compliant Signatories*, and to verify the fulfilment of those conditions.

20.7.3 To approve *International Standards* applicable to the implementation of the *Code*.

20.7.4 To accredit and reaccredit laboratories to conduct *Sample* analysis or to approve others to conduct *Sample* analysis.

20.7.5 To develop and publish guidelines and models of best practice.

20.7.6 To promote, conduct, commission, fund and coordinate anti-doping research and to promote anti-doping education.

20.7.7 To design and conduct an effective *Independent Observer Program* and other types of *Event* advisory programs.

20.7.8 To conduct, in exceptional circumstances and at the direction of the *WADA* Director General, *Doping Controls* on its own initiative or as requested by other *Anti-Doping Organizations*, and to cooperate with relevant national and

international organizations and agencies, including but not limited to, facilitating inquiries and investigations.

[Comment to Article 20.7.8: WADA is not a Testing agency, but it reserves the right, in exceptional circumstances, to conduct its own tests where problems have been brought to the attention of the relevant Anti-Doping Organization and have not been satisfactorily addressed.]

20.7.9 To approve, in consultation with International Federations, *National Anti-Doping Organizations*, and *Major Event Organizations*, defined *Testing* and *Sample analysis* programs.

20.7.10 To initiate its own investigations of anti-doping rule violations and other activities that may facilitate doping.

PART FOUR ACCEPTANCE, COMPLIANCE, MODIFICATION AND INTERPRETATION

Code Article 23 Acceptance, Compliance and Modification

23.1 Acceptance of the *Code*

23.1.1 The following entities shall be *Signatories* accepting the *Code*: *WADA*, the International Olympic Committee, International Federations, the International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, and *National Anti-Doping Organizations*. These entities shall accept the *Code* by signing a declaration of acceptance upon approval by each of their respective governing bodies.

[Comment to Article 23.1.1: Each accepting Signatory will separately sign an identical copy of the standard form common declaration of acceptance and deliver it to WADA. The act of acceptance will be as authorized by the organic documents of each organization. For example, an International Federation by its Congress and WADA by its Foundation Board.]

23.1.2 Other sport organizations that may not be under the control of a *Signatory* may, upon *WADA*'s invitation, also become a *Signatory* by accepting the *Code*.

[Comment to Article 23.1.2: Those professional leagues that are not currently under the jurisdiction of any government or International Federation will be encouraged to accept the Code.]

23.1.3 A list of all acceptances will be made public by *WADA*.

23.2 Implementation of the *Code*

23.2.1 The *Signatories* shall implement applicable *Code* provisions through policies, statutes, rules or regulations according to their authority and within their relevant spheres of responsibility.

23.2.2 The following Articles as applicable to the scope of the anti-doping activity which the *Anti-Doping Organization* performs must be implemented by *Signatories* without substantive change (allowing for any non-substantive changes to the language in order to refer to the organization's name, sport, section numbers, etc.):

- Article 1 (Definition of Doping)
- Article 2 (Anti-Doping Rule Violations)
- Article 3 (Proof of Doping)
- Article 4.2.2 (*Specified Substances*)
- Article 4.3.3 (*WADA's Determination of the Prohibited List*)
- Article 7.11 (Retirement from Sport)
- Article 9 (Automatic *Disqualification* of Individual Results)
- Article 10 (Sanctions on Individuals)
- Article 11 (Consequences to Teams)
- Article 13 (Appeals) with the exception of 13.2.2, 13.6, and 13.7
- Article 15.1 (Recognition of Decisions)
- Article 17 (Statute of Limitations)
- Article 24 (Interpretation of the *Code*)
- Appendix 1 – Definitions

No additional provision may be added to a *Signatory's* rules which changes the effect of the Articles enumerated in this Article. A *Signatory's* rules must expressly acknowledge the Commentary of the *Code* and endow the Commentary with the same status that it has in the *Code*.

[Comment to Article 23.2.2: Nothing in the Code precludes an Anti-Doping Organization from adopting and enforcing its own specific disciplinary rules for conduct by Athlete Support Personnel related to doping but which does not, in and of itself, constitute an anti-doping rule violation under the Code. For example, a

National or International Federation could refuse to renew the license of a coach when multiple Athletes have committed anti-doping rule violations while under that coach's supervision.]

23.2.3 In implementing the *Code*, the *Signatories* are encouraged to use the models of best practice recommended by *WADA*.

23.3 Implementation of Anti-Doping Programs.

Signatories shall devote sufficient resources in order to implement anti-doping programs in all areas that are compliant with the *Code* and the *International Standards*.

23.4 Compliance with the *Code*

Signatories shall not be considered in compliance with the *Code* until they have accepted and implemented the *Code* in accordance with Articles 23.1, 23.2, and 23.3. They shall no longer be considered in compliance once acceptance has been withdrawn.

23.5 Monitoring Compliance with the *Code*

23.5.1 Compliance with the *Code* by *Signatories* shall be monitored by *WADA* in accordance with the International Standard for Code Compliance by Signatories.

23.5.2 To facilitate such monitoring, each *Signatory* shall report to *WADA* on its compliance with the *Code* as and when required by *WADA*. As part of that reporting, the *Signatory* shall provide accurate information to *WADA* on all instances of non-compliance, and explain the actions it is taking to correct them.

23.5.3 Failure by a *Signatory* to provide accurate information in accordance with Article 23.5.2 itself constitutes an instance of non-compliance with the *Code*, as does failure by a *Signatory* to submit accurate information to *WADA* where required by other Articles of the *Code* or by the International Standard for Code Compliance by Signatories.

23.5.4 In cases of non-compliance (whether with reporting obligations or otherwise), *WADA* shall follow the corrective procedures set out in the International Standard for Code Compliance by Signatories. If the *Signatory* fails to correct the non-compliance, then (following approval of such course by the *WADA* Foundation Board) *WADA* shall write to the *Signatory*, identifying the alleged non-compliance, specifying the consequences that *WADA* considers should apply for such non-compliance, and specifying the conditions that *WADA* considers the *Signatory* should have to satisfy in order to be reinstated to the list of *Code* compliant *Signatories*.

23.5.5 If the *Signatory* does not dispute *WADA's* allegation of non-compliance and/or its proposed consequences and/or its proposed reinstatement conditions within fourteen days of receipt of the written notice, the allegation will be deemed admitted and the consequences and reinstatement conditions will be deemed accepted and will automatically become a final decision enforceable with immediate effect in accordance with Article 23.5.7. The decision will be publicly reported by *WADA*.

23.5.6 If the *Signatory* disputes *WADA's* allegation of non-compliance and/or its proposed consequences and/or its proposed reinstatement conditions within fourteen days of receipt of the written notice, *WADA* will submit the case to an independent tribunal in accordance with the International Standard for Code Compliance by Signatories for determination of the issues in dispute. The independent tribunal's decision will be publicly reported by *WADA*, and may be appealed to *CAS* pursuant to Article 13.6. Alternatively, the parties with a right of appeal under Article 13.6 may agree that the case should be heard directly at *CAS*, with no requirement for a prior hearing before an independent tribunal, and with no right of any further appeal against the *CAS* decision. The *CAS* decision shall be publicly reported by *WADA*.

23.5.7 Subject to the right of appeal provided in Article 13.6, decisions that a *Signatory* is non-compliant, imposing consequences for such non-compliance, and setting conditions that the *Signatory* has to satisfy in order to be reinstated to the list of *Code-compliant Signatories*, shall be applicable worldwide and shall be recognized, respected and given full effect by all other *Signatories* in accordance with their authority and within their respective spheres of responsibility.

23.6 Monitoring Compliance with the *UNESCO Convention*

Compliance with the commitments reflected in the *UNESCO Convention* will be monitored as determined by the Conference of Parties to the *UNESCO Convention*, following consultation with the State Parties and *WADA*. *WADA* shall advise governments on the implementation of the *Code* by the *Signatories* and shall advise *Signatories* on the ratification, acceptance, approval or accession to the *UNESCO Convention* by governments.

3.0 Relevant Provisions of the International Standard for Laboratories

The following provisions in the International Standard for Laboratories are directly relevant to the International Standard for Code Compliance by Signatories:

4.1.2 Submitting initial application form

The candidate laboratory shall complete the necessary information in the Application Form as provided by WADA and deliver this to WADA. The Application shall be signed by the Laboratory Director and, if relevant, by the Director of the host organization.

At this stage, WADA will verify the existence of a National Anti-Doping Program (compliant with the Code and International Standards) in the country where the candidate laboratory is located, the ratification of the UNESCO Convention against Doping in Sport by the host country of the candidate laboratory, as well as the payment of the nation's financial contributions to WADA.

4.0 Definitions and Interpretation

4.1 Defined terms from the 2015 Code that are used in the International Standard for Code Compliance by Signatories:

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

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

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

Anti-Doping Organization: *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, WADA, 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." ...*

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.*

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.*

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

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

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

Independent Observer Program: *A team of observers, under the supervision of WADA, who observe and provide guidance on the Doping Control process at certain Events and report on their observations.*

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 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 Committees* and other international multisport organizations that function as the ruling body for any continental, regional or other *International Event*.

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*, the management of test results, and the conduct of hearings 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 Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

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

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

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 5.6 and the International Standard for Testing and Investigations.*

Regional Anti-Doping Organization: *A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the adoption and implementation of anti-doping rules, the planning and collection of Samples, the management of results, the review of TUEs, the conduct of hearings, and the conduct of educational programs at a regional level.*

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

Signatories: Those entities signing the Code and agreeing to comply with the Code, as provided in Article 23.

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

TUE: Therapeutic Use Exemption, as described in Article 4.4.

UNESCO Convention: The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 2005, including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

WADA: The World Anti-Doping Agency.

4.2 Defined terms from the International Standard for Testing and Investigations that are used in the International Standard for Code Compliance by Signatories:

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) another organization (for example, a third party contractor) to whom the Testing Authority has delegated or sub-contracted such responsibility (provided that 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 Personnel: A collective term for qualified officials authorized by the Sample Collection Authority to carry out or assist with duties during the Sample Collection Session.

Test Distribution Plan: A document written by an *Anti-Doping Organization* that plans *Testing* on *Athletes* over whom it has Testing Authority, in accordance with the requirements of article 4 of the International Standard for Testing and Investigations.

4.3 Defined terms specific to the International Standard for Code Compliance by Signatories:

Anti-Doping Activities: Anti-doping education and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organizing analysis of *Samples*, gathering of intelligence and conduct of

investigations, processing of *TUE* applications, results management, hearings, and all other activities related to anti-doping.

Anti-Doping Program: The legislation, rules, regulations, processes and procedures, and other activities, including Anti-Doping Activities, that a *Signatory* is required to implement in order to be *Code* compliant.

Category 1 (Important): As further described in Annex A, a case involving one or more instances of non-compliance that are considered to be important but not high priority or critical.

Category 2 (High Priority): As further described in Annex A, a case involving one or more instances of non-compliance that are considered to be high priority but not involving any instances of non-compliance that are considered to be critical.

Category 3 (Critical): As further described in Annex A, a case involving one or more instances of non-compliance that are considered to be critical, and/or other features that make it a case of non-compliance of the most serious kind.

Code Compliance: Compliance with all of the requirements in the *Code* and/or the *International Standards* that apply to the *Signatory* in question.

Compliance Audit: A formal assessment conducted by *WADA* of all or part of a *Signatory's* Anti-Doping Program, in accordance with Article 8.7.

Code Compliance Questionnaire: A self-assessment survey issued by *WADA* in the form of a questionnaire that enables a *Signatory* to satisfy its *Code* obligation to report to *WADA* on its Code Compliance.

Compliance Review Committee (CRC): As described in Article 6.2.1.

Corrective Action Plan: A plan setting out what a *Signatory* shall do, within set timelines, to correct Non-Conformities identified by *WADA*.

Corrective Action Report: A report produced by the WADA Compliance Taskforce that identifies Non-Conformities by a *Signatory* and the corrective actions that the *Signatory* must take to correct them within set timelines.

Event of Force Majeure: An event affecting a *Signatory's* ability to achieve full Code Compliance that arises from or is attributable to acts, events, omissions or accidents that are beyond the reasonable control of the *Signatory*. Such events may include any natural physical disaster, war, military operations, riot, crowd disorder, strike, lock-outs or other industrial action, terrorist action, or civil commotion. In accordance with Article 9.3.3, however, such events shall not in any

circumstances include lack of resources on the part of the *Signatory*, changes in elected officials or personnel, or any interference or failure to provide support or other act or omission by any governmental or public agency.

Fine: A monetary penalty payable to *WADA* in an amount calculated as set out in Annex C.

Independent Tribunal: A tribunal of one or more independent and experienced arbitrators established to provide *Code Signatories* with an efficient and independent means to resolve disputes in relation to decisions made by *WADA* on a *Signatory's* compliance with the *Code* and/or the *International Standards*. The seat of the Independent Tribunal shall be in Lausanne, Switzerland and the venue of its hearings shall be in Lausanne unless otherwise agreed. The arbitration rules and other procedural aspects of the Independent Tribunal shall be adopted by the *WADA* Foundation Board. Any subsequent amendments thereto shall be made by the *WADA* Executive Committee.

Mandatory Information Request: A request that *WADA* may send to a *Signatory*, requiring the *Signatory* to provide specified information by a specified deadline to enable the *WADA* Compliance Taskforce to assess the *Signatory's* Code Compliance.

Non-Conformity: An instance where a *Signatory* is not complying with the *Code* and/or the *International Standards* but the opportunities provided in the International Standard for Code Compliance by Signatories for correcting the Non-Conformity/Non-Conformities have not yet expired and so *WADA* has not yet formally asserted that the *Signatory* is non-compliant.

Reinstatement: When a *Signatory* that was previously declared non-compliant with the *Code* and/or the *International Standards* is determined to have corrected that non-compliance by meeting all of the conditions imposed in accordance with Article 12 for reinstatement of its name to the list of compliant *Signatories* (and **Reinstated** shall be interpreted accordingly).

Relevant Sports Organization: Where the *Signatory* Consequences imposed on a non-compliant *Signatory* include a period of ineligibility for its representatives to hold any office of or position as a member of the board or committees or other bodies of any Relevant Sports Organization, this term encompasses the International Olympic Committee, the International Paralympic Committee, *Major Event Organizations*, *National Anti-Doping Organizations*, associations of *National Anti-Doping Organizations*, associations of *National Olympic Committees*, and International Federations and associations of International Federations, but excludes the actual *Signatory* on which the *Signatory* Consequences are being imposed.

Representatives: Officials, directors, officers, employees, committee members and other representatives of the *Signatory* or other body in question, and also (in the case of a *National Anti-Doping Organization* or a *National Olympic Committee* acting as a *National Anti-Doping Organization*) representatives of the government of the country of that *National Anti-Doping Organization* or *National Olympic Committee*.

Signatory Consequences: One or more of the consequences set out in Article 11.1 that may be imposed on a *Signatory* as a result of its failure to comply with the *Code* and/or the *International Standards*.

Special Monitoring: Where, as part of the *Signatory Consequences* imposed on a non-compliant *Signatory*, *WADA* applies a system of specific and ongoing monitoring to some or all of the *Signatory's Anti-Doping Activities* pending *Reinstatement*, to ensure that the *Signatory* is carrying out those activities in a compliant manner.

Supervision: Where, as part of the *Signatory Consequences* imposed on a non-compliant *Signatory*, one or more third parties approved by *WADA* takes partial or total control (as directed by *WADA*) of a *Signatory's Anti-Doping Activities* at the *Signatory's* expense until *WADA* considers that the *Signatory* is in a position to implement such *Anti-Doping Activities* itself in a compliant manner.

WADA Auditor: A *WADA* staff member or an external anti-doping specialist that has been trained by *WADA* to collect information in support of the overall assessment of a *Signatory's Code Compliance*.

WADA Compliance Taskforce: As described in Article 6.1.1.

WADA Privileges: The benefits listed at Article 11.1.1.1.

4.4 Interpretation

4.4.1 The official text of the International Standard for Code Compliance by Signatories shall be maintained by *WADA* and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

4.4.2 Like the *Code*, the International Standard for Code Compliance by Signatories has been drafted giving due consideration to the principles of respect for human rights, proportionality, and other applicable legal principles. It shall be interpreted and applied in that light.

4.4.3 The comments annotating various provisions of the International Standard for Code Compliance by Signatories shall also be used to guide its interpretation and application.

4.4.4 Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the International Standard for Code Compliance by Signatories.

4.4.5 The Annexes to the International Standard for Code Compliance by Signatories have the same mandatory status as the rest of the International Standard for Code Compliance by Signatories.

4.4.6 If and to the extent that it is decided to transfer competence for compliance matters from the *WADA* Foundation Board to the *WADA* Executive Committee, then to that extent references in the International Standard for Code Compliance by Signatories to the *WADA* Foundation Board shall be deemed to be references to the *WADA* Executive Committee.

PART TWO: STANDARDS FOR WADA'S MONITORING AND ENFORCEMENT OF CODE COMPLIANCE BY SIGNATORIES

5.0 Objective

5.1 The objective of Part Two of the International Standard for Code Compliance by Signatories is to ensure that *Signatories* deliver harmonized, coordinated and effective Anti-Doping Programs at the international and national level, so that there is fair competition and a level playing field wherever sport is played.

5.2 The focus of WADA's compliance monitoring program is on dialogue and communication with *Signatories*, assisting them in the efforts to ensure full Code compliance. Where instances of Non-Conformity are identified, the International Standard for Code Compliance by Signatories establishes objective, pre-determined, and transparent procedures and standards that give the *Signatory* the opportunity to correct those Non-Conformities, and (if not corrected) that lead to a determination of non-compliance and the imposition of predictable, graded and proportionate Signatory Consequences, as well as setting out a clear pathway to Reinstatement.

6.0 WADA's Compliance Monitoring Program

6.1 Operational Oversight of Code Compliance

6.1.1 Operational oversight of Code Compliance is provided by the WADA Compliance Taskforce, an internal WADA working group consisting of staff from different WADA departments.

6.1.2 The WADA Compliance Taskforce is responsible for coordinating and directing the development of all activities related to WADA's Code Compliance monitoring program in coordination with the Compliance Review Committee. This includes:

6.1.2.1 coordinating the provision of ongoing support and assistance by WADA to *Signatories* in meeting their obligations under the *Code* and the *International Standards* (see Article 7);

6.1.2.2 using all tools at its disposal to monitor Code Compliance by *Signatories*, including but not limited to *ADAMS*, Code Compliance Questionnaires, Mandatory Information Requests, Compliance Audits, and any other relevant information received or collected by WADA (see Article 8);

6.1.2.3 where Non-Conformities are identified, opening a dialogue with the *Signatory*, identifying corrective actions to be taken by the

Signatory to correct the Non-Conformities, and providing guidance to help the *Signatory* to complete the corrective actions within the set timelines (see Article 9);

6.1.2.4 assessing the effectiveness of the *Signatory's* corrective actions, deciding on referral of matters to the CRC, providing reports with relevant supporting information to facilitate CRC discussions, and implementing and following up on CRC recommendations (see Article 10);

6.1.2.5 where a *Signatory* fails to correct the Non-Conformities within the required timeframe, and following the recommendation of the Compliance Review Committee, obtaining WADA Foundation Board approval to notify the *Signatory* formally of the alleged non-compliance, to specify the Signatory Consequences that WADA considers should apply for such non-compliance, and specifying the conditions that WADA considers the *Signatory* should have to satisfy in order to be Reinstated (see Articles 10, 11 and 12); and

6.1.2.6 monitoring the *Signatory's* efforts to satisfy the Reinstatement conditions imposed on it, in order to report to the CRC on whether and when to recommend that the *Signatory* be Reinstated (see Article 12).

6.2 Independent Review and Recommendations

6.2.1 The Compliance Review Committee is an independent, non-political body that receives and reviews reports from the WADA Compliance Taskforce on compliance matters, and provides advice, guidance and recommendations on such matters to the WADA Foundation Board.

[Comment to Article 6.2.1: The CRC is constituted as a WADA Standing Committee governed by its own by-laws, in order to ensure the independence, political neutrality and specialization of its members that underpin the credibility of its work. The by-laws include strict conflict of interest provisions that require CRC members to declare any potential conflicts of interest and to exclude themselves from all deliberations of the CRC in any matter in which they may have a conflict of interest.]

6.2.2 The CRC follows standardized procedures encompassing review, assessment, communication, and the making of recommendations to the WADA Foundation Board on matters relating to Code Compliance and Reinstatement. These procedures (see Articles 9 and 10) are designed to support a transparent, objective, and consistent approach to the assessment and enforcement of Code Compliance.

6.2.2.1 Where the WADA Compliance Taskforce reports apparent Non-Conformities to the CRC, a procedure is followed that gives the *Signatory* in question time and opportunity to explain and address the Non-Conformities within a specified timeframe and so restore itself to full Code Compliance (see Article 9).

6.2.2.2 It is only if the *Signatory* does not correct the Non-Conformities within the framework of that procedure that the CRC will recommend to the *WADA* Foundation Board that the *Signatory* be notified of its alleged non-compliance. In such cases, the CRC will also recommend appropriate Signatory Consequences in accordance with Article 11. In addition, the CRC will also recommend conditions that it considers the *Signatory* should be required to satisfy in order to be Reinstated, in accordance with Article 12.

6.2.2.3 Where applicable, the WADA Compliance Taskforce reports to the CRC on the *Signatory's* implementation of the Reinstatement conditions, and the CRC then makes recommendations to the *WADA* Foundation Board as to whether or not the *Signatory* has satisfied those conditions and should be Reinstated.

6.3 Enforcement Procedures

6.3.1 In accordance with *Code* Article 23.5.4, upon the recommendation of the CRC, the *WADA* Foundation Board may decide that a *Signatory* should be formally notified of its alleged non-compliance with the *Code* and/or the *International Standards*, with such notice also specifying the Signatory Consequences that *WADA* considers should apply for such non-compliance, and the conditions that *WADA* considers the *Signatory* should have to satisfy in order to be Reinstated.

6.3.2 If the *Signatory* accepts or does not dispute the contents of that notice within fourteen days, the allegation of non-compliance will be deemed admitted and the consequences and reinstatement conditions will be deemed accepted and will automatically become a final decision enforceable with immediate effect in accordance with *Code* Article 23.5.7. If the *Signatory* disputes any part of the notice, then the dispute will be resolved by an Independent Tribunal, with a right of appeal to *CAS* against the Independent Tribunal's decision. Alternatively, if all parties agree, the dispute may go straight to *CAS* for resolution, without any initial hearing before the Independent Tribunal (see *Code* Article 23.5.6).

6.3.3 Once a final decision is reached, in accordance with *Code* Article 23.5.7 it shall be applicable worldwide and shall be recognized, respected and given effect by all other *Signatories* in accordance with their authority and within their respective spheres of responsibility.

7.0 WADA's Support for *Signatories'* Efforts to Achieve/Maintain Code Compliance

7.1 Objective

7.1.1 *WADA's* priority is to support *Signatories* in enhancing their Anti-Doping Programs, thereby increasing the protection that they provide to

clean *Athletes*. It shall remain at all times the *Signatory's* obligation to achieve full Code Compliance, and it shall not be a defence or excuse that others did not help the *Signatory* to comply. However, *WADA* will use all reasonable endeavours to provide support and assistance to *Signatories* seeking to achieve, maintain or restore full Code Compliance, by providing advice and information, by developing resources, guidelines, training materials, and training programs, and by facilitating partnerships with other *Anti-Doping Organizations* where possible.

7.2 Operational and Technical Support

7.2.1 *WADA* will provide operational and technical support to *Signatories* to assist them to achieve, maintain, or (where applicable) return to full Code Compliance. In accordance with Article 12.2.1.4, *WADA* is entitled to request reimbursement from the *Signatory* for costs incurred for *WADA* activities that go beyond *WADA's* routine Code compliance monitoring activities.

7.2.2 *WADA* has developed a number of documents and tools to assist *Signatories* to understand their responsibilities under the *Code* and the *International Standards*, and to achieve and maintain full compliance with those responsibilities, including:

- 7.2.2.1 the *Code* and the *International Standards*;
- 7.2.2.2 Technical Documents, such as the Technical Document for Sport Specific Analysis;
- 7.2.2.3 model rules for the implementation of the *Code* and the *International Standards* within the *Signatory's* area of competence;
- 7.2.2.4 guideline documents covering the implementation of various components of an effective Anti-Doping Program, including (without limitation) *Testing*, *TUEs*, results management, education, and intelligence and investigations;
- 7.2.2.5 template documents and forms; and
- 7.2.2.6 online educational tools.

7.2.3 A *Signatory* may also seek assistance from another *Signatory* to help it achieve full Code Compliance. *WADA* will seek to assist *Signatories* in setting up such partnerships, including providing further information and guidelines on partnership agreements on its website.

7.2.4 In addition, *WADA* has developed the Code Compliance Questionnaire to help *Signatories* to identify areas in their Anti-Doping Programs that are in need of improvement, as outlined in Article 8.5. *WADA* will provide various forms of support and assistance to *Signatories* in understanding the Code Compliance Questionnaire and all other aspects of its compliance monitoring program, including information sessions; a

dedicated section of its website where materials relevant to the compliance monitoring program will be posted, including answers to Frequently Asked Questions; and any other support resources.

7.2.5 As set out in Article 9, when Non-Conformities are identified, the focus of the WADA Compliance Taskforce will be on assisting the *Signatory* in question through dialogue and support to enhance the effectiveness of its Anti-Doping Program and so to achieve full Code Compliance. The *Signatory* will be given adequate opportunity to address and correct the Non-Conformities, including (if necessary) a Corrective Action Report that sets out which corrective actions are required, and deadlines for their completion.

8.0 Monitoring *Signatories*' Compliance Efforts

8.1 Objective

8.1.1 In accordance with its obligation under *Code* Article 20.7.2 to monitor Code Compliance by *Signatories*, WADA reviews *Signatories*' rules, regulations and legislation to ensure that they are compliant with the *Code* and the *International Standards*. It also assesses whether *Signatories* are implementing their rules, regulations and legislation through effective Anti-Doping Programs that meet all of the requirements of the *Code* and the *International Standards*. The purpose of this Section 8 of the *International Standard for Code Compliance by Signatories* is to set out the standards that will govern these monitoring activities.

8.2 Prioritization Between Different *Signatories*

8.2.1 The following parties are all *Signatories* to the *Code*:

8.2.1.1 the International Olympic Committee and the International Paralympic Committee;

8.2.1.2 International Federations;

8.2.1.3 *National Olympic Committees* and *National Paralympic Committees*;

8.2.1.4 *National Anti-Doping Organizations*;

8.2.1.5 *Major Event Organizations*; and

8.2.1.6 various other organizations listed on WADA's website, including but not limited to associations of *National Olympic Committees*, associations of *International Federations*, organizations for athletes with an impairment, and national *Commonwealth Games Associations*.

8.2.2 Given the large number of *Signatories* and WADA's limited resources, the WADA Compliance Taskforce may decide to prioritize the monitoring of certain *Signatories*, and/or certain categories of *Signatories*, for Code Compliance. In addition, the WADA Compliance Taskforce shall decide which *Signatories* will undergo a Compliance Audit to assess their Code Compliance. WADA may also enlist the support of other bodies to assist it in its monitoring tasks.

8.2.3 For the avoidance of doubt, a *Signatory* shall remain required to comply in full at all times with its obligations under the *Code* and the *International Standards*, whether or not it is prioritized for monitoring and/or included in the Compliance Audit program.

8.3 Cooperation With Other Bodies

8.3.1 WADA may cooperate as appropriate with other relevant bodies in promoting full Code Compliance by *Signatories*, including (without limitation) with UNESCO in its efforts to promote governments' compliance with the *UNESCO Convention*, with the Council of Europe in its efforts to promote governments' compliance with its Anti-Doping Convention, and/or with any other intergovernmental organization or initiative. The purpose of such cooperation is to facilitate and maximize the efficacy of WADA's own efforts in monitoring Code Compliance by *Signatories*.

8.3.2 Such cooperation may include (without limitation) co-ordinating with the other body's compliance monitoring activities in relation to a specific country (e.g., joint site visits, co-ordinated questionnaires), exchange of relevant information that may be of assistance in such activities, and co-ordinating actions aimed at assisting and encouraging compliance by relevant parties.

8.4 WADA's Monitoring Tools

8.4.1 WADA may make use of any and all means at its disposal to monitor Code Compliance by *Signatories*, including (without limitation):

8.4.1.1 requiring each *Signatory*, in accordance with *Code* Article 23.5.2, to complete and submit Code Compliance Questionnaires and/or other reports on its Code compliance. Such reports shall provide accurate and complete information to WADA on any and all Non-Conformities, explain the reasons for such Non-Conformities, and identify the efforts the *Signatory* has made and/or proposes to make to correct such Non-Conformities;

[Comment to Article 8.4.1.1: Where the Signatory is a Major Event Organization, WADA may ask it to complete and submit a Code Compliance Questionnaire in advance of the Event, describing the Anti-Doping Program it proposes to put in place for the Event, so that any Non-Conformities can be identified and corrected in advance, and to help WADA decide whether to conduct an Independent Observer Program at the Event.]

8.4.1.2 conducting Compliance Audits of *Signatories'* ongoing Anti-Doping Programs, in accordance with Article 8.7, in order to assess their Code Compliance, to identify and categorize Non-Conformities, and to identify corrective actions required to ensure full Code Compliance;

8.4.1.3 conducting effective *Independent Observer Programs* at the Olympic Games and at the Paralympic Games, as well as at other selected *Events*, at the cost of the *Event* organizer;

8.4.1.4 reviewing the following key documents:

- (a) *Signatories'* legislation, rules and regulations;
- (b) *Signatories'* risk assessments and test distribution plans supplied in accordance with *Code* Article 5.4.2;
- (c) *Signatories'* annual statistical reports of their respective *Doping Control* activities supplied in accordance with *Code* Article 14.4;
- (d) *Doping Control* forms, *TUE* decisions, and other data filed in *ADAMS*, including assessing compliance with requirements to file such information in *ADAMS* within specified timeframes, and reviewing *TUE* decisions for compliance with the International Standard for Therapeutic Use Exemptions; and
- (e) any other documents or data requested by the WADA Compliance Taskforce from the *Signatory*;

8.4.1.5 reviewing results management decisions made by *Signatories* and communicated to *WADA* in accordance with *Code* Articles 7.10 and 14.1.4 and under Article 12.4.3 of the International Standard for Testing and Investigations, including decisions by *Signatories*:

- (a) not to bring an *Atypical Finding* forward as an *Adverse Analytical Finding*;
- (b) not to bring an *Adverse Analytical Finding* or an *Adverse Passport Finding* forward as an anti-doping rule violation;
- (c) not to bring whereabouts failures or other apparent violations forward as anti-doping rule violations;
- (d) to withdraw the assertion of an anti-doping rule violation; and

- (e) to agree on the outcome of proceedings asserting an anti-doping rule violation without first holding a hearing;

[Comment to Article 8.4.1.5: Save in exceptional cases, WADA will not usually assert that a Signatory is non-compliant based solely on a single results management decision that is overturned on appeal. Instead, WADA will usually only act if there is a pattern of non-compliant and/or delayed results management decisions by a Signatory.]

8.4.1.6 assessing and processing intelligence about potential Non-Conformities obtained from reliable sources, including but not limited to WADA's Intelligence and Investigations Department, *Signatories* and other stakeholders, WADA-accredited laboratories and other laboratories approved by WADA, Sample Collection Authorities and/or Sample Collection Personnel, law enforcement and other relevant authorities, including other regulatory and/or disciplinary bodies, *Athletes* and other *Persons*, whistleblowers, the media, and members of the public;

8.4.1.7 using the powers given to WADA under Code Article 10.6.1 to encourage *Athletes* and other *Persons* to provide information in relation to non-compliance by *Signatories*;

8.4.1.8 getting WADA's Intelligence and Investigations Department to follow up on intelligence regarding and/or investigate potential instances of *Signatory* non-compliance with the Code and/or the *International Standards*; and

8.4.1.9 using any other relevant and reliable information or data available to it.

8.5 Code Compliance Questionnaires

8.5.1 Code Article 23.5.2 requires *Signatories* to report to WADA on their Code compliance when requested by the WADA Foundation Board.

8.5.2 As and when determined by the WADA Foundation Board on the recommendation of the CRC, WADA will send Code Compliance Questionnaires to *Signatories* to enable them to self-assess and self-report on their Code compliance and any potential Non-Conformities. The Code Compliance Questionnaire may require the *Signatory* to provide documentation to support and supplement its responses to the questions in the Code Compliance Questionnaire.

8.5.3 WADA will specify a reasonable deadline for return of the completed Code Compliance Questionnaire, including any accompanying documentation. It will send reminders to *Signatories* as the deadline approaches.

8.5.4 Further to Code Article 23.5.3, a failure by a *Signatory* to return an accurate and complete Code Compliance Questionnaire to WADA by the

specified deadline is itself an instance of non-compliance with *Code* Article 23.5.2 that will trigger the process outlined in Article 9.2.

8.5.5 Upon receipt of a completed Code Compliance Questionnaire, WADA will review the information in the Code Compliance Questionnaire to assess the *Signatory's* degree of Code compliance. WADA may seek to verify a *Signatory's* responses to specific questions in the Code Compliance Questionnaire by reference to information obtained from different sources, such as data filed in ADAMS, independent investigation reports, and other reliable sources. WADA will discuss any apparent discrepancies between the *Signatory's* responses and such data with the *Signatory* prior to drawing any conclusions.

8.5.6 Where WADA determines that the Code Compliance Questionnaire does not reveal any Non-Conformities, the *Signatory* will be duly notified in writing.

[Comment to Article 8.5.6: If WADA later determines that in fact there are (and were at the time) Non-Conformities, its original conclusion shall not constrain in any way WADA's ability to take the steps specified in this International Standard for Code Compliance by Signatories to have the Non-Conformities corrected by the Signatory within the specified timeframe.]

8.5.7 Where WADA identifies Non-Conformities based on the *Signatory's* completed Code Compliance Questionnaire, it will issue a Corrective Action Report in accordance with Article 9.2 that lists the Non-Conformities and categorizes them as Category 1 (Important), Category 2 (High Priority), or Category 3 (Critical), as appropriate.

8.6 Mandatory Information Requests

8.6.1 Independently of any other monitoring activity, where WADA receives information indicating that a *Signatory* may not be fully Code compliant, the WADA Compliance Taskforce may send the *Signatory* a Mandatory Information Request requiring it to provide information to enable the WADA Compliance Taskforce to assess the *Signatory's* degree of Code compliance. The request will explain why the WADA Compliance Taskforce is asking for this information and the deadline for the *Signatory* to provide this information (which shall be fifteen business days for urgent matters, and longer for matters that are less urgent).

8.6.2 The WADA Compliance Taskforce will assign a WADA Auditor to review the response received from the *Signatory* and to provide an assessment and recommendation, including (where appropriate) a recommendation to issue a Corrective Action Report in accordance with Article 9.2, which the *Signatory* must address within the period specified in that Article.

8.6.3 If the *Signatory* fails to provide the required response to a Mandatory Information Request by the specified deadline, the WADA Compliance Taskforce will give the *Signatory* a further three-month deadline to respond. This further three-month deadline will not be

extended again, save in exceptional cases, where the *Signatory* establishes that an *Event of Force Majeure* will make it impossible to meet the deadline.

8.6.4 A *Signatory's* failure to provide the required response to a Mandatory Information Request by the further three-month deadline shall be referred to the CRC in accordance with Article 9.3.

8.7 The Compliance Audit Program

8.7.1 With the input of the CRC, the WADA Compliance Taskforce will decide which *Signatories* should undergo a Compliance Audit.

8.7.1.1 Factors that may trigger a Compliance Audit shall include (without limitation):

- (a) the *Signatory's* response to a Mandatory Information Request or a Code Compliance Questionnaire;
- (b) receipt of intelligence or the results of an investigation suggesting weaknesses and/or apparent Non-Conformities in the *Signatory's* Anti-Doping Program;
- (c) a *Signatory's* breach of its obligations under the *Code* or an *International Standard*;
- (d) a *Signatory's* failure to implement recommendations following collaboration programs in which WADA acted as a facilitator or a party;
- (e) performances by *Athletes* from a particular country in international sporting events;
- (f) a history of doping in a particular country or a particular sport;
- (g) (where the *Signatory* is a *NADO* or a *National Olympic Committee* acting as a *NADO*) the fact that the *Signatory's* country is seeking to host or has won the right to host a WADA-accredited laboratory or a major sporting event;
- (h) where a *Signatory* that has been found to be non-compliant is seeking to be Reinstated; and/or
- (i) a request by the *WADA* Executive Committee and/or the *WADA* Foundation Board.

8.7.1.2 With the input of the CRC, the WADA Compliance Taskforce may also select *Signatories* for a Compliance Audit based on any other relevant reason or intelligence collected or received.

8.7.2 The Compliance Audit will be conducted by WADA Auditors. The Compliance Audit may be conducted in person (i.e., where the audit team visits the *Signatory* and conducts the assessment of the *Signatory's Anti-Doping Program* in the presence of relevant members of the *Signatory's* team) or via an exchange of written information initiated by a request from *WADA*, such as a Mandatory Information Request.

8.7.3 In each case, the *Signatory* shall cooperate with *WADA* and the *WADA* audit team in all aspects of the Compliance Audit. Any lack of cooperation may be referred to the WADA Compliance Taskforce for discussion and subsequently to the CRC for consideration as a potential Non-Conformity.

8.7.4 Arranging an in person Compliance Audit:

8.7.4.1 *WADA* will send the *Signatory* a notice of its selection for a Compliance Audit, the names of the lead auditor and the other members of the audit team, and the dates on which the audit team will visit the *Signatory's* offices. Once the dates are confirmed, *WADA* will send an audit plan providing guidance on the scope of the audit to be conducted and on how to prepare for the audit visit (which is usually 2-3 days in duration). The dates identified should give the *Signatory* at least twenty business days to prepare for the audit visit.

8.7.4.2 The *Signatory* has ten business days to respond to the notice with confirmation that the dates proposed for the audit are convenient, or explaining why those dates are not convenient and proposing alternative dates that are as close as possible to the dates proposed by *WADA*. The *Signatory* cannot refuse to be audited, and if it does not cooperate in finding appropriate dates then ultimately *WADA* may specify the dates on which the audit visit will take place.

8.7.4.3 At least ten business days prior to the audit visit, the lead auditor should communicate directly (e.g., by teleconference call or by in-person meeting) with the *Signatory's* main contact for compliance matters, in order to confirm all necessary arrangements, answer any questions on the audit, and discuss how information should be prepared and presented by the *Signatory* to the audit team.

8.7.4.4 In certain circumstances, it may be inappropriate to inform a *Signatory* in advance of a Compliance Audit (e.g., where there are reports of gross misconduct or serious and deliberate non-compliance by a *Signatory*; and/or where there is a risk that records may be destroyed if advance notice is received). In such circumstances, the WADA Compliance Taskforce may arrange for an in-person Compliance Audit to take place without prior advance notice to the *Signatory*.

8.7.5 In all cases, the *Signatory* shall facilitate the visit of the *WADA* audit team, including arranging for appropriate staff to be present during the audit visit, and providing the necessary meeting and related office facilities for the *WADA* audit team to carry out their audit.

8.7.6 At the opening meeting of the audit, the audit team will explain the approach it will take for the Compliance Audit, confirm the scope of the audit, and what it expects from the *Signatory* in terms of cooperation and support for the audit. It will give the *Signatory* the opportunity to ask any questions the *Signatory* may have in relation to the audit.

8.7.7 During the Compliance Audit, the audit team will assess the *Signatory's* Anti-Doping Program using information held on file from different sources, including the *Signatory's* completed Code Compliance Questionnaire, data filed in *ADAMS*, independent investigation reports, intelligence collected or received, media reports that it considers reliable, and any other reliable information available to it. The audit team will seek out representative examples and evidence of the work conducted by the *Signatory* as part of its Anti-Doping Program, noting any discrepancies between such examples and evidence and the information that the *Signatory* has provided (e.g., in its Code Compliance Questionnaire). The *Signatory* shall cooperate in providing the audit team with full access to all information, procedures and systems that the audit team may require in order to carry out the Compliance Audit.

8.7.8 At the closing meeting, the audit team will verbally present its preliminary findings, including identifying any apparent Non-Conformities (focusing on those that are considered high priority or critical). The *Signatory* will be given an opportunity to note any disagreement with the audit team's findings during the closing meeting. The audit team will also outline the likely follow-up process and timeframes in terms of corrective actions, so that the *Signatory* may start addressing the findings immediately, i.e., without having to wait for the Corrective Action Report. Following completion of the audit, the lead auditor will present the audit findings in a draft Corrective Action Report to the WADA Compliance Taskforce. As soon as practicable thereafter, a final Corrective Action Report will be issued to the *Signatory* in accordance with Article 9.2.

8.7.9 *WADA* will pay the costs of the Compliance Audit in the first instance, subject to potential reimbursement by the *Signatory* in accordance with Article 12.2.1.4.

8.7.10 *WADA* may publish on its website a list of *Signatories* that will be undergoing or have undergone a Compliance Audit. Once the audit is complete, and the *Signatory* has received the final audit report, *WADA* may publish a summary of the audit outcomes.

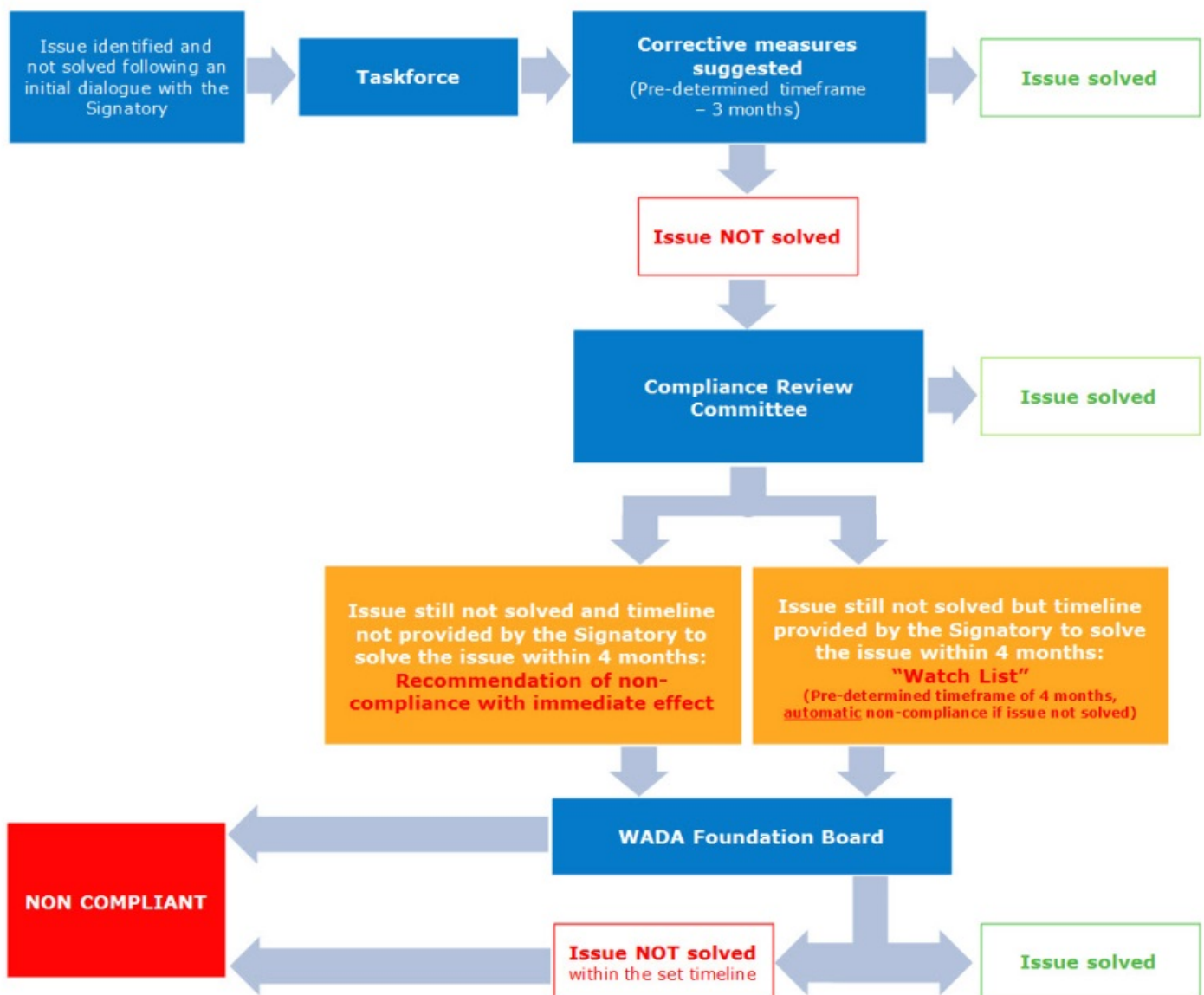
9.0 Giving *Signatories* the Opportunity to Correct Non-Conformities

9.1 Objective

9.1.1 When Non-Conformities are identified (by whatever means), the objective will be to assist the *Signatory* in question through dialogue and support to correct the Non-Conformities and so enhance the effectiveness of its Anti-Doping Program and achieve and maintain full Code Compliance.

9.1.2 This Section 9 of the International Standard for Code Compliance by Signatories sets out the procedures that will be followed in giving the *Signatory* adequate opportunity to address and correct the Non-Conformities identified. Those procedures are presented in flow-chart format at Figure One.

Figure One: Procedures Followed Upon Identification of Non-Conformity



9.2 Corrective Action Reports and Corrective Action Plans

9.2.1 Where the *Signatory's* rules, regulations or legislation are not compliant with the *Code*, the WADA Compliance Taskforce will give the *Signatory* written notice of the Non-Conformities and a three-month deadline to correct them (or to provide draft corrections and a confirmed calendar for their adoption).

9.2.2 Where *WADA* identifies Non-Conformities in any other aspects of a *Signatory's* Anti-Doping Program (whether as a result of a Code Compliance Questionnaire, a Mandatory Information Request, a Compliance Audit or otherwise), the WADA Compliance Taskforce will send the *Signatory* a Corrective Action Report that:

9.2.2.1 identifies Non-Conformities that are considered to be Category 1 (Important), which the *Signatory* must correct within no more than nine months; and/or

9.2.2.2 identifies Non-Conformities that are considered to be Category 2 (High Priority), which the *Signatory* must correct within no more than six months; and/or

9.2.2.3 identifies Non-Conformities that are considered to be Category 3 (Critical), which the *Signatory* must correct within no more than three months.

9.2.3 Having sent the Corrective Action Report, the WADA Compliance Taskforce will establish a dialogue with the *Signatory* (or ask the relevant *WADA* Regional Office to do so) to ensure it has received the Corrective Action Report and that the *Signatory* understands what it needs to do next in terms of planning and implementing corrective actions to correct each Non-Conformity.

9.2.4 The Corrective Action Report will include within it a Corrective Action Plan section to assist the *Signatory* in planning who within its organization will implement each of the corrective actions, how, and by when. If the *Signatory* provides its Corrective Action Plan to the WADA Compliance Taskforce or the *WADA* Regional Office (as applicable), then the WADA Compliance Taskforce will review that plan to confirm it is fit for purpose, and if not then will assist the *Signatory* to make it fit for purpose.

9.2.5 The WADA Compliance Taskforce will monitor the *Signatory's* progress (including against the Corrective Action Plan, if one has been provided) in correcting the Non-Conformities.

9.2.6 If a *Signatory* does not correct all Non-Conformities satisfactorily by the deadline(s) set in the Corrective Action Report, the WADA Compliance Taskforce will give the *Signatory* written notice of the outstanding Non-Conformities and a three-month deadline to correct them. This further three-month deadline will not be extended again, save in exceptional

cases, where the *Signatory* establishes that an *Event of Force Majeure* will make it impossible to correct the Non-Conformities by that deadline.

9.3 Referral to the CRC

9.3.1 If a *Signatory* does not correct a Non-Conformity to the satisfaction of the WADA Compliance Taskforce by the deadline set in accordance with Article 9.2.1, Article 9.2.2 and/or Article 9.2.6, the WADA Compliance Taskforce will refer the matter to the CRC for consideration in accordance with this Article 9.3.

9.3.2 The WADA Compliance Taskforce will advise the *Signatory* of the decision to refer the matter to the CRC, and will advise the *Signatory* of the possibility to submit to the WADA Compliance Taskforce any explanations or other comments that the *Signatory* wishes the CRC to consider. The WADA Compliance Taskforce will communicate to the CRC any explanation or comments received from the *Signatory* and the CRC shall place such weight on those explanations and/or comments as it sees fit. The CRC shall review and determine for itself the proper categorization of the case (i.e., Category 1 (Important), Category 2 (High Priority), Category 3 (Critical)).

9.3.3 In all cases, any Event of Force Majeure that may explain the *Signatory's* Non-Conformities or inability to correct them as required by the Corrective Action Report shall be fully and fairly considered. In extraordinary situations, the CRC may recommend to the *WADA* Foundation Board that the Non-Conformities should be provisionally excused while the Event of Force Majeure continues to prevent the *Signatory's* correction of the Non-Conformities. In no circumstances, however, shall it be an acceptable excuse, or a mitigating factor:

9.3.3.1 that the *Signatory's* failure to comply with its obligations under the *Code* and/or the *International Standards* has been caused by interference by, and/or a failure to provide support or other act or omission by, any governmental or other public authorities. Each *Signatory* has voluntarily accepted the obligation to comply with its obligations under the *Code* and the *International Standards*, which includes an obligation under *Code* Article 23.5 to devote the necessary resources, and, where applicable, to secure the support of governmental and other public authorities in order to achieve and maintain Code compliance; or

9.3.3.2 that the *Signatory* delegated the task of complying with some or all of its obligations under the *Code* and/or the *International Standards* to a third party (such as a Sample Collection Authority to whom the *Signatory* has delegated the task of collecting *Samples*; or a local organising committee to which a *Major Event Organization* has delegated the task of running its Anti-Doping Program at the event in question).

[Comment to Article 9.3.3.2: As CAS ruled in RPC v IPC, CAS 2016/A/4745, just as an athlete cannot escape the consequences of an anti-doping rule violation by delegating his or her responsibility to comply with his or her anti-doping obligations to others, so too a Signatory cannot avoid liability for instances of non-compliance caused by other bodies to which it has delegated its responsibilities.]

9.3.4 Where the CRC considers that the *Signatory* has failed without valid reason to correct the Non-Conformities in question satisfactorily by the specified deadline, the CRC will recommend to the *WADA* Foundation Board that the *Signatory* be sent a formal notice alleging that it is non-compliant, specifying the Signatory Consequences that *WADA* considers appropriate for such non-compliance (as recommended by the CRC, in accordance with Article 11), and specifying the conditions that *WADA* considers the *Signatory* should have to satisfy in order to be Reinstated (as recommended by the CRC, in accordance with Article 12).

9.3.5 Alternatively, if the *Signatory* has provided a Corrective Action Plan that explains to the satisfaction of the CRC how the *Signatory* will correct the Non-Conformities within no more than four months (or such earlier deadline as may be specified by the CRC), then the CRC may recommend to the *WADA* Foundation Board that it decide the formal notice alleging non-compliance and specifying Signatory Consequences and Reinstatement conditions will be sent to the *Signatory* upon expiry of that deadline without the need for further consultation with the *WADA* Foundation Board, if the CRC determines that the Non-Conformities have not been corrected prior to expiry of that deadline. If the *Signatory* corrects the Non-Conformities in full by the specified deadline, no further action will be taken by *WADA* in respect of such Non-Conformities. The *Signatory's* Anti-Doping Program may be proactively monitored moving forward to ensure continuing Code compliance.

9.4 Urgent Cases

9.4.1 If one or more Non-Conformities are identified (by whatever means) that are so serious that urgent intervention is required (e.g., to maintain public confidence in the integrity of a particular International Event), then the WADA Compliance Taskforce may refer the matter to the CRC for urgent consideration without following any or all of the steps set out in the preceding Articles of this International Standard for Code Compliance by Signatories.

9.4.2 In such cases, the WADA Compliance Taskforce shall give the *Signatory* in question an opportunity to explain the apparent Non-Conformities within a specified deadline, and shall communicate any explanation provided by the *Signatory* within that deadline to the CRC.

9.4.3 When the WADA Compliance Taskforce refers a compliance matter to the CRC in accordance with this Article 9.4:

9.4.3.1 The CRC will convene (in person or otherwise) as soon as possible to consider the matter. It will consider the WADA Compliance Taskforce's assessment, and any explanation or

comments provided by the *Signatory* in accordance with Article 9.4.2.

9.4.3.2 Following such review, if the CRC considers that urgent intervention is not in fact required, it may recommend (a) that no further action be taken; (b) that the *Signatory* undergo a Compliance Audit; or (c) that a Corrective Action Report be issued to the *Signatory*, and followed up in accordance with the normal procedures set out in this Article 9.

9.4.3.3 If, however, the CRC considers that urgent intervention is required, the CRC may recommend to the *WADA* Foundation Board that the *Signatory* be notified of its alleged non-compliance (following a *WADA* Foundation Board meeting or a Board vote by circular email communication), with such notice also specifying Signatory Consequences that should be imposed urgently to preserve the integrity of the sport and indicating the conditions for Reinstatement. If the *WADA* Foundation Board accepts that recommendation, Article 10.4.3 shall apply.

10.0 The Process for Confirming Non-Compliance and Imposing Signatory Consequences

10.1 CRC Recommendation

10.1.1 Articles 9.3 and 9.4 set out the circumstances in which the CRC may decide to recommend that the *WADA* Foundation Board issues a formal notice to a *Signatory* alleging that it is not Code Compliant, specifying the Non-Compliance consequences that *WADA* considers appropriate for such non-compliance (as recommended by the CRC, in accordance with Article 11), and specifying the conditions that *WADA* considers the *Signatory* should have to satisfy in order to be Reinstated (as recommended by the CRC, in accordance with Article 12).

10.2 Consideration by the *WADA* Foundation Board

10.2.1 At its next meeting in person, or else (if the CRC so recommends) by circular email communication, the *WADA* Foundation Board will decide whether to accept the CRC's recommendation.

*[Comment to Article 10.2.1: If the *WADA* Foundation Board does not accept all or any aspect of the CRC's recommendation, it shall not substitute its own decision but instead shall remit the matter back to the CRC for further consideration and (if appropriate) a revised recommendation.]*

10.2.2 Where the *WADA* Foundation Board decides to accept the CRC's recommendation to issue a formal notice of non-compliance to a *Signatory* (whether immediately, or automatically upon expiry of the deadline specified in accordance with Article 9.3.4.1, if the CRC concludes that the Non-Conformities have still not been corrected by then), *WADA* shall issue

such formal notice to the *Signatory*, setting out the alleged non-compliance and specifying the Signatory Consequences and the Reinstatement conditions that *WADA* considers should be imposed.

10.2.3 Where the Signatory Consequences specified in the formal notice sent to the *Signatory* may have an effect in relation to the Olympic Games or Paralympic Games, e.g., by affecting eligibility to attend/participate in the Olympic Games or Paralympic Games, *WADA* shall copy the notice formally to the International Olympic Committee and/or the International Paralympic Committee (as applicable).

10.2.4 The formal notice sent to the *Signatory* or a summary thereof shall also be publicly reported on *WADA*'s website once that notice has been received by the *Signatory*.

10.3 Acceptance by the *Signatory*

10.3.1 The *Signatory* will have fourteen days from the date of receipt of the formal notice to dispute *WADA*'s allegation of non-compliance and/or the Signatory Consequences and/or the Reinstatement conditions proposed by *WADA* in the notice. Further to Article 23.5.5 of the *Code*, if the *Signatory* does not communicate such dispute in writing to *WADA* within fourteen days (or such extended deadline as *WADA* may in its absolute discretion agree), the allegation will be deemed admitted and the Signatory Consequences and/or the Reinstatement conditions proposed by *WADA* in the notice will be deemed accepted and will automatically become a final decision enforceable with immediate effect in accordance with Article 23.5.7 of the *Code*. This outcome will be publicly reported by *WADA*.

10.4 Determination by the Independent Tribunal

10.4.1 If the *Signatory* disputes the alleged non-compliance and/or the proposed Signatory Consequences and/or the proposed Reinstatement conditions by the deadline specified in Article 10.3.1, then in accordance with Article 23.5.6 of the *Code*, *WADA* will submit the case to an Independent Tribunal.

10.4.2 If the *Signatory* has disputed *WADA*'s allegation that the *Signatory* is not compliant with the *Code* and/or the *International Standards*, *WADA* shall have the burden of proving, on the balance of probabilities, that the *Signatory* is non-compliant as alleged. If that burden is met, and if the *Signatory* has also disputed the Signatory Consequences and/or the Reinstatement conditions specified by *WADA*, the Independent Tribunal will go on to consider, by reference to the provisions of Article 11, what Signatory Consequences should be imposed and/or, by reference to the provisions of Article 12, what conditions the *Signatory* should be required to satisfy in order to be Reinstated.

10.4.3 No Signatory Consequences will come into effect unless and until the Independent Tribunal so orders. In urgent cases, however, *WADA* may

ask the Independent Tribunal to issue interim measures, where necessary (for example) to preserve the integrity of an *Event*. In such cases, if the interim measures are granted, the *Signatory* shall have no right of appeal against those interim measures but instead shall have the right to an expedited hearing on the merits of the case; and if the interim measures are not granted, then *WADA* shall have the right to an expedited hearing on the merits of the case.

10.4.4 At the end of the hearing, or as soon as practicable thereafter, the Independent Tribunal shall issue a written, dated and signed decision with reasons. That decision shall be publicly reported.

10.5 Appeal Proceedings Before CAS

10.5.1 In accordance with *Code* Article 13.6, decisions of the Independent Tribunal may be appealed by the following parties exclusively to *CAS* in accordance with the *CAS* Code of Sports-related Arbitration within twenty-one days of receipt of the decision: (a) the *Signatory* that is the subject of the decision being appealed; (b) *WADA*; and (c) the International Olympic Committee and/or the International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility to attend/participate in the Olympic Games or Paralympic Games.

10.5.2 In accordance with *Code* Article 13.6.2, if a party exercises its right of appeal to *CAS* under *Code* Article 13.6, the decision being appealed shall remain in effect while under appeal unless *CAS* orders otherwise.

10.5.3 The decision of the *CAS* Panel hearing the appeal shall be publicly reported.

10.6 CAS as the Sole Hearing Panel

10.6.1 Alternatively, *WADA* and the *Signatory* and any other parties with a right of appeal may agree that the case shall be heard directly at *CAS*, with no requirement for a prior hearing before the Independent Tribunal, and with no right of any further appeal from *CAS*'s decision.

10.6.2 In such circumstances, *CAS* will administer the case in accordance with its ordinary arbitration procedure, save that the decision of the *CAS* Panel that is appointed to hear the case shall be publicly reported. Swiss law will govern the proceedings, and the seat of the arbitration, and the venue of any hearings, shall be Lausanne, Switzerland. Unless the parties agree otherwise, the proceedings will be conducted in English. Cases shall be completed expeditiously and (save in exceptional circumstances) the reasoned decision shall be issued no later than three months after the date of appointment of the *CAS* Panel.

10.7 Recognition and Enforcement by Other Signatories

10.7.1 Once a decision as to a *Signatory*'s non-compliance is final (either because the *Signatory* did not dispute the contents of *WADA*'s formal

notice sent in accordance with Article 10.2, or because the *Signatory* did dispute it but the Independent Tribunal and/or *CAS* ruled against the *Signatory*), in accordance with *Code* Article 23.5.7 that decision shall be applicable worldwide and shall be recognized, respected and given effect by all other *Signatories* in accordance with their authority and within their respective spheres of responsibility.

11.0 Determining Signatory Consequences

11.1 Potential Consequences for Non-Compliance with the Code

11.1.1 The following is a range of Signatory Consequences that may be imposed, individually or cumulatively, in cases of non-compliance, based on application of the principles set out in Article 11.2 to the particular facts and circumstances of the case at hand:

11.1.1.1 the following consequences (referred to collectively as WADA Privileges):

(a) in accordance with the relevant provisions of *WADA's* Statutes, the *Signatory's* Representatives being ruled ineligible for a specified period to hold any *WADA* office or any position as a member of any *WADA* board or committee or other body (including but not limited to membership of *WADA's* Foundation Board, the Executive Committee, any Standing Committee, and any other committee) (although *WADA* may exceptionally permit Representatives of the *Signatory* to remain as members of *WADA* expert groups where there is no effective substitute available);

(b) the *Signatory* being ruled ineligible to host any event hosted or organized or co-hosted or co-organized by *WADA*;

(c) the *Signatory's* Representatives being ruled ineligible to participate in any *WADA* *Independent Observer Program* or *WADA* Outreach program or other activities; and

(d) withdrawal of *WADA* funding to the *Signatory* (whether direct or indirect) relating to the development of specific activities or participation in specific programs;

11.1.1.2 the *Signatory's* Representatives being ruled ineligible for a specified period to hold any office of or position as a member of the board or committees or other bodies of any Relevant Sports Organization;

11.1.1.3 Special Monitoring and/or Supervision of some or all of the *Signatory's Anti-Doping Activities* by another *Anti-Doping Organization* and/or an independent third party approved by WADA, at the *Signatory's* expense;

11.1.1.4 withdrawal of the *Signatory's* right to conduct some or all Anti-Doping Activities for a specified period, with one or more other *Anti-Doping Organizations* and/or independent third parties approved by WADA to carry out such activities in its place, at the *Signatory's* expense;

11.1.1.5 (where the *Signatory* is a *National Anti-Doping Organization* or a *National Olympic Committee* acting as a *National Anti-Doping Organization*) the *Signatory's* country being ruled ineligible to host one or more Olympic Games and/or Paralympic Games and/or to be awarded the right to host World Championships and/or other *International Events*;

[Comment to Article 11.1.1.5: If the right to host World Championships and/or other International Events has already been awarded to the Signatory's country, the Signatory that awarded that right should withdraw that right and re-assign the event to another country where it is legally and practically possible to do so. Signatories shall ensure that they have due authority under their statutes, rules and regulations to comply with this requirement.]

11.1.1.6 imposition of a Fine in an amount calculated in accordance with Annex C;

11.1.1.7 loss of eligibility to receive Olympic and/or Paralympic funding and other benefits for a specified period (with no right to receive such funding and/or other benefits for that period retrospectively following Reinstatement);

11.1.1.8 a recommendation to the relevant public authorities to withhold some or all public and/or other funding and/or other benefits from the *Signatory* for a specified period;

[Comment to Article 11.1.1.8: Public authorities are not signatories to the Code. In accordance with Article 11(c) of the UNESCO Convention, however, State Parties shall, where appropriate, withhold some or all financial or other sport-related support from any sports organization or anti-doping organization that is not in compliance with the Code.]

11.1.1.9 withdrawal of recognition as a member of the Olympic Movement and/or the Paralympic Movement;

11.1.1.10 (where the *Signatory* is a *National Anti-Doping Organization* or a *National Olympic Committee*) the *National Olympic Committee* of the *Signatory's* country and the *Athletes* and *Athlete Support Personnel* affiliated to and/or the Representatives of that *National Olympic Committee* being ruled ineligible to participate in or attend the Olympic Games and the Paralympic Games and/or other multisport events for a specified period;

11.1.1.11 (where the *Signatory* is an International Federation) the *Athletes* and *Athlete Support Personnel* participating in the International Federation's sport and/or in one or more disciplines of that sport, and/or the Representatives of the International Federation, being ruled ineligible to participate in or attend the Olympic Games and the Paralympic Games and/or other multisport events for a specified period;

11.1.1.12 (where the *Signatory* is a *Major Event Organization*):

- (a) Special Monitoring or Supervision of the *Major Event Organization's Anti-Doping Program* at the next edition of its *Event*, such as through an *Independent Observer Program*; and/or
- (b) loss of eligibility to receive funding and other benefits from and/or the patronage of the International Olympic Committee, the Paralympic Committee, the Association of National Olympic Committees, or other patron body; and/or
- (c) loss of recognition of its *Event* as a qualifying event for the Olympic Games or the Paralympic Games.

11.2 Principles relevant to the determination of the Signatory Consequences to be applied in a particular case

11.2.1 The Signatory Consequences applied in a particular case shall reflect the nature and seriousness of the non-compliance in that case, taking into account both the degree of fault of the *Signatory* and the potential impact of its non-compliance on clean sport. Cases shall be categorized in ascending order of gravity, as Category 1 (Important), Category 2 (High Priority), or Category 3 (Critical), as set out in Annex A.

[Comment to Article 11.2.1: A Signatory is strictly liable for its compliance with the Code and the International Standards. However, it shall be an aggravating factor as far as Signatory Consequences are concerned if the Signatory's non-compliance was negligent, or reckless, or intentional. What efforts has the Signatory made to achieve compliance? Did it try to conceal its non-compliance? Is it a repeat offender? Meanwhile, in determining the potential impact of the Signatory's non-compliance on clean sport, consideration should be given to (inter alia) the extent to which the non-compliance has denied or risks denying clean athletes the opportunity to compete on a level playing field and/or to demonstrate that they are clean and their achievements are credible. Where the case involves more than one category of non-compliance, the Signatory Consequences imposed shall be based on the gravest category of non-compliance.]

11.2.2 The Signatory Consequences imposed should go as far as is necessary to achieve the objectives underlying the *Code*. In particular, they should be sufficient to motivate full Code Compliance by the *Signatory* in question, to deter further non-compliance by the *Signatory* in question

and/or by other *Signatories*, and to incentivize all *Signatories* to ensure they achieve and maintain full and timely Code compliance at all times.

11.2.3 Above all else, the Signatory Consequences imposed should be sufficient to maintain the confidence of all *Athletes* and other stakeholders, and of the public at large, in the commitment of *WADA* and its partners from the public authorities and from the sport movement to do whatever is necessary to defend the integrity of sport against the scourge of doping. This is the most important and fundamental objective, and overrides all others.

[Comment to Article 11.2.3: As CAS ruled in ROC et al v IAAF, CAS 2016/O/4684 and again in RPC v IPC, CAS 2016/A/4745, if a Signatory fails to deliver a Code compliant Anti-Doping Program, in order to restore a level playing field, to provide a meaningful sanction that will provoke behavioural change within the Signatory's sphere of influence, and to maintain public confidence in the integrity of International Events, it may be necessary (and therefore legitimate and proportionate) to exclude the Signatory's affiliated Athletes and Athlete Support Personnel and/or its Representatives from participation in those International Events.]

11.2.4 The consequences should not go further than is necessary to achieve the objectives underlying the *Code*.

[Comment to Article 11.2.4: In particular, if it is feasible (logistically, practically, and otherwise) for other relevant Signatories to create and implement a mechanism that enables the non-compliant Signatory's Athletes and/or Athlete Support Personnel to demonstrate that they are not tainted in any way by the Signatory's non-compliance, and if it is clear that allowing them to compete in an International Event will not make the Signatory Consequences imposed less effective, or undermine public confidence in the integrity of that event (e.g., because the Athletes have been subject to an adequate testing regime) or in the commitment of WADA and its stakeholders to do what is necessary to defend the integrity of sport against the scourge of doping, then such a mechanism may be permitted, under the control of and/or subject to the approval of WADA. An example is the IAAF's Competition Rule 22.1A, which (as discussed in ROC et al v IAAF, CAS 2016/O/4684) created the possibility for Athletes affiliated to a suspended member national federation to apply for special eligibility to compete in international competitions as 'neutral' athletes.]

11.2.5 The Signatory Consequences applied should include cessation of the *Signatory's* non-compliant Anti-Doping Activities, but should be designed to ensure as far as practicable that there is no gap in the protection offered to clean *Athletes* while the *Signatory* is working to satisfy the Reinstatement conditions. Depending on the circumstances of the particular case, this may involve the consequences set out at Articles 11.1.1.3 and 11.1.1.4. Where the circumstances warrant, however, the *Signatory* may be permitted to continue to conduct particular Anti-Doping Activities (e.g., education) pending Reinstatement, provided this can be done without endangering clean sport.

11.2.6 Unless specified otherwise, all Signatory Consequences shall remain in effect until the *Signatory* is Reinstated. Where so specified in

the decision imposing the original Signatory Consequences, the Signatory Consequences may be increased in the event that the *Signatory* does not satisfy all of the Reinstatement conditions by a set deadline.

11.2.7 Applying the principles set out above, Annex B specifies the range of graded and proportionate Signatory Consequences that shall *prima facie* apply in a standard case, based on the nature and seriousness of the *Signatory's* non-compliance in that case. The intention behind Annex B is to promote predictability and consistency in the imposition of Signatory Consequences across all cases. However, there shall be flexibility to vary within or even to depart from this range in a particular case, where the application of the principles set out above to the specific facts and circumstances of that case so warrant.

11.2.8 In accordance with Article 12.2.1.3, it shall be a condition of Reinstatement that the *Signatory* has respected and observed in full all of the Signatory Consequences imposed on it.

11.3 Other Consequences

11.3.1 Governments and Relevant Sports Organizations may impose additional consequences within their respective spheres of authority for non-compliance by *Signatories*, in accordance with *Code* Article 12, provided that this does not compromise or restrict in any way the ability to apply Signatory Consequences in accordance with this Section 11.

[Comment to Article 11.3.1: For example, the IOC may decide to impose symbolic or other consequences pursuant to the Olympic Charter, such as withdrawal of eligibility to organize an IOC Session or an Olympic Congress; while an International Federation may decide to cancel International Events scheduled to be held in the country of a non-compliant Signatory or move them to another country.]

12.0 Reinstatement

12.1 Objective

12.1.1 Once a *Signatory* has been determined to be non-compliant, the objective is to help that *Signatory* to achieve Reinstatement as quickly as possible, while ensuring that the corrective actions undertaken deliver enduring Code Compliance by that *Signatory*.

12.2 Reinstatement Conditions

12.2.1 In accordance with *Code* Article 23.5.4, in the formal notice that it sends to the *Signatory*, setting out its alleged non-compliance and the proposed Signatory Consequences, *WADA* shall also specify the conditions that *WADA* considers the *Signatory* should have to satisfy in order to be Reinstated, which shall be as follows:

12.2.1.1 all required corrective actions have been implemented, and all of the matters that caused the *Signatory* to be declared non-compliant have been corrected in full;

*[Comment to Article 12.2.1.1: If further Non-Conformities are identified after the *Signatory* has been declared non-compliant and before it is Reinstated, WADA will issue a new Corrective Action Report addressing those new Non-Conformities and the normal process and timeframes for correcting them as set out in Article 9 will apply. If in the meantime the *Signatory* meets all of the original Reinstatement conditions, it will be Reinstated, even if it has not yet corrected the new Non-Conformities.]*

12.2.1.2 the *Signatory* is ready, willing and able to comply with all of its obligations under the *Code* and the *International Standards*, including (without limitation) carrying out all of its Anti-Doping Activities effectively, independently, and without improper outside interference;

12.2.1.3 the *Signatory* has respected and observed in full all of the Signatory Consequences applied to it;

12.2.1.4 the *Signatory* has paid in full the following costs and expenses upon demand by WADA:

(a) any specific costs and expenses incurred by WADA in identifying the *Signatory's* non-compliance beyond the costs of WADA's routine monitoring activities, such as (for example) the costs of any specific investigation conducted by WADA's Intelligence and Investigations Department that identified such non-compliance;

(b) the costs and expenses incurred by WADA and/or other parties engaged or approved by WADA from the date on which the decision that the *Signatory* was non-compliant became final until the date of the *Signatory's* Reinstatement, including (without limitation) costs and expenses incurred in implementing the Signatory Consequences (including the costs referred to in Articles 11.1.1.3 and 11.1.1.4 and the costs of monitoring the *Signatory's* compliance with the Signatory Consequences) and the costs and expenses incurred in assessing the *Signatory's* efforts to satisfy the Reinstatement conditions; and

12.2.1.5 any other conditions that the WADA Foundation Board may specify (following the recommendation of the CRC) based on the particular facts and circumstances of the case.

12.2.2 Within fourteen days of its receipt of the notice referenced in *Code* Article 23.5.4, in accordance with *Code* Article 23.5.6 the *Signatory* may dispute the Reinstatement conditions proposed by WADA, in which case

the Independent Tribunal or *CAS* will determine whether all of the Reinstatement conditions are necessary and proportionate.

12.2.3 Subject to any contrary order issued by the Independent Tribunal or *CAS*, in order to be eligible for Reinstatement a non-compliant *Signatory* shall be required to demonstrate (by its own efforts but also by securing the support and assistance of public authorities and/or other relevant parties, as necessary) that it has satisfied each of the Reinstatement conditions specified by *WADA*.

12.3 The Reinstatement Process

12.3.1 The *WADA* Foundation Board alone has authority to Reinstate a *Signatory* that has been declared non-compliant, although it may delegate that authority to the *WADA* President in specific cases.

12.3.2 The WADA Compliance Taskforce will monitor the *Signatory's* efforts to satisfy the Reinstatement conditions, and will report to the CRC periodically on the *Signatory's* progress. In accordance with Article 8.7.1.1(h), a Compliance Audit may be used to assist in this task. The WADA Compliance Taskforce should seek to guide the *Signatory* in its efforts to satisfy the Reinstatement conditions as quickly as is reasonably practicable, but in no circumstances is that objective to be allowed to compromise the integrity of the process and/or of the eventual outcome.

12.3.3 Once the WADA Compliance Taskforce considers that the *Signatory* has met all of the Reinstatement conditions, it will inform the CRC accordingly.

12.3.4 If the CRC agrees with the WADA Compliance Taskforce that the *Signatory* has met all of the Reinstatement conditions, it will recommend that the *WADA* Foundation Board or the *WADA* President (as applicable) confirm the Reinstatement of the *Signatory*.

12.3.5 In accordance with *Code* Article 13.6, a decision by the WADA Compliance Taskforce, the CRC, and/or the *WADA* Foundation Board that a *Signatory* has not met the conditions for its Reinstatement may be appealed by the *Signatory* exclusively to *CAS*.

12.3.6 Following the *Signatory's* Reinstatement, *WADA* shall monitor the *Signatory's* Code Compliance closely for such further period as it deems appropriate.

PART FOUR: ANNEXES

Annex A: Categories of Non-Compliance

A1. Cases of non-compliance shall be categorized as follows for purposes of determining the appropriate Signatory Consequences:

A1.1 Category 1 (Important) cases are those involving one or more instances of non-compliance with requirements that are important but are not Category 2 (High Priority) or Category 3 (Critical).

A.1.2 Category 2 (High Priority) cases are those involving (i) a compliance failure by the *Signatory* that is negligent or reckless; (ii) non-compliant legislation, rules or regulations; and/or (iii) one or more instances of non-compliance with requirements that are high priority but not Category 3 (Critical). By way of illustration (but without limitation), a failure to satisfy any of the following requirements shall fall into this category:

- a) The devotion of sufficient resources in order to implement anti-doping programs in all areas that are compliant with the *Code* and *International Standards* (Article 23.3 of the *Code*).
- b) The implementation of an anti-doping education program for *Athletes* and *Athlete Support Personnel* in accordance with Articles 18.1 and 18.2 of the *Code*.
- c) The implementation of a documented procedure to ensure that *Athletes* are notified that they are required to undergo *Sample* collection in accordance with Articles 5.4.1 to 5.4.3 of the International Standard for Testing & Investigations.
- d) The requirements set out in Articles 7.4.5 to 7.4.7 of the International Standard for Testing and Investigations for the documentation of the collection of a *Sample* from an *Athlete*.
- e) The implementation of Sample Collection Personnel training/accreditation/re-accreditation programs in accordance with Annex H of the International Standard for Testing and Investigations.
- f) The implementation of a conflict of interest policy in relation to the activities of the Sample Collection Personnel in accordance with Article H.4.2 of the International Standard for Testing and Investigations.
- g) The collection and processing of *Samples* in accordance with the requirements of Annexes A to G of the International Standard for Testing and Investigations.

- h) The implementation of a chain of custody process for *Samples* in accordance with the requirements of Article 9 of the International Standard for Testing and Investigations.
- i) Conduct of the initial review of an *Adverse Analytical Finding* in a timely manner, in accordance with Article 7.3 of the *Code*.
- j) Where a case is brought forward as an anti-doping rule violation, notification of the *Athlete* in accordance with the requirements of Article 7.3 of the *Code*.
- k) Review of all *Atypical Findings* in accordance with the requirements of Article 7.4 of the *Code*.
- l) The implementation of a process ensuring a timely hearing and a timely decision for all *Persons* who are asserted to have committed an anti-doping rule violation, in accordance with Article 8.1 of the *Code*.
- m) The prompt reporting of all *Therapeutic Use Exemption* decisions in accordance with Article 5.4 of the International Standard for Therapeutic Use Exemptions.

A.1.3 Category 3 Cases are those involving (i) a deliberate attempt to circumvent or undermine the *Code* and/or the International Standards; and/or (ii) one or more instances of non-compliance with requirements that are Category 3 (Critical); and/or (iii) other features that make it a case of non-compliance of the most serious kind. By way of illustration (but without limitation), a failure to satisfy any of the following requirements shall fall into this category:

- a) The development and implementation of an effective *Testing* program in accordance with Article 5.4 of the *Code*, based on the risk assessment and other principles set out in Article 4 of the International Standard for Testing and Investigations, and including *No Advance Notice*.
- b) The use of *ADAMS* or another system approved by *WADA* (including for the timely entry of doping control forms and for the disclosure of *Therapeutic Use Exemption* decisions).
- c) The use of *WADA*-accredited laboratory/ies (or a *WADA* approved laboratory/ies) to analyze all *Samples*, in accordance with Article 6.1 of the *Code*.
- d) The proper pursuit of all apparent anti-doping rule violations in accordance with Articles 7 and 8 of the *Code*.
- e) The notification of all relevant results management activities to *WADA* and to other *Anti-Doping Organizations* in accordance with Articles 7 and 14 of the *Code*.

- f) The imposition of a mandatory *Provisional Suspension* as soon as an *Athlete* is notified of an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, in accordance with Article 7.9 of the *Code*.
- g) The publication of the outcome and required details of all cases within twenty days of the decision being rendered, in accordance with Article 14.3 of the *Code*.
- h) The recognition and implementation of decisions rendered by other *Signatories*, in accordance with Article 15.1 of the *Code*.
- i) The establishment of a *Therapeutic Use Exemption* committee, and a documented process for *Athletes* to apply for the grant or the recognition of a *Therapeutic Use Exemption*, in accordance with the requirements of the International Standard for Therapeutic Use Exemptions.

Annex B: Signatory Consequences

Applying the principles set out in Article 11, this Annex B specifies the range of graded and proportionate Signatory Consequences that shall *prima facie* apply in a standard case, based on the nature and seriousness of the *Signatory's* non-compliance in that case. The intention behind Annex B is to promote predictability and consistency in the imposition of Signatory Consequences across all cases. However, there shall be flexibility to vary within or even to depart from this range in a particular case, where the application of the principles set out in Article 11 to the specific facts and circumstances of that case so warrant.

B.1 In a Category 1 (Important) case:

B.1.1 In the first instance:

- (a) the *Signatory* will lose its WADA Privileges;
- (b) it will be assisted in its Anti-Doping Activities (through the provision of advice and information, the development of resources, guidelines and training materials, and/or, where necessary, the delivery of training programs) by *WADA* or by an independent third party approved by *WADA*, at the *Signatory's* expense, including up to two visits a year, with all costs paid in advance (where known); and
- (c) some or all of its Anti-Doping Activities (as specified by *WADA*) will be either subject to Special Monitoring or Supervised by an independent third party approved by *WADA*, at the *Signatory's* expense.

B.1.2 If the *Signatory* has not satisfied the conditions for Reinstatement six months after the above consequences have been imposed, then the following further consequences will also apply:

- (a) the *Signatory* will be required to pay a Fine to *WADA*;
- (b) all of its Anti-Doping Activities will be Supervised at its expense by an independent third party approved by *WADA*, including up to four site visits a year, with all costs to be paid in advance (where known); and
- (c) its Representatives will be ineligible to sit as members of the boards or committees or other bodies of any Relevant Sports Organization until the *Signatory* is Reinstated.

B.1.3 If the *Signatory* has still not satisfied the conditions for Reinstatement twelve months after the consequences set out at

paragraph B.1.1 have been imposed, then the following further consequences will also apply:

(a) the *Signatory* will be required to pay a further Fine to *WADA* for the second year and thereafter for each further year or partial year that passes without Reinstatement;

(b) all of its Anti-Doping Activities will be Supervised by an independent third party approved by *WADA*, at the *Signatory's* expense, including up to six site visits a year, with all costs to be paid in advance (where known); and

(c) its Representatives will be ineligible to sit as members of the boards or committees or other bodies of any Relevant Sports Organization for four years or until the *Signatory* is Reinstated (whichever is longer).

B.2 In a Category 2 (High Priority) case:

B.2.1 In the first instance:

(a) the *Signatory* will lose its WADA Privileges;

(b) it will be required to pay a Fine to *WADA*;

(c) some or all of its Anti-Doping Activities (as specified by *WADA*) will be Supervised by an independent third party approved by *WADA*, at the *Signatory's* expense, including up to six site visits a year, with all costs paid in advance (where known);

(d) its Representatives will be ineligible to sit as members of the boards or committees or other bodies of any Relevant Sports Organization until the *Signatory* is Reinstated;

(e) (if the *Signatory* is a *National Anti-Doping Organization* or a *National Olympic Committee* acting as a *National Anti-Doping Organization*) the *Signatory's* country will be ineligible to host one or more Olympic Games and/or the Paralympic Games and/or to be awarded the right to host World Championships or other *International Events* until the *Signatory* is Reinstated;

(f) (if the *Signatory* is an International Federation that is in the Olympic Movement or Paralympic Movement) the *Signatory* will be ineligible to receive Olympic or Paralympic funding or other benefits of the patronage by the International Olympic Committee or International Paralympic Committee until it is Reinstated (and then it shall still not be able to receive any funding or other

benefits retrospectively for the period of non-compliance prior to Reinstatement); and

(g) (if the *Signatory* is a *Major Event Organization*), there will be Special Monitoring or Supervision of its Anti-Doping Program at its expense at the next edition of its *Event*.

B.2.2 If the *Signatory* has not satisfied the conditions for Reinstatement twelve months after the consequences set out at paragraph B.2.1 are imposed, then the following further consequences will also apply:

(a) the *Signatory* will be required to pay a further Fine to *WADA* for the second year and thereafter for each further year or partial year that passes without Reinstatement;

(b) its Representatives will be ineligible to sit as members of the boards or committees or other bodies of any Relevant Sports Organization until the *Signatory* is Reinstated or for four years (whichever is longer);

(c) (where the *Signatory* is a *National Anti-Doping Organization* or a *National Olympic Committee* acting as a *National Anti-Doping Organization*) the Representatives of the *National Olympic Committee* and *National Paralympic Committee* of the *Signatory's* country, as well as the *Athletes* and *Athlete Support Personnel* representing that country, will be ineligible to participate in or to attend the Olympic Games and Paralympic Games and/or other *International Events* for the next edition or until Reinstatement (whichever is longer);

(d) (where the *Signatory* is an *International Federation*) the *International Federation's* Representatives, as well as the *Athletes* and *Athlete Support Personnel* participating in its sport, and/or in one or more disciplines of that sport, will be ineligible to participate in or to attend the Olympic Games and Paralympic Games and/or other *International Events* for the next edition or until Reinstatement (whichever is longer); and

(e) (where the *Signatory* is a *Major Event Organization*) it will be ineligible to receive Olympic or Paralympic funding or enjoy any of the other benefits of the patronage by the *International Olympic Committee* or *International Paralympic Committee* until it is Reinstated (and then it shall still not be able to receive any funding or other benefits retrospectively for the period prior to Reinstatement).

B.3 In a Category 3 (Critical) case:

B.3.1 In the first instance:

- (a) the *Signatory* will lose its WADA Privileges;
- (b) it will be required to pay a Fine to *WADA*;
- (c) all of its Anti-Doping Activities will be Supervised by an independent third party approved by *WADA*, at the *Signatory's* expense, including up to six site visits a year, with all costs to be paid in advance (where known); and
- (d) its Representatives will be ineligible to sit as members of the boards or committees or other bodies of any Relevant Sports Organization for one year or until the *Signatory* is Reinstated (whichever is longer);
- (e) (where the *Signatory* is a *National Anti-Doping Organization* or a *National Olympic Committee* acting as a *National Anti-Doping Organization*):
 - (1) the *Signatory's* country will be ineligible to host one or more Olympic Games and/or the Paralympic Games and/or to be awarded the right to host World Championships or other *International Events* for a specified period; and
 - (2) the country's flag will not be flown at, and the Representatives of the *National Olympic Committee* and *National Paralympic Committee* of the *Signatory's* country, as well as the *Athletes* and *Athlete Support Personnel* representing that country, will be ineligible to participate in or to attend the Olympic Games and Paralympic Games and/or other *International Events* for the next edition or until Reinstatement (whichever is longer); and
- (f) (where the *Signatory* is an International Federation) the International Federation's Representatives as well as the *Athletes* and *Athlete Support Personnel* participating in its sport, and/or in one or more disciplines of that sport, will be ineligible to participate in or to attend the Olympic Games and Paralympic Games and/or other *International Events* for the next edition or until Reinstatement (whichever is longer); and
- (g) (where the *Signatory* is a *Major Event Organization*), there will be Special Monitoring or Supervision of its Anti-Doping Program at its expense at the next edition of its *Event*, and it will be ineligible to

receive some or all Olympic or Paralympic funding or enjoy any of the other benefits of the patronage by the International Olympic Committee or International Paralympic Committee until it is Reinstated (and then it shall still not be able to receive any funding or other benefits retrospectively for the period prior to Reinstatement).

B.3.2 If the *Signatory* has not satisfied the conditions for Reinstatement twelve months after the consequences set out in paragraph B.3.1 are imposed, then the following further consequences will also apply:

(a) the *Signatory* will be required to pay a further Fine to WADA for the second year and thereafter for each further year or partial year that passes without Reinstatement;

(b) its Representatives will be ineligible to sit as members of the boards or committees or other bodies of any Relevant Sports Organization until the *Signatory* is Reinstated or for four years (whichever is longer);

(c) (where the *Signatory* is a *National Anti-Doping Organization* or a *National Olympic Committee* acting as a *National Anti-Doping Organization*) the *Signatory's* country will be ineligible to host any Olympic Games and/or the Paralympic Games and/or to be awarded the right to host World Championships or other *International Events*, and the country's flag will not be flown at such events, until the *Signatory* is Reinstated or for four years (whichever is longer);

(d) (where the *Signatory* is an International Federation) the *Signatory* will be ineligible to receive Olympic or Paralympic funding or other benefits of the patronage by the International Olympic Committee or International Paralympic Committee until it is Reinstated or for four years, whichever is longer (and then it shall still not be able to receive any funding retrospectively for the period prior to Reinstatement); and

(e) (where the *Signatory* is a *Major Event Organization*) it will be ineligible to receive Olympic or Paralympic funding or enjoy any of the other benefits of the patronage by the International Olympic Committee or International Paralympic Committee until it is Reinstated or for four years, whichever is longer (and then it shall still not be able to receive any funding or other benefits retrospectively for the period prior to Reinstatement).

Annex C: Method of Calculating Fines

C.1 In a Category 1 (Important) case, Fines will be calculated as follows:

Where the conditions for <u>Reinstatement</u> have not been satisfied after 6 months	
Organization	Fine
<i>National Anti-Doping Organization or National Olympic Committee</i>	US \$5,000 plus twice the country's annual contribution to WADA.
International Federation	US \$5,000 plus 1% of the IF's total expenditure in its most recent complete financial year.
<i>Major Event Organization</i>	US \$5,000 plus 1% of the MEO's total expenditure in the financial year in which its last <i>Event</i> was staged.

Where the conditions for <u>Reinstatement</u> have not been satisfied after 12 months	
Organization	Fine
<i>National Anti-Doping Organization or National Olympic Committee</i>	US \$10,000 plus three times the country's annual contribution to WADA.
International Federation	US \$10,000 plus 2% of the IF's total expenditure in its most recent complete financial year.
<i>Major Event Organization</i>	US \$10,000 plus 2% of the MEO's total expenditure in the financial year in which its last <i>Event</i> was staged.

C.2 In a Category 2 (High Priority) case, Fines will be calculated as follows:

In the first instance	
Organization	Fine
<i>National Anti-Doping Organization or National Olympic Committee</i>	US \$10,000 plus twice the country's annual contribution to WADA.
International Federation	US \$10,000 plus 1% of the IF's total expenditure in its most recent complete financial year.
<i>Major Event Organization</i>	US \$10,000 plus 1% of the MEO's total expenditure in the financial year in which its last <i>Event</i> was staged.

Where the conditions for <u>Reinstatement</u> have not been satisfied after 12 months	
Organization	Fine
<i>National Anti-Doping Organization or National Olympic Committee</i>	US \$15,000 plus three times the country's annual contribution to WADA.
International Federation	US \$15,000 plus 2% of the IF's total expenditure in its most recent complete financial year.
<i>Major Event Organization</i>	US \$15,000 plus 2% of the MEO's total expenditure in the financial year in which its last <i>Event</i> was staged.

C.3 In a Category 3 (Critical) case, Fines will be calculated as follows:

In the first instance	
Organization	Fine
<i>National Anti-Doping Organization or National Olympic Committee</i>	US \$15,000 plus twice the country's annual contribution to WADA.
International Federation	US \$15,000 plus 1% of the IF's total expenditure in its most recent complete financial year.
<i>Major Event Organization</i>	US \$15,000 plus 1% of the MEO's total expenditure in the financial year in which its last <i>Event</i> was staged.

Where the conditions for <u>Reinstatement</u> have not been satisfied after 12 months	
Organization	Fine
<i>National Anti-Doping Organization or National Olympic Committee</i>	US \$20,000 plus three times the country's annual contribution to WADA.
International Federation	US \$20,000 plus 2% of the IF's total expenditure in its most recent complete financial year.
<i>Major Event Organization</i>	US \$20,000 plus 2% of the MEO's total expenditure in the financial year in which its last <i>Event</i> was staged.