



# VIRTUS ANTI-DOPING RULES

Based upon the 2021 World Anti Doping Code

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### INTRODUCTION

#### Preface

VIRTUS - the International Sports Federation for Athletes with an Intellectual Impairment (formerly INAS), is a signatory to the World Anti Doping Code.

These Anti-Doping Rules are adopted and implemented in accordance with Virtus' responsibilities under the Code, and in furtherance of our continuing efforts to eradicate doping in sport.

These Anti-Doping Rules are sport rules governing the conditions under which sport is played. Aimed at enforcing anti-doping principles in a global and harmonized manner, they are distinct in nature from criminal and civil laws, and are not intended to be subject to, or limited by any national requirements and legal standards applicable to criminal or civil proceedings. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of these Anti-Doping Rules implementing the Code and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport.

Virtus shall be responsible for conducting all aspects of Doping Control. Any aspect of Doping Control or anti-doping Education may be delegated by Virtus to a Delegated Third Party. However, Virtus shall require the Delegated Third Party to perform such aspects in compliance with the Code, International Standards, and these Anti-Doping Rules. Virtus shall always remain fully responsible for such compliance.

### **Fundamental Rationale for the Code and Virtus' Anti-Doping Rules**

Anti-doping programs are founded on the intrinsic value of sport. This intrinsic value is often referred to as "the spirit of sport": the ethical pursuit of human excellence through the dedicated perfection of each Athlete's natural talents.

Anti-doping programs seek to protect the health of Athletes and to provide the opportunity for Athletes to pursue human excellence without the Use of Prohibited Substances and Prohibited Methods.

Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world. The spirit of sport is the celebration of the human spirit, body and mind. It is the essence of Olympism and is reflected in the values we find in and through sport, including:

- Health

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- Ethics, fair play and honesty
- Athletes' rights as set forth in the Code
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other Participants
- Courage
- Community and solidarity

The spirit of sport is expressed in how we play true.  
Doping is fundamentally contrary to the spirit of sport.

Virtus was founded in 1986 with the aim to create a platform for athletes with intellectual disabilities in which to perform their sports. The philosophy of Virtus is based on the principle of inclusion; this means that persons with intellectual disabilities are members of society entitled to the same rights, opportunities and duties as everyone else.

### **SCOPE**

These Anti-Doping Rules shall apply to Virtus (including its board members, directors, officer and specified employees, and Delegated Third Parties and their employees, who are involved in any aspect of Doping Control) and to each of its National Member Organisations (including their board members, directors, officers and specified employees, and Delegated Third Parties and their employees, who are involved in any aspect of Doping Control). They also apply to the following Athletes, Athlete Support Personnel and other Persons, each of whom is deemed, as a condition of his/her membership, accreditation, and/or participation in Virtus sport, to have agreed to be bound by these Anti-Doping Rules, and to have submitted to the authority of Virtus to enforce these Anti-Doping Rules and to the jurisdiction of the hearing panels specified in Article 8 and Article 13 to hear and determine cases and appeals brought under these Anti-Doping Rules:

1. all Athletes and Athlete Support Personnel who are members of Virtus, or its National Member Organisations, or of any member or affiliate organization of any National Member Organisations, (including any clubs, teams, associations or leagues);
2. all Athletes and Athlete Support Personnel participating in such capacity in Events, Competitions and other activities organized, convened, authorized or recognized by Virtus, or any National Member Organisation, or any member or affiliate organization of any National Member Organisations, (including any clubs, teams, associations or leagues), wherever held;

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3. any other Athlete or Athlete Support Personnel or other Person who, by virtue of an accreditation, a licence or other contractual arrangement, or otherwise, is subject to the jurisdiction of Virtus, or of any National Member Organisation, or of any member or affiliate organization of any National Member Organisation (including any clubs, teams, associations or leagues), for purposes of anti-doping;
4. athletes who are not regular members of Virtus or of one of its National Member Organisation but who want to be eligible to compete in a particular International Event. Virtus may include such Athletes in its Registered Testing Pool so that they are required to provide information about their whereabouts for purposes of Testing under these Anti-Doping Rules for at least 3 months prior to the International Event in question.

Within the overall pool of Athletes set out above who are bound by and required to comply with these Anti-Doping Rules, the following Athletes shall be considered to be *International-Level Athletes* for the purposes of these Anti-Doping Rules, and, therefore, the specific provisions in these Anti-Doping Rules applicable to *International-Level Athletes* (e.g., Testing, TUEs, whereabouts, and Results Management) shall apply to such *Athletes*:

- a) Athletes who are expecting to compete in the upcoming 12 months or have competed in the previous 12 months, in any Virtus World Championship or the Virtus Global Games.
- b) All Athletes (irrespective of the criteria above) who appear in the Virtus Registered Testing Pool (RTP) or Testing Pool (TP).

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### **ARTICLE 1     DEFINITION OF DOPING**

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11 of these Anti-Doping Rules.

### **ARTICLE 2     ANTI-DOPING RULE VIOLATIONS**

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

Athletes or other Persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the Prohibited List.

The following constitute anti-doping rule violations:

#### **2.1     Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample**

- 2.1.1     It is the Athletes' personal duty to ensure that no Prohibited Substance enters their bodies. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, Negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.
- 2.1.2     Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Athlete's A Sample where the Athlete waives analysis of the B Sample and the B Sample is not analyzed; or, where the Athlete's B Sample is analyzed and the analysis of the Athlete's B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Athlete's A Sample; or where the Athlete's A or B Sample is split into two parts and the analysis of the confirmation part of the split Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first part of the split Sample or the Athlete waives analysis of the confirmation part of the split Sample.
- 2.1.3     Excepting those substances for which a Decision Limit is specifically identified in the Prohibited List or a Technical Document, the presence of any reported quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample shall constitute an anti-doping rule violation.

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- 2.1.4 As an exception to the general rule of Article 2.1, the Prohibited List, International Standards or Technical Documents may establish special criteria for reporting or the evaluation of certain Prohibited Substances.

### **2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method**

- 2.2.1 It is the Athletes' personal duty to ensure that no Prohibited Substance enters their bodies and that no Prohibited Method is Used. Accordingly, it is not necessary that intent, Fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method.

- 2.2.2 The success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be Used for an anti-doping rule violation to be committed.

### **2.3 Evading, Refusing or Failing to Submit to Sample Collection by an Athlete**

Evading Sample collection, or refusing or failing to submit to Sample collection without compelling justification after notification by a duly authorized Person.

### **2.4 Whereabouts Failures by an Athlete**

Any combination of three missed tests and/or filing failures, as defined in the International Standard for Results Management, within a twelve-month period by an Athlete in a Registered Testing Pool.

### **2.5 Tampering or Attempted Tampering with any part of Doping Control by an Athlete or Other Person.**

### **2.6 Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Person**

- 2.6.1 Possession by an Athlete In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition unless the Athlete establishes that the Possession is consistent with a Therapeutic Use Exemption ("TUE") granted in accordance with Article 4.4 or other acceptable justification.

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2.6.2 Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition, in connection with an Athlete, Competition or training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification.

**2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Other Person**

**2.8 Administration or Attempted Administration by an Athlete or Other Person to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition.**

**2.9 Complicity or Attempted Complicity by an Athlete or Other Person**

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or Attempted complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.14.1 by another Person.

**2.10 Prohibited Association by an Athlete or Other Person**

2.10.1 Association by an Athlete or other Person subject to the authority of an Anti-Doping Organization in a professional or sport-related capacity with any Athlete Support Person who:

2.10.1.1 If subject to the authority of an Anti-Doping Organization, is serving a period of Ineligibility; or

2.10.1.2 If not subject to the authority of an Anti-Doping Organization and where Ineligibility has not been addressed in a Results Management process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six (6) years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.1.3 Is serving as a front or intermediary for an individual described in Article 2.10.1.1 or 2.10.1.2.



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2.10.2 To establish a violation of Article 2.10, an Anti-Doping Organization must establish that the Athlete or other Person knew of the Athlete Support Person's disqualifying status. The burden shall be on the Athlete or other Person to establish that any association with an Athlete Support Person described in Article 2.10.1.1 or 2.10.1.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

Anti-Doping Organizations that are aware of Athlete Support Personnel who meet the criteria described in Article 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to WADA.

### **2.11 Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities**

Where such conduct does not otherwise constitute a violation of Article 2.5:

2.11.1 Any act which threatens or seeks to intimidate another Person with the intent of discouraging the Person from the good-faith reporting of information that relates to an alleged anti-doping rule violation or alleged non-compliance with the Code to WADA, an Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for WADA or an Anti-Doping Organization.

2.11.2 Retaliation against a Person who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation or alleged non-compliance with the Code to WADA, an Anti-Doping Organization, law enforcement, regulatory or professional disciplinary body, hearing body or Person conducting an investigation for WADA or an Anti-Doping Organization. For purposes of Article 2.11, retaliation, threatening and intimidation include an act taken against such Person either because the act lacks a good faith basis or is a disproportionate response.

## **ARTICLE 3 PROOF OF DOPING**

### **3.1 Burdens and Standards of Proof**

Virtus shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether Virtus has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Anti-Doping Rules place the burden of proof upon the Athlete or other Person alleged to have committed an anti-doping

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rule violation to rebut a presumption or establish specified facts or circumstances, except as provided in Articles 3.2.2 and 3.2.3, the standard of proof shall be by a balance of probability.

### 3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

3.2.1 Analytical methods or Decision Limits approved by WADA after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any Athlete or other Person seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. The initial hearing body, appellate body or CAS, on its own initiative, may also inform WADA of any such challenge. Within ten (10) days of WADA's receipt of such notice and the case file related to such challenge, WADA shall also have the right to intervene as a party, appear as amicus curiae or otherwise provide evidence in such proceeding. In cases before CAS, at WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

3.2.2 WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.

If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then Virtus shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

3.2.3 Departures from any other International Standard or other anti-doping rule or policy set forth in the Code or these Anti-Doping Rules shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defense to an anti-doping rule violation; provided, however, if the Athlete or other Person establishes that a departure from one of the specific International Standard provisions listed below could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or

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whereabouts failure, then Virtus shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or whereabouts failure:

- (i) a departure from the International Standard for Testing and Investigations related to Sample collection or Sample handling which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case Virtus shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;
- (ii) a departure from the International Standard for Results Management or International Standard for Testing and Investigations related to an Adverse Passport Finding which could reasonably have caused an anti-doping rule violation, in which case Virtus shall have the burden to establish that such departure did not cause the anti-doping rule violation;
- (iii) a departure from the International Standard for Results Management related to the requirement to provide notice to the Athlete of the B Sample opening which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding, in which case Virtus shall have the burden to establish that such departure did not cause the Adverse Analytical Finding;
- (iv) a departure from the International Standard for Results Management related to Athlete notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case Virtus shall have the burden to establish that such departure did not cause the whereabouts failure.

3.2.4 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the Athlete or other Person to whom the decision pertained of those facts unless the Athlete or other Person establishes that the decision violated principles of natural justice.

3.2.5 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the Athlete or other Person who is asserted to have committed an anti-doping rule violation based on the Athlete's or other Person's refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or Virtus asserting the anti-doping rule violation.

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### ARTICLE 4 THE PROHIBITED LIST

#### 4.1 Incorporation of the Prohibited List

These Anti-Doping Rules incorporate the Prohibited List, which is published and revised by WADA as described in Article 4.1 of the Code. Virtus will make the current Prohibited List available to each Member and National Member Organization, and each National Member Organization shall ensure that the current Prohibited List is available to its members and constituents.

NOTE to Article 4.1: The current Prohibited List is available on WADA's website at [www.wada-ama.org](http://www.wada-ama.org).

Unless provided otherwise in the Prohibited List and/or a revision, the Prohibited List and revisions shall go into effect under these Anti-Doping Rules three months after publication by WADA, without requiring any further action by Virtus or its National Member Organisations. All Athletes and other Persons shall be bound by the Prohibited List, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all Athletes and other Persons to familiarize themselves with the most up-to-date version of the Prohibited List and all revisions thereto.

#### 4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

##### 4.2.1 Prohibited Substances and Prohibited Methods

The Prohibited List shall identify those Prohibited Substances and Prohibited Methods which are prohibited as doping at all times (both In-Competition and Out-of-Competition) because of their potential to enhance performance in future Competitions or their masking potential, and those substances and methods which are prohibited In-Competition only. The Prohibited List may be expanded by WADA for a particular sport. Prohibited Substances and Prohibited Methods may be included in the Prohibited List by general category (e.g., anabolic agents) or by specific reference to a particular Substance or Method.

##### 4.2.2 Specified Substances or Specified Methods

For purposes of the application of Article 10, all Prohibited Substances shall be Specified Substances except as identified on the Prohibited List. No Prohibited Method shall be a Specified Method unless it is specifically identified as a Specified Method on the Prohibited List.

##### 4.2.3 Substances of Abuse

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For purposes of applying Article 10, Substances of Abuse shall include those Prohibited Substances which are specifically identified as Substances of Abuse on the Prohibited List because they are frequently abused in society outside of the context of sport.

### 4.2.4 New Classes of Prohibited Substances or Prohibited Methods

In the event WADA expands the Prohibited List by adding a new class of Prohibited Substances or Prohibited Methods in accordance with Article 4.1, WADA's Executive Committee shall determine whether any or all Prohibited Substances or Prohibited Methods within the new class shall be considered Specified Substances or Specified Methods under Article 4.2.2 or Substances of Abuse under Article 4.2.3.

### 4.3 WADA's Determination of the Prohibited List

WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List, the classification of substances into categories on the Prohibited List, the classification of a substance as prohibited at all times or In-Competition only, the classification of a substance or method as a Specified Substance, Specified Method or Substance of Abuse is final and shall not be subject to any challenge by an Athlete or other Person including, but not limited to, any challenge based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

### 4.4 Therapeutic Use Exemptions ("TUEs")

4.4.1 The presence of a Prohibited Substance or its Metabolites or Markers, and/or the Use or Attempted Use, Possession or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method, shall not be considered an anti-doping rule violation if it is consistent with the provisions of a TUE granted in accordance with the International Standard for Therapeutic Use Exemptions.

4.4.2 If an International-Level Athlete is using a Prohibited Substance or a Prohibited Method for therapeutic reasons:

4.4.2.1 Where the Athlete already has a TUE granted by his or her National Anti-Doping Organization for the substance or method in question, that TUE is not automatically valid for international-level Competition. However, the Athlete may apply to Virtus to recognize that TUE, in accordance with Article 7 of the International Standard for Therapeutic

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Use Exemptions. If that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then Virtus shall recognize it for purposes of international-level Competition as well. If Virtus considers that the TUE does not meet those criteria and so refuses to recognize it, Virtus shall notify the Athlete and his or her National Anti-Doping Organization promptly, with reasons. The Athlete and the National Anti-Doping Organization shall have 21 days from such notification to refer the matter to WADA for review in accordance with Article 4.4.6. If the matter is referred to WADA for review, the TUE granted by the National Anti-Doping Organization remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for international-level Competition) pending WADA's decision. If the matter is not referred to WADA for review within the 21-day deadline, the Athlete's National Anti-Doping Organization must determine whether the original TUE granted by that National Anti-Doping Organization should nevertheless remain valid for national-level Competition and Out-of-Competition Testing (provided that the Athlete ceases to be an International-Level Athlete and does not participate in international-level Competition). Pending the National Anti-Doping Organization's decision, the TUE remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for international-level Competition).

- 4.4.2.2 If the Athlete does not already have a TUE granted by his/her National Anti-Doping Organization for the substance or method in question, the Athlete must apply directly to Virtus for a TUE in accordance with the process set out in the International Standard for Therapeutic Use Exemptions using the form available on the Virtus website. If Virtus denies the Athlete's application, it must notify the Athlete promptly, with reasons. If Virtus grants the Athlete's application, it shall notify not only the Athlete but also his/her National Anti-Doping Organization. If the National Anti-Doping Organization considers that the TUE granted by Virtus does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has 21 days from such notification to refer the matter to WADA for review in accordance with Article 4.4.6. If the National Anti-Doping Organization refers the matter to WADA for review, the TUE granted by Virtus remains valid for international-level Competition and Out-of-Competition Testing (but is not valid for national-level Competition) pending WADA's decision. If the National Anti-Doping Organization does not refer the matter to WADA for review, the TUE granted by Virtus becomes valid for national-level Competition as well when the 21-day review deadline expires.

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4.4.3 If Virtus chooses to test an Athlete who is not an International-Level Athlete, Virtus shall recognize a TUE granted to that Athlete by his or her National Anti-Doping Organization. If Virtus chooses to test an Athlete who is not an International-Level or a National-Level Athlete, Virtus shall permit that Athlete to apply for a retroactive TUE for any Prohibited Substance or Prohibited Method that he/she is using for therapeutic reasons.

4.4.4 An application to Virtus for grant or recognition of a TUE must be made as soon as the need arises and in any event (save in emergency or exceptional situations or where Article 4.3 of the International Standard for Therapeutic Use Exemptions applies) at least 30 days before the Athlete's next Competition. Virtus shall appoint a panel to consider applications for the grant or recognition of TUEs (the "TUE Committee"). The information about the TUE Committee can be found at the Virtus website, in the anti-doping section. The TUE Committee shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the International Standard for Therapeutic Use Exemptions [and the specific Virtus's protocols posted on its website]. Its decision shall be the final decision of Virtus, and shall be notified in writing to the Athlete, and reported to WADA and other relevant Anti-Doping Organizations, including the Athlete's National Anti-Doping Organization, through ADAMS, in accordance with the International Standard for Therapeutic Use Exemptions. This decision may be appealed in accordance with Article 4.4.6.

An Athlete should not assume that his/her application for grant or recognition of a TUE (or for renewal of a TUE) will be granted. Any Use or Possession or Administration of a Prohibited Substance or Prohibited Method before an application has been granted is entirely at the Athlete's own risk.

4.4.5 Expiration, Cancellation, Withdrawal or Reversal of a TUE

4.4.5.1 A TUE granted pursuant to these Anti-Doping Rules: (a) shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality; (b) may be cancelled if the Athlete does not promptly comply with any requirements or conditions imposed by the TUE Committee upon grant of the TUE; (c) may be withdrawn by the TUE Committee if it is subsequently determined that the criteria for grant of a TUE are not in fact met; or (d) may be reversed on review by WADA or on appeal.

4.4.5.2 In such event, the Athlete shall not be subject to any Consequences based on his/her Use or Possession or Administration of the Prohibited

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Substance or Prohibited Method in question in accordance with the TUE prior to the effective date of expiry, cancellation, withdrawal or reversal of the TUE. The review pursuant to Article 7.2 of any subsequent Adverse Analytical Finding reported shortly after the TUE expiry, withdrawal or reversal shall include consideration of whether such finding is consistent with Use of the Prohibited Substance or Prohibited Method prior to that date, in which event no anti-doping rule violation shall be asserted.

### 4.4.6 Reviews and Appeals of TUE Decisions

- 4.4.6.1 WADA shall review any decision by Virtus not to recognize a TUE granted by the National Anti-Doping Organization that is referred to WADA by the Athlete or the Athlete's National Anti-Doping Organization. In addition, WADA shall review any decision by Virtus to grant a TUE that is referred to WADA by the Athlete's National Anti-Doping Organization. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.
- 4.4.6.2 Any TUE decision by Virtus (or by a National Anti-Doping Organization where it has agreed to consider the application on behalf of Virtus) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Athlete and/or the Athlete's National Anti-Doping Organization exclusively to CAS, in accordance with Article 13.
- 4.4.6.3 A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the National Anti-Doping Organization and/or Virtus exclusively to CAS, in accordance with Article 13.
- 4.4.6.4 A failure to render a decision within a reasonable time on a properly submitted application for grant or recognition of a TUE or for review of a TUE decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

## ARTICLE 5 TESTING AND INVESTIGATIONS

### 5.1 Purpose of Testing and Investigations



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Testing and investigations may be undertaken for any anti-doping purposes. They shall be conducted in conformity with the provisions of the International Standard for Testing and Investigations and the specific protocols of Virtus supplementing that International Standard.

NOTE: The International Standard for Testing and Investigations confers discretion on International Federations as to (without limitation) the criteria to be used to validate the identity of the Athlete when he/she is notified for Testing (Article 5.3.4), as to the circumstances in which delayed reporting to the Doping Control Station may be permitted (Article 5.4.4), as to who may be present during the Sample Collection Session (Article 6.3.3), as to the criteria to be applied to ensure that each Sample collected is stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station (Article 8.3.1), and as to guidelines to be followed by the DCO in determining whether exceptional circumstances exist that mean a Sample Collection Session should be abandoned without collecting a Sample with a Suitable Specific Gravity for Analysis (Article F.4.5) and share information/intelligence obtained (Article 11). Virtus may therefore produce protocols (e.g., appended to these Anti-Doping Rules) that address these issues.

- 5.1.1 Testing shall be undertaken to obtain analytical evidence as to whether the Athlete has violated Article 2.1 (Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample) or Article 2.2 (Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method). Test distribution planning, Testing, post-Testing activity and all related activities conducted by Virtus shall be in conformity with the International Standard for Testing and Investigations.
- 5.1.2 Virtus shall conduct investigations and gather intelligence as required by the International Standard for Testing and Investigations.
- 5.1.3 Virtus may obtain, assess and process anti-doping intelligence from all available sources, to help deter and detect doping, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan Target Testing, and to conduct investigations.

NOTE: See Sections 4.0, 11.0 and 12.0 of the International Standard for Testing and Investigations for further guidance.

### **5.2 Authority to conduct Testing**

- 5.2.1 Subject to the limitations for Event Testing set out in Article 5.3 of the Code, Virtus shall have In-Competition and Out-of-Competition Testing authority over all of the Athletes specified in the Introduction to these Anti-Doping Rules (under the heading "Scope").

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- 5.2.2 Virtus may require any Athlete over whom it has Testing authority (including any Athlete serving a period of Ineligibility) to provide a Sample at any time and at any place.
- 5.2.3 WADA shall have In-Competition and Out-of-Competition Testing authority as set out in Article 20.7.10 of the Code.
- 5.2.4 If Virtus delegates or contracts any part of Testing to a National Anti-Doping Organization (directly or through a National Federation), that National Anti-Doping Organization may collect additional Samples or direct the laboratory to perform additional types of analysis at the National Anti-Doping Organization's expense. If additional Samples are collected or additional types of analysis are performed, Virtus shall be notified.

### 5.3 Event Testing

- 5.3.1 Except as otherwise provided in Article 5.3 of the Code, only a single organization shall have the authority to conduct Testing at Event Venues during an Event Period. At International Events, Virtus (or any other international organization which is the ruling body for the Event) shall have the authority to conduct Testing. At National Events, the National Anti-Doping Organization of that country shall have authority to conduct Testing. At the request of Virtus (or any other organization which is the ruling body for an Event), any Testing during the Event Period outside of the Event Venues shall be coordinated with Virtus (or the relevant ruling body of the Event).
- 5.3.2 If an Anti-Doping Organization, which would otherwise have Testing authority but is not responsible for initiating and directing Testing at an Event, desires to conduct Testing of Athletes at the Event Venues during the Event Period, the Anti-Doping Organization shall first confer with Virtus (or any other international organization which is the ruling body of the Event) to obtain permission to conduct, and coordinate such Testing. If the Anti-Doping Organization is not satisfied with the response from Virtus (or any other international organization which is the ruling body of the Event), the Anti-Doping Organization may, in accordance with procedures described in the International Standard for Testing and Investigations, ask WADA for permission to conduct Testing and to determine how to coordinate such Testing. WADA shall not grant approval for such Testing before consulting with and informing Virtus (or any other international organization which is the ruling body for the Event). WADA's decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct Testing, such tests shall be considered Out-of-Competition tests. Results Management for any such test shall be the



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responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.

### 5.4 Testing Requirements

Consistent with the International Standard for Testing and Investigations, Virtus shall conduct test distribution planning and Testing.

### 5.5 Coordination of Testing

Where reasonably feasible, Testing shall be coordinated through ADAMS in order to maximize the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing.

### 5.6 Athlete Whereabouts Information

5.6.1 Virtus shall identify a Registered Testing Pool of those Athletes who are required to provide whereabouts information in the manner specified in the International Standard for Testing and Investigations, and who shall be subject to Consequences for Article 2.4 violations as provided in Article 10.3.2. Virtus shall make available through ADAMS a list which identifies those Athletes included in its Registered Testing Pool by name. Virtus shall coordinate with National Anti-Doping Organizations the identification of such Athletes and the collection of their whereabouts information. Virtus shall regularly review and update as necessary its criteria for including Athletes in its Registered Testing Pool, and shall periodically revise the membership of its Registered Testing Pool to ensure that each listed Athlete continues to meet the relevant criteria. Athletes shall be notified before they are included in the Registered Testing Pool and when they are removed from that pool.

Where an Athlete is included in Virtus' Registered Testing Pool and in a national Registered Testing Pool by his/her National Anti-Doping Organization, the National Anti-Doping Organization and Virtus shall agree between themselves which of them shall accept that Athlete's whereabouts filings; in no case shall an Athlete be required to make whereabouts filings to more than one of them.

Each Athlete in the Registered Testing Pool shall do the following, in each case in accordance with the International Standard for Testing and Investigations: (a) advise Virtus of his/her whereabouts on a quarterly basis; (b) update that information as necessary so that it remains accurate and complete at all times; and (c) make him/herself available for Testing at such whereabouts.

5.6.2 For purposes of Article 2.4, an Athlete's failure to comply with the requirements of the International Standard for Testing and Investigations shall be deemed a filing failure or a missed test (as defined in Annex B of the International Standard for Results Management) where the conditions set forth in that Annex B are met.

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- 5.6.3 An Athlete in Virtus' Registered Testing Pool shall continue to be subject to the obligation to comply with the whereabouts requirements set in the International Standard for Testing and Investigations unless and until (a) the Athlete gives written notice to Virtus that he/she has retired or (b) Virtus has informed him or her that he/she no longer satisfies the criteria for inclusion in its Registered Testing Pool.
- 5.6.4 Whereabouts information relating to an Athlete will be accessible (through ADAMS) to WADA and other Anti-Doping Organizations having authority to test that Athlete, shall be maintained in strict confidence at all times, shall be used exclusively for the purposes set out in Article 5.6 of the Code, and shall be destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for these purposes.
- 5.6.5 Virtus may, in accordance with the International Standard for Testing and Investigations, collect whereabouts information from Athletes who are not included within its Registered Testing Pool. If it chooses to do so, an Athlete's failure to provide requested whereabouts information on or before the date required by Virtus or the Athlete's failure to provide accurate whereabouts information may result in Virtus elevating the Athlete to its Registered Testing Pool and/or other appropriate and proportionate non-Code Article 2.4 consequences.

### 5.7 Retired Athletes Returning to Competition

- 5.7.1 An International-Level Athlete or National-Level Athlete in Virtus' Registered Testing Pool who has given notice of retirement to Virtus can not resume competing in International Events or National Events until he/she has made him/herself available for Testing, by giving six months prior written notice to Virtus and his/her National Anti-Doping Organization. WADA, in consultation with Virtus and the Athlete's National Anti-Doping Organization, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to an Athlete. This decision may be appealed under Article 13. Any competitive results obtained in violation of this Article 5.7.1 shall be Disqualified unless the Athlete can establish that he or she could not have reasonably known that this was an International Event or a National Event.
- 5.7.2 If an Athlete retires from sport while subject to a period of Ineligibility, the Athlete must notify the Anti-Doping Organization that imposed the period of Ineligibility in writing of such retirement. If the Athlete then wishes to return to active competition in sport, the Athlete shall not compete in International Events or

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National Events until the Athlete has made himself or herself available for Testing by giving six-month prior written notice (or notice equivalent to the period of Ineligibility remaining as of the date the Athlete retired, if that period was longer than six (6) months) to Virtus and to his/her National Anti-Doping Organization.

### 5.8 Independent Observer Program

Virtus and the organizing committees for Virtus's Events, as well as the National Federations and the organizing committees for National Events, shall authorize and facilitate the Independent Observer Program at such Events.

## ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

### 6.1 Use of Accredited, Approved Laboratories and Other Laboratories

6.1.1 For purposes of directly establishing an Adverse Analytical Finding under Article 2.1, Samples shall be analyzed only in laboratories accredited or otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the Sample analysis shall be determined exclusively by Virtus.

6.1.2 As provided in Article 3.2, facts related to anti-doping rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of WADA-accredited or approved laboratories.

### 6.2 Purpose of Analysis of Samples and Data

Samples and related analytical data or Doping Control information shall be analyzed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List and other substances as may be directed by WADA pursuant to Article 4.5, or to assist Virtus or another Anti-Doping Organization in profiling relevant parameters in an Athlete's urine, blood or other matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping purpose.

### 6.3 Research on Samples and Data

Samples, related analytical data and Doping Control information may be used for anti-doping research purposes, although no Sample may be used for research

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without the Athlete's written consent. Samples and related analytical data or Doping Control information used for research purposes shall first be processed in such a manner as to prevent Samples and related analytical data or Doping Control information being traced back to a particular Athlete. Any research involving Samples and related analytical data or Doping Control information shall adhere to the principles set out in Article 19 of the Code.

### 6.4 Standards for Sample Analysis and Reporting

- 6.4.1 In accordance with Article 6.4 of the Code, Laboratories shall analyze Samples in conformity with the International Standard for Laboratories.
- 6.4.2 Laboratories at their own initiative and expense may analyze Samples for Prohibited Substances or Prohibited Methods not included on the standard Sample analysis menu, or as requested by Virtus or another Anti-Doping Organization that initiated and directed Sample collection. Results from any such analysis shall be reported to Virtus or that other Anti-Doping Organization and have the same validity and Consequences as any other analytical result.

### 6.5 Further Analysis of a Sample prior to or During Results Management

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a Sample prior to the time Virtus notifies an Athlete that the Sample is the basis for an Article 2.1 anti-doping rule violation charge. If after such notification Virtus wishes to conduct additional analysis on that Sample, it may do so with the consent of the Athlete or approval from a hearing body.

### 6.6. Further Analysis of a Sample After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge

After a laboratory has reported a Sample as negative, or the Sample has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of either Virtus or another Anti-Doping Organization that initiated and directed Sample collection or WADA. Any other Anti-Doping Organization with authority to test the Athlete that wishes to conduct further analysis on a stored Sample may do so with the permission of Virtus or another Anti-Doping Organization that initiated and directed Sample collection or WADA, and shall be responsible for any follow-up Results Management. Any Sample storage or further analysis initiated by WADA or another Anti-Doping Organization shall be at WADA's or that organization's expense. Further analysis of Samples shall conform with the requirements of the International Standard for Laboratories.

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### **6.7 Split of A or B Sample**

Where WADA, Virtus or another Anti-Doping Organization with Results Management authority and/or a WADA-accredited laboratory (with approval from WADA, Virtus or another Anti-Doping Organization with Results Management authority) wishes to split an A or B Sample for the purpose of using the first part of the split Sample for an A Sample analysis and the second part of the split Sample for confirmation, then the procedures set forth in the International Standard for Laboratories shall be followed.

### **6.8 WADA's Right to Take Possession of Samples and Data**

WADA may, in its sole discretion at any time, with or without prior notice, take physical possession of any Sample and related analytical data or information in the possession of a laboratory, Virtus or another Anti-Doping Organization. Upon request by WADA, a laboratory, Virtus or another Anti-Doping Organization in possession of the Sample or data shall immediately grant access to and enable WADA to take physical possession of the Sample or data. If WADA has not provided prior notice to the laboratory, Virtus or another Anti-Doping Organization before taking possession of a Sample or data, it shall provide such notice to the laboratory and each Anti-Doping Organization whose Samples or data have been taken by WADA within a reasonable time after taking possession. After analysis and any investigation of a seized Sample or data, WADA may direct another Anti-Doping Organization with authority to test the Athlete to assume Results Management responsibility for the Sample or data if a potential anti-doping rule violation is discovered.

## **ARTICLE 7 RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS**

### **7.1 Responsibility for Conducting Results Management**

- 7.1.1 The circumstances in which Virtus shall take responsibility for conducting results management in respect of anti-doping rule violations involving Athletes and other Persons under its jurisdiction shall be determined by reference to and in accordance with Article 7 of the Code.
- 7.1.2 Virtus Governing Board shall appoint the Anti-Doping and Medical Committee ("Anti-Doping Committee") consisting of a Chair and up to 4 other members with experience in anti-doping. Each panel member shall serve a term of four years.

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When a potential violation is referred to the Anti-Doping Committee for pre-adjudication by Virtus, the Chair of the Committee shall appoint one or more members of the Panel (which may include the Chair) to conduct the review discussed in this Article 7.

### 7.2 Review of Adverse Analytical Findings

- 7.2.1 The results from all analyses must be sent to Virtus in line with the International Standard for Laboratories and related Technical Documents.. All communication must be conducted confidentially and through ADAMS.
- 7.2.2 Upon receipt of an Adverse Analytical Finding, Virtus shall conduct a review, in line with the International Standard for Results Management, to determine whether: (a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Adverse Analytical Finding and/or (c) it is apparent that the Adverse Analytical Finding was caused by an ingestion of the relevant Prohibited Substance through a permitted route.
- 7.2.3 If the review of an Adverse Analytical Finding under Article 7.2.2 reveals an applicable TUE, a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories, or if the Adverse Analytical Finding involves a Prohibited Substance permitted through a specific route, the entire test shall be considered negative and the Athlete, the Athlete's National Anti-Doping Organization and WADA shall be so informed.

### 7.3 Notification After Review Of Adverse Analytical Findings

- 7.3.1 If the review of an Adverse Analytical Finding under Article 7.2.2 does not reveal an applicable TUE or entitlement to a TUE as provided in the International Standard for Therapeutic Use Exemptions, a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, or that it is apparent that the Adverse Analytical Finding was caused by an ingestion of the relevant Prohibited Substance through an authorized route, Virtus shall promptly notify the Athlete, and simultaneously the Athlete's National Anti-Doping Organization and WADA, in the manner set out in Article 14.1, and promptly report into ADAMS of: (a) the Adverse Analytical Finding; (b) the fact that the Adverse Analytical Finding may result in an anti-doping rule violation of Article 2.1 and/or Article 2.2 and the applicable consequences; (c) the Athlete's right to promptly



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request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed irrevocably waived; (d) the scheduled date, time and place for the B Sample analysis if the Athlete or Virtus chooses to request an analysis of the B Sample; (e) the opportunity for the Athlete and/or the Athlete's representative to attend the B Sample opening and analysis in accordance with the International Standard for Laboratories; (f) the Athlete's right to request copies of the A Sample laboratory documentation package which includes information as required by the International Standard for Laboratories; (g) the opportunity for the Athlete to provide an explanation within a short deadline; (h) the opportunity for the Athlete to provide Substantial Assistance as set out under Code Article 10.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of Ineligibility under Article 10.8.1 (if applicable) or to seek to enter into a case resolution agreement under Article 10.8.2; and (i) any matters relating to Provisional Suspension (including the possibility for the Athlete to accept a voluntary Provisional Suspension) (if applicable). Virtus shall also follow specific additional procedures if the Adverse Analytical Finding relates to the specific types of the Prohibited Substances identified in Article 5.1.2.2 of the International Standard for Results Management. If Virtus decides not to bring forward the Adverse Analytical Finding as an anti-doping rule violation, it shall so notify the Athlete (provided that the Athlete had been already informed of the ongoing results management) and give notice (with reasons) to the Athlete's National Anti-Doping Organization, WADA and other Anti-Doping Organizations with a right of appeal under Article 13.

- 7.3.2 Where requested by the Athlete or Virtus, arrangements shall be made to analyze the B Sample in accordance with the International Standard for Laboratories. An Athlete may accept the A Sample analytical results by waiving the requirement for B Sample analysis. Virtus may nonetheless elect to proceed with the B Sample analysis.
- 7.3.3 The Athlete and/or his representative shall be allowed to be present at the analysis of the B Sample. Also, a representative of Virtus shall be allowed to be present.
- 7.3.4 If the results of the B Sample analysis do not confirm the results of the A Sample analysis, then (unless Virtus takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the Athlete, the Athlete's National Anti-Doping Organization and WADA shall be so informed.
- 7.3.5 If the results of the B Sample analysis confirm the results of the A Sample analysis, Virtus shall promptly notify the Athlete of such results and shall grant

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the Athlete a short deadline to provide or supplement their explanations. The Athlete shall also be afforded the possibility to admit the anti-doping rule violation to potentially benefit from a one-year reduction in the period of Ineligibility under Article 10.8.1, if applicable, and/or to voluntarily accept a Provisional Suspension. Upon receipt of any explanation from an Athlete, Virtus may, without limitation, request further information and/or documents from the Athlete within a set deadline or liaise with third parties in order to assess the validity of the explanation. Any communication provided to the Athlete under this Article shall simultaneously be provided by Virtus to the Athlete's National Anti-Doping Organization and to WADA, and shall promptly be reported into ADAMS.

### 7.4 Review of Atypical Findings

- 7.4.2 Upon receipt of an Atypical Finding, Virtus shall conduct a review, in line with the International Standard for Results Management, to determine whether: (a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Atypical Finding, and/or (c) it is apparent that the ingestion of the Prohibited Substance was through a permitted route.
- 7.4.3 If the review of an Atypical Finding under Article 7.4.2 reveals an applicable TUE, a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, or an ingestion through a permitted route, the entire test shall be considered negative and the Athlete, the Athlete's National Anti-Doping Organization, and WADA shall be so informed.
- 7.4.4 If that review does not reveal an applicable TUE, a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, or an ingestion through a permitted route, Virtus shall conduct the required investigation. After the investigation is completed, either the Atypical Finding will be brought forward as an Adverse Analytical Finding, in accordance with Article 7.3.1, or else the Athlete, the Athlete's National Anti-Doping Organization, WADA and other Anti-Doping Organizations with a right of appeal under Article 13 shall be notified that the Atypical Finding will not be brought forward as an Adverse Analytical Finding.



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7.4.5 Virtus will not provide notice of an Atypical Finding until it has completed its investigation and has decided whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless one of the following circumstances exists:

- 7.4.5.1 If Virtus determines the B Sample should be analyzed prior to the conclusion of its investigation, it may conduct the B Sample analysis after notifying the Athlete, with such notice to include a description of the Atypical Finding and the information described in Article 7.3.1(c)-(f).
- 7.4.5.2 If Virtus is asked (a) by a Major Event Organization shortly before one of its International Events, or (b) by a sport organization responsible for meeting an imminent deadline for selecting team members for an International Event, to disclose whether any Athlete identified on a list provided by the Major Event Organization or sport organization has a pending Atypical Finding, Virtus shall so advise the Major Event Organization or sports organization after first providing notice of the Atypical Finding to the Athlete.
- 7.4.5.3 If the Atypical Finding is, in the opinion of qualified medical or expert personnel, likely to be connected to a serious pathology that requires urgent medical attention.

### **7.5 Review of Atypical Passport Findings and Adverse Passport Findings**

Review of Atypical Passport Findings and Adverse Passport Findings shall take place as provided in the International Standard for Testing and Investigations, the International Standard for Laboratories and the International Standard for Results Management. At such time as Virtus considers that an anti-doping rule violation may have been committed, it shall promptly give the Athlete (and simultaneously the Athlete's National Anti-Doping Organization and WADA) notice of the anti-doping rule violation asserted and the basis of that assertion in line with the International Standard for Results Management. It shall promptly be reported into ADAMS.

### **7.6 Review of Whereabouts Failures**

Virtus shall review potential filing failures and missed tests, as defined in the International Standard for Results Management, in respect of Athletes who fall under Virtus' Results Management authority, in accordance with the International Standard for Testing and Investigations and the International Standard for Results Management. At such time as Virtus considers that an Article 2.4 anti-doping rule violation may have been committed, it shall promptly give the Athlete (and simultaneously the Athlete's National Anti-Doping Organization and WADA) notice that it is asserting a violation of Article 2.4 and the basis of that assertion in line with the International Standard for Results Management. It shall promptly be reported into ADAMS.

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### **7.7 Review of Other Anti-Doping Rule Violations Not Covered by Articles 7.2–7.6**

Virtus shall conduct any follow-up investigation required into a possible anti-doping rule violation not covered by Articles 7.2- 7.6. At such time as Virtus considers that an anti-doping rule violation may have been committed, it shall promptly give the Athlete or other Person (and simultaneously the Athlete's or other Person's National Anti-Doping Organization and WADA) notice of the anti-doping rule violation asserted and the basis of that assertion in line with the International Standard for Results Management. It shall promptly be reported into ADAMS.

### **7.8 Identification of Prior Anti-Doping Rule Violations**

Before giving an Athlete or other Person notice of a potential anti-doping rule violation as provided above, Virtus shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists.

### **7.9 Provisional Suspensions**

7.9.1 **Mandatory Provisional Suspension:** If Virtus receives an Adverse Analytical Finding or an Adverse Passport Finding (upon completion of the Adverse Passport Finding review process) for a Prohibited Substance or a Prohibited Method that is not a Specified Substance or a Specified Method, a Provisional Suspension shall be imposed promptly upon after the review and notification described in Articles 7.2, 7.3 or 7.5.

7.9.2 **Optional Provisional Suspension:** In case of an Adverse Analytical Finding for a Specified Substances, Specified Methods, Contaminated Products or in the case of any other anti-doping rule violations not covered by Article 7.9.1, Virtus may impose a Provisional Suspension on the Athlete or other Person against whom the anti-doping rule violation is asserted at any time prior to analysis of the Athlete's B Sample or final hearing as described in Article 8.

7.9.3 A Provisional Suspension may not be imposed pursuant to Article 7.9.1 or Article 7.9.2 unless the Athlete or other Person is given either: (a) an opportunity for a Provisional Hearing either before or on a timely basis after imposition of the Provisional Suspension; or (b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after imposition of the Provisional Suspension. Furthermore, the imposition of the Provisional Suspension, or the decision not to impose a Provisional Suspension, may be appealed in an expedited process in accordance with Article 13.2 (save as set out in Article 7.9.3.1).

7.9.3.1 The mandatory Provisional Suspension may be lifted if (i) the Athlete demonstrates to the hearing panel that the violation is likely to have

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involved a Contaminated Product, or (ii) the violation involves a Substance of Abuse and the Athlete establishes entitlement to a reduced period of Ineligibility under Article 10.2.4.1. A hearing panel's decision not to lift a mandatory Provisional Suspension on account of the Athlete's assertion regarding a Contaminated Product shall not be appealable.

7.9.3.2 An optional Provisional Suspension may be lifted at the discretion of Virtus at any time prior to the decision of the hearing panel under Article 8, unless provided otherwise in the International Standard for Results Management.

7.9.4 If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and subsequent analysis of the B Sample does not confirm the A Sample analysis, then the Athlete shall not be subject to any further Provisional Suspension on account of a violation of Article 2.1. In circumstances where the Athlete (or the Athlete's team) has been removed from an Event based on a violation of Article 2.1 and the subsequent B Sample analysis does not confirm the A Sample finding, then, if it is still possible for the Athlete or team to be reinserted, without otherwise affecting the Event, the Athlete or team may continue to take part in the Event.

7.9.5 Athletes on their own initiative may voluntarily accept a Provisional Suspension if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B Sample (or waiver of the B Sample) or ten (10) days from the notice of any other anti-doping rule violation, or (ii) the date on which the Athlete first competes after such report or notice. Other Persons on their own initiative may voluntarily accept a Provisional Suspension if done so within ten (10) days from the notice of the anti-doping rule violation. Upon such voluntary acceptance, the Provisional Suspension shall have the full effect and be treated in the same manner as if the Provisional Suspension had been imposed under Article 7.9.1 or 7.9.2; provided, however, at any time after voluntarily accepting a Provisional Suspension, the Athlete or other Person may withdraw such acceptance, in which event the Athlete or other Person shall not receive any credit for time previously served during the Provisional Suspension..

### **7.10 Resolution Without a Hearing**

7.10.1 An Athlete or other Person against whom an anti-doping rule violation is asserted may waive a hearing expressly and agree with the Consequences offered by Virtus.

7.10.2 Alternatively, if the Athlete or other Person against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified

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in the notice sent by the Virtus asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the Consequences offered by Virtus.

7.10.3 In cases where Article 7.10.1 or Article 7.10.2 applies, a hearing before a hearing panel shall not be required. Instead Virtus shall promptly issue a written decision that conforms with Article 9 of the International Standard for Results Management and includes the full reasons for the decision, any period of Ineligibility imposed, the Disqualification of results under Article 10.10 and, if applicable, a justification for why the maximum potential Consequences were not imposed. Virtus shall notify that decision to the Athlete or other Person, and send copies of that decision to other Anti-Doping Organizations with a right to appeal under Article 13, and shall promptly report it into ADAMS. Virtus shall Publicly Disclose that decision in accordance with Article 14.3.

### **7.11 Notification of Results Management Decisions**

Virtus shall notify Athletes, other Persons, Signatories to the Code and WADA of Results Management decisions in accordance with Article 14 and with the International Standard for Results Management.

### **7.12 Retirement from Sport**

If an Athlete or other Person retires while Virtus is conducting the Results Management process, Virtus retains jurisdiction to complete its Results Management process. If an Athlete or other Person retires before any Results Management process has begun, and Virtus would have had Results Management authority over the Athlete or other Person at the time the Athlete or other Person committed an anti-doping rule violation, Virtus has authority to conduct Results Management in respect of that anti-doping rule violation.

## **ARTICLE 8 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION**

### **8.1 Principles for a Fair Hearing**

8.1.1 Virtus will establish a Hearing Panel as needed, which will have jurisdiction to hear and determine whether an Athlete or other Person, subject to these Anti-Doping Rules, has committed an anti-doping rule violation and, if applicable, to impose relevant Consequences.

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8.1.1.1 Virtus shall ensure that the Hearing Panel is free of conflict of interest and that its composition, term of office, professional experience, Operational Independence and adequate financing comply with the requirements of the International Standard for Results Management.

8.1.1.2 Board members, staff members, commission members, consultants and officials of Virtus or its bodies, as well as any Person involved in the investigation and pre-adjudication of the matter, cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of the Hearing Panel. In particular, no member shall have previously considered any TUE application, Results Management decision, or appeals in the same given case.

8.1.1.3 The Hearing Panel shall consist of an independent Chair and [two (2) other independent members.

8.1.1.4 Each member shall be appointed by taking into consideration their requisite anti-doping experience including their legal, sports, medical and/or scientific expertise. Each member shall be appointed for a once renewable term of three (3) years.

8.1.1.5 The Hearing Panel shall be in a position to conduct the hearing and decision-making process without interference from Virtus or any third party.

8.1.2 When VIRTUS sends a notice to an Athlete or other Person asserting an anti-doping rule violation, and the Athlete or other Person does not waive a hearing in accordance with Article 7.10.1 or Article 7.10.2, then the case shall be referred to the Hearing Panel for hearing and adjudication, which shall be conducted in accordance with the principles described in Articles 8 and 9 of the International Standard for Results Management.

8.1.2.1 The Chair shall appoint one (1) or three (3) members (which may include the Chair) to hear that case. When hearing a case, one (1) panel member shall be a qualified lawyer, with no less than three (3) years of relevant legal experience, and one (1) panel member shall be a qualified medical practitioner, with no less than three (3) years of relevant medical experience. If a single member is hearing a case, he/she shall be a qualified lawyer, with no less than three (3) years of relevant legal experience.

8.1.2.2 Upon appointment a member of the Hearing Panel, each member must also sign a declaration that there are no facts or circumstances known to him or her which might call into question their impartiality in the eyes of any of the parties, other than those circumstances disclosed in the declaration.

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- 8.1.3 Hearings shall be scheduled and completed within a reasonable time. Hearings held in connection with Events in respect to Athletes and other Persons who are subject to these Anti-Doping Rules may be conducted by an expedited process where permitted by the Hearing Panel.
- 8.1.4 The Hearing Panel shall determine the procedure to be followed at the hearing in line with the International Standard for Results Management.
- 8.1.5 WADA, the National Anti-Doping Organization and the National Federation of the Athlete or other Person may attend the hearing as observers. In any event, Virtus shall keep WADA fully apprised as to the status of pending cases and the result of all hearings.
- 8.1.6 The Hearing Panel shall act in a fair and impartial manner towards all parties at all times.

### **8.2 Decisions**

- 8.2.1 At the end of the hearing, or on a timely basis thereafter, the Hearing Panel shall issue a written decision that conforms with Article 9 of the International Standard for Results Management and includes the full reasons for the decision, any period of Ineligibility imposed, the Disqualification of results under Article 10.10 and, if applicable, a justification for why the greatest potential Consequences were not imposed.
- 8.2.2 The decision may be appealed as provided in Article 13. Virtus shall notify that decision to the Athlete or other Person and to other Anti-Doping Organizations with a right to appeal under Article 13, and shall promptly report it into ADAMS.

### **8.3 Single Hearing Before CAS**

Anti-doping rule violations asserted against International-Level Athletes, National-Level Athletes or other Persons may, with the consent of the Athlete or other Person, Virtus (where it has Results Management responsibility in accordance with Article 7) and WADA, be heard in a single hearing directly at CAS.

## **ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

An anti-doping rule violation in Individual Sports in connection with an In-Competition test automatically leads to Disqualification of the result obtained in that Competition with all resulting Consequences, including forfeiture of any medals, points and prizes.



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### ARTICLE 10 SANCTIONS ON INDIVIDUALS

#### **10.1 Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs**

An anti-doping rule violation occurring during or in connection with an Event may, upon the decision of the ruling body of the Event, lead to Disqualification of all of the Athlete's individual results obtained in that Event with all Consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

Factors to be included in considering whether to Disqualify other results in an Event might include, for example, the seriousness of the Athlete's anti-doping rule violation and whether the Athlete tested negative in the other Competitions.

10.1.1 If the Athlete establishes that he or she bears No Fault or Negligence for the violation, the Athlete's individual results in the other Competitions shall not be Disqualified, unless the Athlete's results in Competitions other than the Competition in which the anti-doping rule violation occurred were likely to have been affected by the Athlete's anti-doping rule violation.

#### **10.2 Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method**

The period of Ineligibility for a violation of Articles 2.1, 2.2 or 2.6 shall be as follows, subject to potential elimination, reduction or suspension pursuant to Articles 10.5, 10.6 or 10.7:

10.2.1 The period of Ineligibility, subject to Article 10.2.4, shall be four years where:

10.2.1.1 The anti-doping rule violation does not involve a Specified Substance or a Specified Method, unless the Athlete or other Person can establish that the anti-doping rule violation was not intentional.

10.2.1.2 The anti-doping rule violation involves a Specified Substance or a Specified Method and Virtus can establish that the anti-doping rule violation was intentional.

10.2.2 If Article 10.2.1 does not apply, subject to Article 10.2.4.1, the period of Ineligibility shall be two years.

10.2.3 As used in Articles 10.2, the term "intentional" is meant to identify those Athletes or other Persons who engage in conduct which they knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an Adverse

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Analytical Finding for a substance which is only prohibited In-Competition shall be rebuttably presumed to be not “intentional” if the substance is a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition. An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall not be considered “intentional” if the substance is not a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition in a context unrelated to sport performance.

10.2.4 Notwithstanding any other provision in Article 10.2, where the anti-doping rule violation involves a Substance of Abuse:

10.2.4.1 If the Athlete can establish that any ingestion or Use occurred Out-of-Competition and was unrelated to sport performance, then the period of Ineligibility shall be three (3) months Ineligibility.

In addition, the period of Ineligibility calculated under this Article 10.2.4.1 may be reduced to one (1) month if the Athlete or other Person satisfactorily completes a Substance of Abuse treatment program approved by Virtus. The period of Ineligibility established in this Article 10.2.4.1 is not subject to any reduction based on any provision in Article 10.6.

10.2.4.2 If the ingestion, Use or Possession occurred In-Competition, and the Athlete can establish that the context of the ingestion, Use or Possession was unrelated to sport performance, then the ingestion, Use or Possession shall not be considered intentional for purposes of Article 10.2.1 and shall not provide a basis for a finding of Aggravating Circumstances under Article 10.4.

### **10.3 Ineligibility for Other Anti-Doping Rule Violations**

The period of Ineligibility for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Articles 10.6 or 10.7 are applicable:

10.3.1 For violations of Article 2.3 or Article 2.5, the period of Ineligibility shall be four years except: (i) in the case of failing to submit to Sample collection, if the Athlete can establish that the commission of the anti-doping rule violation was not intentional, the period of Ineligibility shall be two years; (ii) in all other cases, if the Athlete or other Person can establish exceptional circumstances that justify a reduction of the period of Ineligibility, the period of Ineligibility shall be in a range from two (2) years to four (4) years depending on the Athlete or other Person’s degree of Fault; or (iii) in a case involving a Protected Person or Recreational Athlete, the period of Ineligibility shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of

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Ineligibility, depending on the Protected Person or Recreational Athlete's degree of Fault.

- 10.3.2 For violations of Article 2.4, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete's degree of Fault. The flexibility between two years and one year of Ineligibility in this Article is not available to Athletes where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Athlete was trying to avoid being available for Testing.
- 10.3.3 For violations of Article 2.7 or 2.8, the period of Ineligibility shall be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a Protected Person shall be considered a particularly serious violation and, if committed by Athlete Support Personnel for violations other than for Specified Substances, shall result in lifetime Ineligibility for Athlete Support Personnel. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.
- 10.3.4 For violations of Article 2.9, the period of Ineligibility shall be a minimum of two years, up to lifetime Ineligibility, depending on the seriousness of the violation.
- 10.3.5 For violations of Article 2.10, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete or other Person's degree of Fault and other circumstances of the case.
- 10.3.6 For violations of Article 2.11, the period of Ineligibility shall be a minimum of two (2) years, up to lifetime Ineligibility, depending on the seriousness of the violation by the Athlete or other Person.

### **10.4 Aggravating Circumstances which may Increase the Period of Ineligibility**

If Virtus establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (Trafficking or Attempted Trafficking), 2.8 (Administration or Attempted Administration), 2.9 (Complicity or Attempted Complicity) or 2.11 (Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting) that Aggravating Circumstances are present which justify the imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased by an additional period of Ineligibility of up to two (2) years depending on the seriousness of the violation and the nature of the Aggravating Circumstances, unless the Athlete or other Person can establish that he or she did not knowingly commit the anti-doping rule violation.

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### **10.5 Elimination of the Period of Ineligibility where there is No Fault or Negligence**

If an Athlete or other Person establishes in an individual case that he or she bears No Fault or Negligence, then the otherwise applicable period of Ineligibility shall be eliminated.

### **10.6 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence**

10.6.1 Reduction of Sanctions in Particular Circumstances for Violations of Article 2.1, 2.2 or 2.6.

All reductions under Article 10.6.1 are mutually exclusive and not cumulative

#### 10.6.1.1 Specified Substances or Specified Methods

Where the anti-doping rule violation involves a Specified Substance (other than a Substance of Abuse) or Specified Method, and the Athlete or other Person can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years of Ineligibility, depending on the Athlete's or other Person's degree of Fault.

#### 10.6.1.2 Contaminated Products

In cases where the Athlete or other Person can establish both No Significant Fault or Negligence and that the detected Prohibited Substance (other than a Substance of Abuse) came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Athlete's or other Person's degree of Fault.

#### 10.6.1.3 Protected Persons or Recreational Athletes

Where the anti-doping rule violation not involving a Substance of Abuse is committed by a Protected Person or Recreational Athlete, and the Protected Person or Recreational Athlete can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Protected Person or Recreational Athlete's degree of Fault.

10.6.2 Application of No Significant Fault or Negligence beyond the Application of Article 10.6.1

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If an Athlete or other Person establishes in an individual case where Article 10.6.1 is not applicable that he or she bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of Ineligibility may be reduced based on the Athlete or other Person's degree of Fault, but the reduced period of Ineligibility may not be less than one-half of the period of Ineligibility otherwise applicable. If the otherwise applicable period of Ineligibility is a lifetime, the reduced period under this Article may be no less than eight years.

### **10.7 Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons Other than Fault**

#### 10.7.1 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

10.7.1.1 Virtus may, prior to an appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the Consequences (other than Disqualification and mandatory Public Disclosure) imposed in an individual case in which it has results management authority where the Athlete or other Person has provided Substantial Assistance to an Anti-Doping Organization, criminal authority or professional disciplinary body which results in: (i) the Anti-Doping Organization discovering or bringing forward an anti-doping rule violation by another Person, or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to Virtus or other Anti-Doping Organization with Results Management responsibility, or (iii) which results in WADA initiating a proceeding against a Signatory, WADA-accredited laboratory or Athlete passport management unit (as defined in the International Standard for Laboratories) for non-compliance with the Code, International Standard or Technical Document; or (iv) with the approval by WADA, which results in a criminal or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping. After an appellate decision under Article 13 or the expiration of time to appeal, Virtus may only suspend a part of the otherwise applicable Consequences with the approval of WADA. The extent to which the otherwise applicable period of Ineligibility may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the Athlete or other Person and the significance of the Substantial Assistance provided by the Athlete or other Person to the effort to eliminate doping in sport, non-compliance with the Code and/ or sport

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integrity violations. No more than three-quarters of the otherwise applicable period of Ineligibility may be suspended. If the otherwise applicable period of Ineligibility is a lifetime, the non-suspended period under this Article must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of Ineligibility shall not include any period of Ineligibility that could be added under Article 10.9.3.2.

If so requested by an Athlete or other Person who seeks to provide Substantial Assistance, Virtus shall allow the Athlete or other Person to provide the information to Virtus or other Anti-Doping Organization subject to a Without Prejudice Agreement. If the Athlete or other Person fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of Consequences was based, Virtus shall reinstate the original Consequences. If Virtus decides to reinstate suspended Consequences or decides not to reinstate suspended Consequences, that decision may be appealed by any Person entitled to appeal under Article 13 .

10.7.1.2 To further encourage Athletes and other Persons to provide Substantial Assistance to Anti-Doping Organizations, at the request of Virtus or at the request of the Athlete or other Person who has, or has been asserted to have committed an anti-doping rule violation, or other violation of these Anti-Doping Rules, WADA may agree at any stage of the Results Management process, including after an appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of Ineligibility and other Consequences. In exceptional circumstances, WADA may agree to suspensions of the period of Ineligibility and other Consequences for Substantial Assistance greater than those otherwise provided in this Article, or even no period of Ineligibility, no mandatory Public Disclosure and/or no return of prize money or payment of fines or costs. WADA's approval shall be subject to reinstatement of Consequences, as otherwise provided in this Article. Notwithstanding Article 13, WADA's decisions in the context of this Article 10.7.1.2 may not be appealed.

10.7.1.3 If Virtus suspends any part of an otherwise applicable sanction because of Substantial Assistance, then notice providing justification for the decision shall be provided to the other Anti-Doping Organizations with a right to appeal under Article 13.2.3 as provided in Article 14.

In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize Virtus to enter into appropriate confidentiality agreements limiting or delaying the

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disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

### 10.7.2 Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

Where an Athlete or other Person voluntarily admits the commission of an anti-doping rule violation before having received notice of a Sample collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of Ineligibility may be reduced, but not below one-half of the period of Ineligibility otherwise applicable.

### 10.7.3 Application of Multiple Grounds for Reduction of a Sanction

Where an Athlete or other Person establishes entitlement to reduction in sanction under more than one provision of Article 10.5, 10.6 or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.2, 10.3, 10.5, and 10.6. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.7, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

## 10.8 Results Management Agreements

### 10.8.1 One-Year Reduction for Certain Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction

Where an Athlete or other Person, after being notified by Virtus of a potential anti-doping rule violation that carries an asserted period of Ineligibility of four (4) or more years (including any period of Ineligibility asserted under Article 10.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the Athlete or other Person may receive a one-year reduction in the period of Ineligibility asserted by Virtus. Where the Athlete or other Person receives the one-year reduction in the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.

### 10.8.2 Case Resolution Agreement

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Where the Athlete or other Person admits an anti-doping rule violation after being confronted with the anti-doping rule violation by Virtus and agrees to Consequences acceptable to Virtus and WADA, at their sole discretion, then: (a) the Athlete or other Person may receive a reduction in the period of Ineligibility based on an assessment by Virtus and WADA of the application of Articles 10.1 through 10.7 to the asserted anti-doping rule violation, the seriousness of the violation, the Athlete or other Person's degree of Fault and how promptly the Athlete or other Person admitted the violation; and (b) the period of Ineligibility may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the Athlete or other Person shall serve at least one-half of the agreed-upon period of Ineligibility going forward from the earlier of the date the Athlete or other Person accepted the imposition of a sanction or a Provisional Suspension which was subsequently respected by the Athlete or other Person. The decision by Virtus and WADA to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of the period of Ineligibility, are not matters for determination or review by a hearing body and are not subject to appeal under Article 13. If so requested by an Athlete or other Person who seeks to enter into a case resolution agreement under this Article, Virtus shall allow the Athlete or other Person to discuss an admission of the anti-doping rule violation with it subject to a Without Prejudice Agreement.

### 10.9 Multiple Violations

#### 10.9.1 Second or Third Anti-Doping Rule Violation

10.9.1.1 For an Athlete or other Person's second anti-doping rule violation, the period of Ineligibility shall be the greater of:

- a) A six months period of Ineligibility; or
- b) A period of Ineligibility in the range between:

(i) the sum of the period of Ineligibility imposed for the first anti-doping rule violation plus the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, and (ii) twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

The period of Ineligibility within this range shall be determined based on the entirety of the circumstances and the Athlete or other Person's degree of Fault with respect to the second violation

10.9.1.2 A third anti-doping rule violation will always result in a lifetime period of Ineligibility, except if the third violation fulfills the condition for elimination or



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reduction of the period of Ineligibility under Article 10.5 or 10.6, or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight years to lifetime Ineligibility.

10.9.1.3 The period of Ineligibility established in Articles 10.9.1.1 and 10.9.1.2 may then be further reduced by the application of Article 10.7.

10.9.2 An anti-doping rule violation for which an Athlete or other Person has established No Fault or Negligence shall not be considered a violation for purposes of this Article 10.9. In addition, an anti-doping rule violation sanctioned under Article 10.2.4.1 shall not be considered a violation for purposes of Article 10.9.

### 10.9.3 Additional Rules for Certain Potential Multiple Violations

10.9.3.1 For purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.3.2 and 10.9.3.3, an anti-doping rule violation will only be considered a second violation if Virtus can establish that the Athlete or other Person committed the additional anti-doping rule violation after the Athlete or other Person received notice pursuant to Article 7, or after Virtus made reasonable efforts to give notice of the first anti-doping rule violation. If Virtus cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction, including the application of Aggravating Circumstances. Results in all Competitions dating back to the earlier anti-doping rule violation will be Disqualified as provided in Article 10.10.

10.9.3.2 If Virtus establishes that an Athlete or other Person committed an additional anti-doping rule violation prior to notification, and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of Ineligibility for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of Ineligibility is served consecutively, rather than concurrently, with the period of Ineligibility imposed for the earlier-noticed violation. Where this Article 10.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.3 If Virtus establishes that an Athlete or other Person committed a violation of Article 2.5 in connection with the Doping Control process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated as a stand-alone first violation and the

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period of Ineligibility for such violation shall be served consecutively, rather than concurrently, with the period of Ineligibility, if any, imposed for the underlying anti-doping rule violation. Where this Article 10.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.4 If Virtus establishes that an Athlete or other Person has committed a second or third anti-doping rule violation during a period of Ineligibility, the periods of Ineligibility for the multiple violations shall run consecutively, rather than concurrently.

### 10.9.4 Multiple Anti-Doping Rule Violations during Ten-Year Period

For purposes of Article 10.9, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

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

In addition to the automatic Disqualification of the results in the Competition which produced the positive Sample under Article 9, all other competitive results of the Athlete obtained from the date a positive Sample was collected (whether In-Competition or Out-of-Competition), or other anti-doping rule violation occurred, through the commencement of any Provisional Suspension or Ineligibility period, shall, unless fairness requires otherwise, be Disqualified with all of the resulting Consequences including forfeiture of any medals, points and prizes.

### **10.11 Forfeited Prize Money**

Virtus or other Signatory that has recovered prize money forfeited as a result of an anti-doping rule violation shall take reasonable measures to allocate and distribute this prize money to the Athletes who would have been entitled to it had the forfeiting Athlete not competed. Virtus may provide in its rules whether or not the redistributed prize money shall be considered for purposes of its ranking of Athletes

### **10.12 Financial Consequences**

Virtus may require proportionate recovery of costs or financial sanctions on account of anti-doping rule violations. However, Virtus may only impose financial sanctions in cases where the maximum period of Ineligibility otherwise applicable has already been imposed. Financial sanctions may only be imposed where the principle of proportionality is satisfied. No recovery of costs or financial sanction may be considered a basis for reducing the Ineligibility or other sanction which would otherwise be applicable under these Anti-Doping Rules.

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### 10.13 Commencement of Ineligibility Period

Where an Athlete is already serving a period of Ineligibility for an anti-doping rule violation, any new period of Ineligibility shall commence on the first day after the current period of Ineligibility has been served. Otherwise, except as provided below, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived or there is no hearing, on the date Ineligibility is accepted or otherwise imposed.

#### 10.13.1 Delays Not Attributable to the Athlete or other Person

Where there have been substantial delays in the hearing process or other aspects of Doping Control, and the Athlete or other Person can establish that such delays are not attributable to the Athlete or other Person, Virtus or the Hearing Panel, as applicable, may start the period of Ineligibility at an earlier date commencing as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.

#### 10.13.2 Credit for Provisional Suspension or Period of Ineligibility Served

10.13.2.1 If a Provisional Suspension is respected by the Athlete or other Person, then the Athlete or other Person shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed. If the Athlete or other Person does not respect a Provisional Suspension, then the Athlete or other Person shall receive no credit for any period of Provisional Suspension served. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Athlete or other Person shall receive a credit for such period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal.

10.13.2.2 If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing from Virtus and thereafter respects the Provisional Suspension, the Athlete or other Person shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. A copy of the Athlete or other Person's voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.

10.13.2.3 No credit against a period of Ineligibility shall be given for any time period before the effective date of the Provisional Suspension or voluntary Provisional

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Suspension regardless of whether the Athlete elected not to compete or was suspended by a team.

10.13.2.4 In Team Sports, where a period of Ineligibility is imposed upon a team, unless fairness requires otherwise, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed. Any period of team Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility to be served.

### **10.14 Status During Ineligibility or Provisional Suspension**

#### 10.14.1 Prohibition Against Participation During Ineligibility or Provisional Suspension

No Athlete or other Person who has been declared Ineligible or is a subject to a Provisional Suspension may, during the period of Ineligibility or Provisional Suspension, participate in any capacity in a Competition or activity (other than authorized anti-doping Education or rehabilitation programs) authorized or organized by Virtus or any National Federation or a club or other member organization of Virtus or any National Federation, or any Signatory, or Signatory's member organization, or in Competitions authorized or organized by any professional league or any international or national level Event organization or any elite or national-level sporting activity funded by a governmental agency.

An Athlete or other Person subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the jurisdiction of a Code Signatory or member of a Code Signatory, but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event, and does not involve the Athlete or other Person working in any capacity with Protected Persons.

An Athlete or other Person subject to a period of Ineligibility shall remain subject to Testing and any requirement by Virtus to provide whereabouts information.

#### 10.14.2 Return to Training

As an exception to Article 10.14.1, an Athlete may return to train with a team or to use the facilities of a club or other member organization of Virtus's or other Signatory's member organization during the shorter of: (1) the last two months

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of the Athlete's period of Ineligibility, or (2) the last one-quarter of the period of Ineligibility imposed.

### 10.14.3 Violation of the Prohibition of Participation During Ineligibility or Provisional Suspension

Where an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.14.1, the results of such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility, including a reprimand and no period of Ineligibility, may be adjusted based on the Athlete or other Person's degree of Fault and other circumstances of the case. The determination of whether an Athlete or other Person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by Virtus or other Anti-Doping Organization whose Results Management led to the imposition of the initial period of Ineligibility. This decision may be appealed under Article 13.

An Athlete or other Person who violates the prohibition against participation during a Provisional Suspension described in Article 10.14.1 shall receive no credit for any period of Provisional Suspension served and the results of such participation shall be Disqualified.

Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility or a Provisional Suspension, Virtus shall impose sanctions for a violation of Article 2.9 for such assistance.

### 10.14.4 Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.5 or 10.6, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by Virtus and its National Federations.

## 10.15 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Article 14.3.

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### ARTICLE 11 CONSEQUENCES TO TEAMS

#### 11.1 Testing of Team Sports

Where more than one member of a team in a Team Sport has been notified of an anti-doping rule violation under Article 7 in connection with an Event, the ruling body for the Event shall conduct appropriate Target Testing of the team during the Event Period.

#### 11.2 Consequences for Team Sports

If more than two members of a team in a Team Sport are found to have committed an anti-doping rule violation during an Event Period, the ruling body of the Event shall impose an appropriate sanction on the team (e.g., loss of points, Disqualification from a Competition or Event, or other sanction) in addition to any Consequences imposed upon the individual Athletes committing the anti-doping rule violation.

#### 11.3 Event Ruling Body or Virtus may Establish Stricter Consequences for Team Sports

The ruling body for an Event may elect to establish rules for the Event which impose Consequences for Team Sports stricter than those in Article 11.2 for purposes of the Event.

### ARTICLE 12 SANCTIONS AND COSTS ASSESSED AGAINST SPORTING BODIES

12.1 Virtus has the authority to withhold some or all funding or other non-financial support to National Federations that are not in compliance with these Anti-Doping Rules.

12.2 National Federations shall be obligated to reimburse Virtus for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an Athlete or other Person affiliated with that National Federation.

12.3 Virtus may elect to take additional disciplinary action against National Federations with respect to recognition, the eligibility of its officials and Athletes to participate in International Events and fines based on the following:

12.3.1 Four or more violations of these Anti-Doping Rules (other than violations involving Article 2.4) are committed by Athletes or other Persons affiliated with a National Federation within a 12-month period. In such event Virtus may in its discretion elect to: (a) ban all or some group of members or officials from that National Federation for participation in any Virtus activities for a period of up to two years and/or (b) fine the National Federation in an amount up to \$5000 U.S. Dollars. (For purposes

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of this Rule, any fine paid pursuant to Rule 12.3.2 shall be credited against any fine assessed.)

12.3.1.1 If four or more violations of these Anti-Doping Rules (other than violations involving Articles 2.4) are committed in addition to the violations described in Article 12.3.1 by Athletes or other Persons affiliated with a National Federation within a 12-month period, then Virtus may suspend that National Federation's membership for a period of up to 4 years.

12.3.2 More than one Athlete or other Person from a National Federation commits an Anti-Doping Rule violation during an International Event. {In such event Virtus may fine that National Federation in an amount up to \$1000 U.S. Dollars.

12.3.3 A National Federation has failed to make diligent efforts to keep Virtus informed about an Athlete's whereabouts after receiving a request for that information from Virtus. In such event Virtus may fine that National Federation in an amount up to \$1000 U.S. Dollars.

### **ARTICLE 13 RESULTS MANAGEMENT: APPEALS**

#### **13.1 Decisions Subject to Appeal**

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Articles 13.2 through 13.7 or as otherwise provided in these Anti-Doping Rules, the Code or the International Standards. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

##### 13.1.1 Scope of Review Not Limited

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.

##### 13.1.2 CAS Shall Not Defer to the Findings Being Appealed

In making its decision, CAS shall not give deference to the discretion exercised by the body whose decision is being appealed.

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### 13.1.3 WADA Not Required to Exhaust Internal Remedies

Where WADA has a right to appeal under Article 13 and no other party has appealed a final decision within VIRTUS's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in Virtus's process.

### **13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority**

A decision that an anti-doping rule violation was committed, a decision imposing Consequences or not imposing Consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by WADA not to grant an exception to the six months notice requirement for a retired Athlete to return to Competition under Article 5.7.1; a decision by WADA assigning Results Management under Article 7.1 of the Code; a decision by Virtus not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation in accordance with the International Standard for Results Management; a decision to impose, or lift, a Provisional Suspension as a result of a Provisional Hearing; Virtus's failure to comply with Article 7.9; a decision that Virtus lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; a decision to suspend, or not suspend, Consequences or to reinstate, or not reinstate, Consequences under Article 10.7.1; failure to comply with Articles 7.1.4 and 7.1.5 of the Code; failure to comply with Article 10.8.1; a decision under Article 10.14.3; a decision by Virtus not to implement another Anti-Doping Organization's decision under Article 15, and a decision under Article 27.3 of the Code may be appealed exclusively as provided in this Article 13.2.

#### 13.2.1 Appeals Involving International-Level Athletes or International Events

In cases arising from participation in an International Event or in cases involving International-Level Athletes, the decision may be appealed exclusively to CAS.

#### 13.2.2 Appeals Involving Other Athletes or Other Persons

In cases where Article 13.2.1 is not applicable, the decision may be appealed to an appellate body in accordance with rules established by the National Anti-Doping Organization having jurisdiction over the Athlete or other Person.

The rules for such appeal shall respect the following principles:

- a timely hearing;



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- a fair, impartial, Operationally Independent and Institutionally Independent hearing panel;
- the right to be represented by counsel at the Person's own expense; and
- a timely, written, reasoned decision.

If no such body as described above is in place and available at the time of the appeal, the decision may be appealed to CAS in accordance with the applicable procedural rules.

### 13.2.3 Persons Entitled to Appeal

#### 13.2.3.1. Appeals Involving International – Level Athletes or International Events

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) Virtus; (d) the National Anti-Doping Organization of the Person's country of residence or countries where the Person is a national or license holder; (e) the International Olympic Committee or 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 for the Olympic Games or Paralympic Games; and (f) WADA.

#### 13.2.3.2 Appeals Involving Other Athletes or Other Persons

In cases under Article 13.2.2, the parties having the right to appeal to the appellate body shall be as provided in the National Anti-Doping Organization's rules but, at a minimum, shall include the following parties: (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) Virtus; (d) the National Anti-Doping Organization of the Person's country of residence or countries where the Person is a national or license holder; (e) the International Olympic Committee or 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 for the Olympic Games or Paralympic Games; and (f) WADA. For cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and Virtus shall also have the right to appeal to CAS with respect to the decision of the appellate body. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organization whose decision is being appealed and the information shall be provided if CAS so directs.

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### 13.2.3.3 Duty to Notify

All parties to any CAS appeal must ensure that WADA and all other parties with a right to appeal have been given timely notice of the appeal.

### 13.2.3.4 Appeal from Imposition of Provisional Suspension

Notwithstanding any other provision herein, the only Person who may appeal from the imposition of a Provisional Suspension is the Athlete or other Person upon whom the Provisional Suspension is imposed.

### 13.2.4 Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the Code are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

## **13.3 Failure to Render a Timely Decision by Virtus**

Where, in a particular case, Virtus fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if Virtus had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by Virtus.

## **13.4 Appeals Relating to TUEs**

TUE decisions may be appealed exclusively as provided in Article 4.4.

## **13.5 Notification of Appeal Decisions**

Virtus or any other Anti-Doping Organization that is a party to an appeal shall promptly provide the appeal decision to the Athlete or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.

## **13.6 Appeals from Decisions Pursuant to Article 12**

Decisions by Virtus pursuant to Article 12 may be appealed exclusively to CAS by the National Federation.

## **13.7 Time for Filing Appeals**

### 13.7.1 Appeals to CAS

The time to file an appeal to CAS shall be twenty-one days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings that led to the decision being appealed:

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a) Within fifteen days from notice of the decision, such party/ies shall have the right to request a copy of the full case file pertaining to the decision from the Anti-Doping Organization that had Results Management authority;

b) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one days from receipt of the file to file an appeal to CAS.

The above notwithstanding, the filing deadline for an appeal filed by WADA shall be the later of:

a) Twenty-one days after the last day on which any other party having a right to appeal could have appealed; or

b) Twenty-one days after WADA's receipt of the complete file relating to the decision.

### 13.7.2 Appeals Under Article 13.2.2

The time to file an appeal to an independent and impartial body in accordance with rules established by the National Anti-Doping Organization shall be indicated by the same rules of the National Anti-Doping Organization.

The above notwithstanding, the filing deadline for an appeal filed by WADA shall be the later of:

(a) Twenty-one-days after the last day on which any other party having a right to appeal could have appealed, or

(b) Twenty-one-days after WADA's receipt of the complete file relating to the decision.

## **ARTICLE 14 CONFIDENTIALITY AND REPORTING**

### **14.1 Information Concerning Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Rule Violations**

#### 14.1.1 Notice of Anti-Doping Rule Violations to Athletes and other Persons.

Notice to Athletes or other Persons of anti-doping rule violations asserted against them shall occur as provided under Articles 7 and 14. If the notification to an Athlete or other Person who is a member of a National Federation takes place via National Federation, the National Federation shall confirm the notification to Virtus.

If at any point during Results Management up until the anti-doping rule violation charge, Virtus decides not to move forward with a matter, it must notify the Athlete or other Person, (provided that the

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Athlete or other Person had been already informed of the ongoing Results Management).

### 14.1.2 Notice of Anti-Doping Rule Violations to National Anti-Doping Organizations and WADA

Notice of the assertion of an anti-doping rule violation to the Athlete's or other Person's National Anti-Doping Organization, and WADA shall occur as provided under Articles 7 and 14, simultaneously with the notice to the Athlete or other Person.

If at any point during Results Management up until the anti-doping rule violation charge, Virtus decides not to move forward with a matter, it must give notice (with reasons) to the Anti-Doping Organizations with a right of appeal under Article 13.2.3.

### 14.1.3 Content of an Anti-Doping Rule Violation Notice

Notification of an anti-doping rule violation shall include: the Athlete's or other Person's name, country, sport and discipline within the sport, the Athlete's competitive level, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the laboratory and other information as required by the International Standard for Results Management.

Notice of anti-doping rule violations other than under Article 2.1 shall also include the rule violated and the basis of the asserted violation.

### 14.1.4 Status Reports

Except with respect to investigations which have not resulted in notice of an anti-doping rule violation pursuant to Article 14.1.1, the Athlete's or other Person's National Anti-Doping Organizations and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

### 14.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those Persons with a need to know (which would include the appropriate personnel at the applicable National Olympic Committee, National Federation, and team in a Team Sport) until Virtus has made Public Disclosure as permitted by Article 14.3.

Virtus shall ensure that information concerning Adverse Analytical Findings, Atypical Findings, and other asserted anti-doping rule violations

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remains confidential until such information is Publicly Disclosed in accordance with Article 14.3. Virtus shall ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and Delegated Third Parties are subject to fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information. Virtus's policy on confidentiality is set out in the Virtus Data Protection and Information Handling Policy.

### **14.2 Notice of Anti-Doping Rule Violation or Violations of Ineligibility or Provisional Suspension Decisions and Request for Files**

- 14.2.1 Anti-doping rule violation decisions or decisions related to violations of Ineligibility or Provisional Suspension rendered pursuant to Article 7.11, 8.2, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, Virtus shall provide an English or French summary of the decision and the supporting reasons.
- 14.2.2 An Anti-Doping Organization having a right to appeal a decision received pursuant to Article 14.2.1 may, within fifteen days of receipt, request a copy of the full case file pertaining to the decision.

### **14.3 Public Disclosure**

- 14.3.1 After notice has been provided to the Athlete or other Person in accordance with the International Standard for Results Management, and to the applicable Anti-Doping Organizations in accordance with Article 14.1.2, the identity of any Athlete or other Person who is notified of a potential anti-doping rule violation, the Prohibited Substance or Prohibited Method and nature of the violation involved, and whether the Athlete or other Person is subject to a Provisional Suspension may be Publicly Disclosed by Virtus.
- 14.3.2 No later than twenty days after it has been determined in an appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, or a new period of Ineligibility, or reprimand, has been imposed under

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Article 10.14.3, Virtus must Publicly Disclose the disposition of the anti-doping matter, including the sport, the anti-doping rule violated, the name of the Athlete or other Person committing the violation, the Prohibited Substance or Prohibited Method involved (if any), and the Consequences imposed. Virtus must also Publicly Disclose within twenty days the results of appellate decisions concerning anti-doping rule violations, including the information described above.

- 14.3.3 After an anti-doping rule violation has been determined to have been committed in an appellate decision under Article 13.2.1 or 13.2.2 or such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, Virtus may make public such determination or decision and may comment publicly on the matter.
- 14.3.4 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the fact that the decision has been appealed may be Publicly Disclosed. However, the decision itself and the underlying facts may not be Publicly Disclosed except with the consent of the Athlete or other Person who is the subject of the decision. Virtus shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.
- 14.3.5 Publication shall be accomplished at a minimum by placing the required information on Virtus' website and leaving the information up for the longer of one (1) month or the duration of any period of Ineligibility
- 14.3.6 Except as provided in Articles 14.3.1 and 14.3.3, no Virtus, Anti-Doping Organization, National Federation or WADA-accredited laboratory, or any official of any such body, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by the Athlete, other Person or their entourage or other representatives.
- 14.3.7 The mandatory Public Disclosure required in Article 14.3.2 shall not be required where the Athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor, Protected Person or Recreational Athlete. Any optional Public Disclosure in a case

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involving a Minor, Protected Person or Recreational Athlete shall be proportionate to the facts and circumstances of the case.

### **14.4 Statistical Reporting.**

Virtus shall, at least annually, publish publicly a general statistical report of its Doping Control activities, with a copy provided to WADA. Virtus may also publish reports showing the name of each Athlete tested and the date of each Testing.

### **14.5 Doping Control Information Database and Monitoring of Compliance**

To enable WADA to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable Doping Control information among Anti-Doping Organizations, WADA shall develop and manage a Doping Control information database, such as ADAMS, and Virtus shall report to WADA through such database Doping Control-related information, including, in particular,

- a) Athlete Biological Passport data for International-Level Athletes and National-Level Athletes,
  - b) Whereabouts information for Athletes including those in Registered Testing Pools,
  - c) TUE decisions, and
  - d) Results Management decisions,
- as required under the applicable International Standard(s).

14.5.1. To facilitate coordinated test distribution planning, avoid unnecessary duplication in Testing by the various Anti-Doping Organizations, and to ensure that Athlete Biological Passport profiles are updated, Virtus shall report all In-Competition and Out-of-Competition tests to WADA by entering the Doping Control forms into ADAMS in accordance with the requirements and timelines contained in the International Standard for Testing and Investigations.

14.5.2 To facilitate WADA's oversight and appeal rights for TUEs, Virtus shall report all TUE applications, decisions and supporting documentation using ADAMS in accordance with the requirements and timelines contained in the International Standard for Therapeutic Use Exemptions.

14.5.3 To facilitate WADA's oversight and appeal rights for Results Management, Virtus shall report the following information into ADAMS in accordance with the requirements and timelines outlined in the International Standard for Results Management:

- (a) notifications of anti-doping rule violations and related decisions for Adverse Analytical Findings;
- (b) notifications and related decisions for other anti-doping rule violations that are not Adverse Analytical Findings;
- (c) whereabouts failures; and

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(d) any decision imposing, lifting or reinstating a Provisional Suspension.

14.5.4 The information described in this Article will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete's National Anti-Doping Organization and Virtus, and any other Anti-Doping Organizations with Testing authority over the Athlete.

### **14.6 Data Privacy**

14.6.1 Virtus may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct its anti-doping activities under the Code and the International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information) and these Anti-Doping Rules, and in compliance with applicable law.

14.6.2 Without limiting the foregoing, Virtus shall:

- (a) Only process personal information in accordance with a valid legal ground;
- (b) Notify any Participant or Person subject to these Anti-Doping Rules, in a manner and form that complies with applicable laws and the International Standard for the Protection of Privacy and Personal Information, that their personal information may be processed by Virtus and other Persons for the purposes of the implementation of these Anti-Doping Rules,;
- (c) Ensure that any third-party agents (including any Delegated Third Party) with whom Virtus shares the personal information of any Participant or Person is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

## **ARTICLE 15 IMPLEMENTATION OF DECISIONS**

15.1 Automatic Binding Effect of Decisions by Signatory Anti-Doping Organizations

15.1.1 A decision of an anti-doping rule violation made by a Signatory Anti-Doping Organization, an appellate body (Article 13.2.2) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon Virtus, its National Federations as well as every Signatory in every sport with the effects described below:



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15.1.1.1 A decision by any of the above-described bodies imposing a Provisional Suspension (after a Provisional Hearing has occurred or the Athlete or other Person has either accepted the Provisional Suspension or has waived the right to a Provisional Hearing, expedited hearing or expedited appeal offered in accordance with Article 7.4.3) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory during the Provisional Suspension.

15.1.1.2 A decision by any of the above described bodies imposing a period of Ineligibility (after a hearing has occurred or been waived) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory for the period of Ineligibility.

15.1.1.3 A decision by any of the above described bodies accepting an anti-doping rule violation automatically binds all Signatories.

15.1.1.4 A decision by any of the above-described bodies to Disqualify results under Article 10.10 for a specified period automatically Disqualifies all results obtained within the authority of any Signatory during the specified period.

15.1.2 Virtus and its National Federations is under the obligation to recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date Virtus receives actual notice of the decision or the date the decision is placed into ADAMS.

15.1.3 A decision by an Anti-Doping Organization, an appellate body or CAS to suspend, or lift, Consequences shall be binding upon Virtus and its National Federations without any further action required, on the earlier of the date Virtus receives actual notice of the decision or the date the decision is placed into ADAMS.

15.1.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a Major Event Organization made in an expedited process during an Event shall not be binding on Virtus or its National Federations unless the rules of the Major Event Organization provide the Athlete or other Person with an opportunity to an appeal under non-expedited procedures.

15.2 Implementation of Other Decisions by Anti-Doping Organizations

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Virtus and its National Federations may decide to implement other anti-doping decisions rendered by Anti-Doping Organizations not described in Article 15.1.1 above, such as a Provisional Suspension prior to a Provisional Hearing or acceptance by the Athlete or other Person.

### 15.3 Implementation of Decisions by Body that is not a Signatory

An anti-doping decision by a body that is not a Signatory to the Code shall be implemented by Virtus and its National Federations if Virtus finds that the decision purports to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the Code.

## **ARTICLE 16 INCORPORATION OF Virtus ANTI-DOPING RULES AND OBLIGATIONS OF NATIONAL FEDERATIONS**

- 16.1 All National Federations and their members shall comply with the Code, International Standards, and these Anti-Doping Rules. All National Federations and other members shall include in their regulations the provisions necessary to ensure that Virtus may enforce these Anti-Doping Rules (including carrying out Testing) directly in respect of Athletes (including National-Level Athletes) and other Persons under its anti-doping authority as specified in the Introduction to these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each National Federation's rules as part of the rules of sport that bind their members so that the National Federation may enforce them itself directly in respect of Athletes (including National-Level Athletes) and other Persons under its anti-doping authority.
- 16.2 By adopting these Anti-Doping Rules, and incorporating them into their governing documents and rules of sport, National Federations shall cooperate with and support Virtus in that function. They shall also recognize, abide by and implement the decisions made pursuant to these Anti-Doping Rules, including the decisions imposing sanctions on Persons under their authority.
- 16.3 All National Federations shall take appropriate action to enforce compliance with the Code, International Standards, and these Anti-Doping Rules by inter alia:
- (a) conducting Testing only under the documented authority of Virtus and using their National Anti-Doping Organization or other Sample

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collection authority to collect Samples in compliance with the International Standard for Testing and Investigations;

(b) recognizing the authority of the National Anti-Doping Organization in their country in accordance with Article 5.2.1 of the Code and assisting as appropriate with the National Anti-Doping Organization's implementation of the national Testing program for their sport;

(c) analyzing all Samples collected using a WADA-accredited or WADA-approved laboratory in accordance with Article 6.1; and

(d) ensuring that any national level anti-doping rule violation cases discovered by National Federations are adjudicated by an Operationally Independent hearing panel in accordance with Article 8.1 and the International Standard for Results Management.

- 16.4 All National Federations shall establish rules requiring all Athletes preparing for or participating in a Competition or activity authorized or organized by a National Federation or one of its member organizations, and all Athlete Support Personnel associated with such Athletes, to agree to be bound by these Anti-Doping Rules and to submit to the results management authority of the Anti-Doping Organization in conformity with the Code as a condition of such participation.
- 16.5 All National Federations shall report any information suggesting or relating to an anti-doping rule violation to Virtus and to their National Anti-Doping Organizations, and shall cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct the investigation.
- 16.6 All National Federations shall 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 under the jurisdiction of Virtus or the National Federation.
- 16.7 All National Federations shall be required to conduct anti-doping Education in coordination with their National Anti-Doping Organizations.

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### **ARTICLE 17 STATUTE OF LIMITATIONS**

No anti-doping rule violation proceeding may be commenced against an Athlete or other Person unless he or she has been notified of the anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

### **ARTICLE 18 Virtus COMPLIANCE REPORTS TO WADA**

Virtus will report to WADA on Virtus's compliance with the Code and the International Standards in accordance with Article 24.1 of the Code.

### **ARTICLE 19 EDUCATION**

Virtus shall plan, implement, monitor, evaluate and promote Education programs in line with Article 18 of the Code and the International Standard for Education, and shall support active participation by Athletes, Athlete Support Personnel and other Persons in such programs.

### **ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES**

- 20.1 To be knowledgeable of and comply with these Anti-Doping Rules.
- 20.2 To be available for Sample collection at all times.
- 20.3 To take responsibility, in the context of anti-doping, for what they ingest and Use.
- 20.4 To inform medical personnel of their obligation not to Use Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules.
- 20.5 To disclose to Virtus and their International Federation any decision by a non-Signatory finding that the Athlete committed an anti-doping rule violation within the previous ten years.
- 20.6 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.  
Failure by any Athlete to cooperate in full with Anti-Doping Organizations investigating anti-doping rule violations may result in a charge of misconduct under Virtus's disciplinary rules.
- 20.7 To disclose the identity of their Athlete Support Personnel upon request by Virtus or a National Federation, or any other Anti-Doping Organization with authority over the Athlete.
- 20.8 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by an Athlete, which does not otherwise constitute Tampering, may result in a charge of misconduct under Virtus's disciplinary rules.



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### **ARTICLE 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETE SUPPORT PERSONNEL**

21.1 To be knowledgeable of and comply with these Anti-Doping Rules.

21.2 To cooperate with the Athlete Testing program.

21.3 To use their influence on Athlete values and behavior to foster anti-doping attitudes.

21.4 To disclose to Virtus and their International Federation any decision by a non-Signatory finding that they committed an anti-doping rule violation within the previous ten years.

21.5 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

Failure by any Athlete Support Personnel to cooperate in full with Anti-Doping Organizations investigating anti-doping rule violations may result in a charge of misconduct under Virtus's disciplinary rules.

21.6 Athlete Support Personnel shall not Use or Possess any Prohibited Substance or Prohibited Method without valid justification.

Any such Use or Possession may result in a charge of misconduct under Virtus's disciplinary rules.

21.7 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by Athlete Support Personnel, which does not otherwise constitute Tampering, may result in a charge of misconduct under Virtus's disciplinary rules.

### **ARTICLE 22 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE ANTI-DOPING RULES**

22.1 To be knowledgeable of and comply with these Anti-Doping Rules.

22.2 To disclose to Virtus and their International Federation any decision by a non-Signatory finding that they committed an anti-doping rule violation within the previous ten years.

22.3 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

Failure by any other Person subject to these Anti-Doping Rules to cooperate in full with Anti-Doping Organizations investigating anti-doping rule violations may result in a charge of misconduct under Virtus's disciplinary rules.

22.4 Not to Use or Possess any Prohibited Substance or Prohibited Method without valid justification.

22.5 Offensive conduct towards a Doping Control official or other Person involved in Doping Control by a Person, which does not otherwise constitute Tampering, may result in a charge of misconduct under Virtus's disciplinary rules.

22.6 Subject to applicable law, and in accordance with Article 20.5.10 of the Code, all Virtus's board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control,

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must sign a form provided by Virtus, agreeing to be bound by these Anti-Doping Rules as Persons in conformity with the Code for direct and intentional misconduct.

22.7 Subject to applicable law, and in accordance with Article 20.5.11 of the Code, any Virtus employee who is involved in Doping Control (other than authorized anti-doping Education or rehabilitation programs) must sign a statement provided by Virtus confirming that they are not Provisionally Suspended or serving a period of Ineligibility and have not been directly or intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to them.

### **ARTICLE 23 AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES**

23.1 These Anti-Doping Rules may be amended from time to time by Virtus.

23.2 These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

23.3 The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

23.4 Where the term “days” is used in these Anti-Doping Rules, it shall mean calendar days unless otherwise specified.

23.5 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the Code and the International Standards and shall be interpreted in a manner that is consistent with applicable provisions of the Code and the International Standards. The Code and the International Standards shall be considered integral parts of these Anti-Doping Rules and shall prevail in case of conflict.

23.6 The Introduction and Appendices shall be considered integral parts of these Anti-Doping Rules.

23.7 The comments annotating various provisions of the Code are incorporated by reference into these Anti-Doping Rules, shall be treated as if set out in full herein, and shall be used to interpret these Anti-Doping Rules.

23.8 These Anti-Doping Rules have come into full force and effect on 1 January 2021 (the “Effective Date”). They repeal any previous version of Virtus’s Anti-Doping Rules. They shall not apply retroactively to matters pending before the Effective Date. However:

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- 23.8.1 Anti-doping rule violations taking place prior to the Effective Date count as "first violations" or "second violations" for purposes of determining sanctions under Article 10 for violations taking place after the Effective Date.
- 23.8.2 Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set out in these Anti-Doping Rules, unless the panel hearing the case determines the principle of "lex mitior" appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.4 and the statute of limitations set forth in Article 17 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these Anti-Doping Rules (provided, however, that Article 17 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date).
- 23.8.3 Any Article 2.4 whereabouts failure (whether a filing failure or a missed test, as those terms are defined in the International Standard for Results Management) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the International Standard for Results Management, but it shall be deemed to have expired 12 months after it occurred.
- 23.8.4 With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the Athlete or other Person is still serving the period of Ineligibility as of the Effective Date, the Athlete or other Person may apply to Virtus or other Anti-Doping Organization which had Results Management responsibility for the anti-doping rule violation to consider a reduction in the period of Ineligibility in light of these Anti-Doping Rules. Such application must be made before the period of Ineligibility has expired. The decision rendered may be appealed pursuant to Article 13.2. These Anti-Doping Rules shall have no application to any case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.

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23.8.5 For purposes of assessing the period of Ineligibility for a second violation under Article 10.7.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of Ineligibility which would have been assessed for that first violation had these Anti-Doping Rules been applicable, shall be applied.

### **ARTICLE 24 INTERPRETATION OF THE CODE**

24.1 The official text of the Code 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.

24.2 The comments annotating various provisions of the Code shall be used to interpret the Code.

24.3 The Code shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the Signatories or governments.

24.4 The headings used for the various Parts and Articles of the Code are for convenience only and shall not be deemed part of the substance of the Code or to affect in any way the language of the provisions to which they refer.

24.5 Where the term "days" is used in the Code or an International Standard, it shall mean calendar days unless otherwise specified.

24.6 The Code shall not apply retroactively to matters pending before the date the Code is accepted by a Signatory and implemented in its rules. However, pre-Code anti-doping rule violations would continue to count as "First violations" or "Second violations" for purposes of determining sanctions under Article 10 for subsequent post-Code violations.

24.7 The Purpose, Scope and Organization of the World Anti-Doping Program and the Code and Appendix 1, Definitions, shall be considered integral parts of the Code.





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### APPENDIX 1 - DEFINITIONS

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

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

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

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

**Aggravating Circumstances:** Circumstances involving, or actions by, an Athlete or other Person which may justify the imposition of a period of Ineligibility greater than the standard sanction. Such circumstances and actions shall include, but are not limited to: the Athlete or other Person Used or Possessed multiple Prohibited Substances or Prohibited Methods, Used or Possessed a Prohibited Substance or Prohibited Method on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of Ineligibility; the Athlete or Person engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation; or the Athlete or other Person engaged in Tampering during Results Management. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of Ineligibility.



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**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, monitoring and enforcing compliance with any Consequences imposed, and all other activities related to anti-doping to be carried out by or on behalf of an Anti-Doping Organization, as set out in the Code and/or the International Standards.

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

**Athlete:** Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of "Athlete." In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to: conduct limited Testing or no Testing at all; analyze Samples for less than the full menu of Prohibited Substances; require limited or no whereabouts information; or not require advance TUEs. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any Athlete over whom an Anti-Doping Organization has elected to exercise its authority to test and who competes below the international or national level, then the Consequences set forth in the Code must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and Education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.

**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.

**Athlete Support Personnel:** Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other Person working with, treating or assisting an Athlete participating in or preparing for sports Competition.

**Attempt:** Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an



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Attempt to commit a violation if the Person renounces the Attempt prior to it being discovered by a third party not involved in the Attempt.

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

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

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

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

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

**Consequences of Anti-Doping Rule Violations (“Consequences”):** An Athlete’s or other Person’s violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the Athlete’s results in a particular Competition or Event are invalidated, with all resulting Consequences including forfeiture of any medals, points and prizes; (b) Ineligibility means the Athlete or other Person is barred on account of an anti-doping rule violation for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.14.; (c) Provisional Suspension means the Athlete or other Person is barred temporarily from participating in any Competition or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with Article 14. Teams in Team Sports may also be subject to Consequences as provided in Article 11.

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



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**Decision Limit:** The value of the result for a threshold substance in a Sample, above which an Adverse Analytical Finding shall be reported, as defined in the International Standard for Laboratories.

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

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

**Doping Control:** All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of Consequences, including all steps and processes in between, including but not limited to, Testing, investigations, whereabouts, TUEs, Sample collection and handling, laboratory analysis, Results Management and investigations or proceedings relating to violations of Article 10.14 (Status during Ineligibility or Provisional Suspension).

**Education:** The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

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

**Event Period:** The time between the beginning and end of an Event, as established by the ruling body of the Event.

**Event Venues:** Those venues so designated by the ruling body for the Event.

**Fault:** Fault is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an Athlete or other Person's degree of Fault include, for example, the Athlete's or other Person's experience, whether the Athlete or other Person is a Protected Person, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of care and investigation exercised by the Athlete in relation to what should have been the perceived level of risk. In assessing the Athlete's or other Person's degree of Fault, the circumstances considered must be specific and relevant to explain the Athlete's or other Person's departure from the expected standard of behavior. Thus, for example, the fact that an Athlete would lose the opportunity to earn



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large sums of money during a period of Ineligibility, or the fact that the Athlete only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.6.1 or 10.6.2.

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

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

**Independent Observer Program:** A team of observers and/ or auditors, under the supervision of WADA, who observe and provide guidance on the Doping Control process prior to or during certain Events and report on their observations as part of WADA's compliance monitoring program.

**Individual Sport:** Any sport that is not a Team Sport.

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

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

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

**International-Level Athlete:** Athletes who compete in sport at the international level, as defined by each International Federation, consistent with the International Standard for Testing and Investigations. For Virtus, International-Level Athletes are defined as set out in the Scope section of the Introduction to these Anti-Doping Rules.

**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



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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 multi-sport organizations that function as the ruling body for any continental, regional or other International Event.

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

**Metabolite:** Any substance produced by a biotransformation process.

**Minimum Reporting Level:** The estimated concentration of a Prohibited Substance or its Metabolite(s) or Marker(s) in a Sample below which WADA-accredited laboratories should not report that Sample as an Adverse Analytical Finding.

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

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

**National Event:** A sport Event or Competition involving International- or National-Level Athletes that is not an International Event.

**National Member Organisations:** A national or regional entity which is a member of or is recognized by Virtus as the entity governing Virtus's sport in that nation or region. The term "National Member Organisations" used in these Rules corresponds to the term "National Federations" used in the Code.

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

**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.



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**No Fault or Negligence:** The Athlete or other Person's establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had Used or been administered the Prohibited Substance or Prohibited Method or otherwise violated an anti-doping rule. Except in the case of a Protected Person or Recreational Athlete, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered the Athlete's system.

**No Significant Fault or Negligence:** The Athlete or other Person's establishing that any Fault or Negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the anti-doping rule violation. Except in the case of a Protected Person or a Recreational Athlete, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered the Athlete's system.

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

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

**Participant:** Any Athlete or Athlete Support Person.

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

**Possession:** The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists); provided, however, that if the Person does not have exclusive control over the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists, constructive Possession shall only be found if the Person knew about the presence of the Prohibited Substance or Prohibited Method and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on Possession if, prior to receiving notification of any kind that the Person has committed an anti-doping rule violation, the Person has taken concrete action demonstrating that the Person never



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intended to have Possession and has renounced Possession by explicitly declaring it to an Anti-Doping Organization. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a Prohibited Substance or Prohibited Method constitutes Possession by the Person who makes the purchase.

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

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

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

**Protected Person:** An Athlete or other natural Person who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; (ii) has not reached the age of eighteen (18) years and is not included in any Registered Testing Pool and has never competed in any International Event in an open category; or (iii) for reasons other than age has been determined to lack legal capacity under applicable national legislation.

**Provisional Hearing:** For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the Athlete with notice and an opportunity to be heard in either written or oral form.

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

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

**Recreational Athlete:** A natural Person who is so defined by the relevant National Anti-Doping Organization; provided, however, the term shall not include any Person who, within the five years (5) prior to committing any anti-doping rule violation, has been an International-Level Athlete (as defined by Virtus or any other International Federation consistent with the International Standard for Testing and Investigations) or National-Level Athlete (as defined by each National Anti-Doping Organization consistent with the International Standard for Testing and Investigations), has represented any country in an International Event in an open category or has been included within any Registered Testing Pool or other whereabouts information pool maintained by Virtus, other International Federation or National Anti-Doping Organization.

**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





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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.

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

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

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

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

**Specified Method:** See Article 4.2.2.

**Specified Substance:** See Article 4.2.2.

**Strict Liability:** The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent, Fault, negligence, or knowing Use on the Athlete's part be demonstrated by the Anti-Doping Organization in order to establish an anti-doping rule violation.

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

**Substantial Assistance:** For purposes of Article 10.7.1, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceedings described in Article 10.7.1.1, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an Anti-Doping



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Organization or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

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

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

**Team Sport:** A sport in which the substitution of players is permitted during a Competition.

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

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

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

**Trafficking:** Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by an Athlete, Athlete Support Person or any other Person subject to the authority of an Anti-Doping Organization to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a Prohibited Substance Used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate such Prohibited Substances are not



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intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

**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.

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

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

**Without Prejudice Agreement:** For purposes of Articles 10.7.1.1 and 10.8.2, a written agreement between an Anti-Doping Organization and an Athlete or other Person that allows the Athlete or other Person to provide information to the Anti-Doping Organization in a defined time-limited setting with the understanding that, if an agreement for Substantial Assistance or a case resolution agreement is not finalized, the information provided by the Athlete or other Person in this particular setting may not be used by the Anti-Doping Organization against the Athlete or other Person in any Results Management proceeding under the Code, and that the information provided by the Anti-Doping Organization in this particular setting may not be used by the Athlete or other Person against the Anti-Doping Organization in any Results Management proceeding under the Code. Such an agreement shall not preclude the Anti-Doping Organization, Athlete or other Person from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.



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### **APPENDIX 2 Modifications for Athletes with impairments**

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To ensure that the particular needs of Athletes with impairments are considered in relation to the provision of a Sample, Virtus will apply the modifications specified in the International Standard for Testing and Investigations, in particular its Annex A.



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### **APPENDIX 3 Modifications for Athletes who are minors**

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To ensure that the particular needs of Athletes who are Minors are met in relation to the provision of a Sample, Virtus will apply the modifications specified in the International Standard for Testing and Investigations, in particular its Annex B.



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